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108TH CONGRESS
1ST SESSION

H. R. 2297

[Report No. 108-211]

To amend title 38, United States Code, to modify and improve certain benefits for veterans, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 2, 2003

Mr. SMITH of New Jersey (for himself, Mr. EVANS, Mr. BROWN of South Carolina, and Mr. MICHAUD) introduced the following bill; which was referred to the Committee on Veterans' Affairs

JULY 15, 2003

Additional sponsors: Mr. GUTIERREZ, Ms. CORRINE BROWN of Florida, Mr. RODRIGUEZ, Mr. FILNER, Mr. ROYCE, and Mr. UDALL of New Mexico

JULY 15, 2003

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on June 2, 2003]

A BILL

To amend title 38, United States Code, to modify and improve certain benefits for veterans, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) *SHORT TITLE.*—*This Act may be cited as the “Vet-*
 3 *erans Benefits Act of 2003”.*

4 (b) *TABLE OF CONTENTS.*—*The table of contents of this*
 5 *Act is as follows:*

Sec. 1. Short title; table of contents.

Sec. 2. Expansion of Montgomery GI Bill education benefits for certain self-em-
ployment training.

Sec. 3. Extension in period of eligibility for survivors’ and dependents’ education
benefits for individuals who are involuntarily ordered to full-
time National Guard duty.

Sec. 4. Extension of Veterans’ Advisory Committee on Education.

Sec. 5. Repeal of provisions relating to obsolete education loan program.

Sec. 6. Retention of Dependency and Indemnity Compensation for surviving
spouses remarrying after age 55.

Sec. 7. Eligibility of surviving spouses who remarry for burial in national ceme-
teries.

Sec. 8. Permanent authority for State cemetery grants.

Sec. 9. Reinstatement of veterans vocational training program for certain pension
recipients.

Sec. 10. Increase in amounts for certain adaptive benefits for disabled veterans.

Sec. 11. Presumptions of service-connection relating to diseases and disabilities of
former prisoners of war.

Sec. 12. Extension of spina bifida benefits for children of Vietnam-era veterans.

Sec. 13. Permanent authority for housing loans for members of the Selected Re-
serve.

Sec. 14. Adjustment to home loan fees and uniformity of fees for qualifying Re-
serve members with fees for active duty veterans.

Sec. 15. Reinstatement of minimum requirements for sale of vendee loans.

Sec. 16. Rate of payment of benefits for certain Filipino veterans and their sur-
vivors residing in the United States.

Sec. 17. Burial benefits for new Philippine scouts residing in the United States.

Sec. 18. Extension of authority to maintain regional office in the Republic of the
Philippines.

Sec. 19. Outstationing of transition assistance program personnel.

Sec. 20. Forfeiture of benefits for subversive activities.

Sec. 21. Technical amendments related to Jobs for Veterans Act.

Sec. 22. Technical and conforming relating to establishment of Social Security
Administration as an independent agency.

6 **SEC. 2. EXPANSION OF MONTGOMERY GI BILL EDUCATION**
 7 **BENEFITS FOR CERTAIN SELF-EMPLOYMENT**
 8 **TRAINING.**

9 (a) *DEFINITION OF TRAINING ESTABLISHMENT.*—*Sec-*
 10 *tion 3452(e) of title 38, United States Code, is amended*

1 *by striking “means any” and all that follows and inserting*
2 *“means any of the following:*

3 *“(1) An establishment providing apprentice or*
4 *other training on the job, including those under the*
5 *supervision of a college or university or any State de-*
6 *partment of education.*

7 *“(2) An establishment providing self-employment*
8 *on-job training consisting of full-time training for a*
9 *period of less than six months that is needed or ac-*
10 *cepted for purposes of obtaining licensure to engage in*
11 *a self-employment occupation or required for owner-*
12 *ship and operation of a franchise that is the objective*
13 *of the training.*

14 *“(3) A State board of vocational education.*

15 *“(4) A Federal or State apprenticeship registra-*
16 *tion agency.*

17 *“(5) A joint apprenticeship committee estab-*
18 *lished pursuant to the Act of August 16, 1937, popu-*
19 *larly known as the ‘National Apprenticeship Act’ (29*
20 *U.S.C. 50 et seq.).*

21 *“(6) An agency of the Federal Government au-*
22 *thorized to supervise such training.”.*

23 *(b) EFFECTIVE DATE.—The amendment made by sub-*
24 *section (a) shall take effect on the date that is six months*
25 *after the date of the enactment of this Act and shall apply*

1 *to self-employment on-job training approved and pursued*
 2 *on or after that date.*

3 **SEC. 3. EXTENSION IN PERIOD OF ELIGIBILITY FOR SUR-**
 4 **VIVORS' AND DEPENDENTS' EDUCATION BEN-**
 5 **EFITS FOR INDIVIDUALS WHO ARE INVOLUN-**
 6 **TARILY ORDERED TO FULL-TIME NATIONAL**
 7 **GUARD DUTY.**

8 *(a) IN GENERAL.—Section 3512(h) of title 38, United*
 9 *States Code, is amended by inserting “or is involuntarily*
 10 *ordered to full-time National Guard duty under section*
 11 *502(f) of title 32,” after “title 10,”.*

12 *(b) EFFECTIVE DATE.—The amendment made by sub-*
 13 *section (a) shall take effect as of September 11, 2001.*

14 **SEC. 4. EXTENSION OF VETERANS' ADVISORY COMMITTEE**
 15 **ON EDUCATION.**

16 *(a) EXTENSION.—Subsection (c) of section 3692 of title*
 17 *38, United States Code, is amended by striking “December*
 18 *31, 2003” and inserting “December 31, 2009”.*

19 *(b) MODIFICATION OF MEMBERSHIP REQUIRE-*
 20 *MENTS.—The second sentence of subsection (a) of such sec-*
 21 *tion is amended by striking “World War II, the Korean*
 22 *conflict era, the post-Korean conflict era,”.*

23 *(c) TECHNICAL AMENDMENT.—Such section is further*
 24 *amended by striking “chapter 106” each place it appears*
 25 *and inserting “chapter 1606”.*

1 **SEC. 5. REPEAL OF PROVISIONS RELATING TO OBSOLETE**
2 **EDUCATION LOAN PROGRAM.**

3 (a) *TERMINATION OF PROGRAM.*—Subchapter III of
4 chapter 36 of title 38, United States Code, is repealed.

5 (b) *TRANSFER OF LOAN FUND BALANCE.*—Any bal-
6 ance as of the date of the enactment of this Act in the De-
7 partment of Veterans Affairs Education Loan Fund shall
8 be transferred to the Department of Veterans Affairs Read-
9 justment Benefits Account.

10 (c) *DISCHARGE OF LIABILITY.*—The Secretary of Vet-
11 erans Affairs shall discharge any outstanding liability of
12 a veteran under such subchapter. Any overpayment de-
13 clared under section 3698(e)(1) of that subchapter shall be
14 waived without further process on the date on which funds
15 are transferred under subsection (b).

16 (d) *CLERICAL AMENDMENT.*—The table of sections at
17 the beginning of chapter 36 of such title is amended by
18 striking the items relating to subchapter III and sections
19 3698 and 3699.

20 (e) *CONFORMING AMENDMENTS.*—(1) Section 3462(a)
21 of such title is amended by striking paragraph (2).

22 (2) Section 3485(e)(1) of such title by striking “(other
23 than an education loan under subchapter III)”.

24 (3) Section 3512 of such title is amended by striking
25 subsection (f).

1 **SEC. 6. RETENTION OF DEPENDENCY AND INDEMNITY COM-**
2 **PENSATION FOR SURVIVING SPOUSES RE-**
3 **MARRYING AFTER AGE 55.**

4 (a) *EXCEPTION TO TERMINATION OF BENEFITS UPON*
5 *REMARRIAGE.*—Section 103(d)(2)(B) of title 38, United
6 States Code, is amended by inserting “1311 or” after
7 “under section”.

8 (b) *EFFECTIVE DATE.*—The amendment made by sub-
9 section (a) shall take effect on—

10 (1) *the first day of the first month that begins*
11 *after the date of the enactment of this Act; or*

12 (2) *the first day of the fiscal year that begins in*
13 *the calendar year in which this Act is enacted, if later*
14 *than the date specified in paragraph (1).*

15 (c) *RETROACTIVE BENEFITS PROHIBITED.*—No benefit
16 may be paid to any person by reason of the amendment
17 made by subsection (a) for any period before the effective
18 date specified in subsection (b).

19 (d) *APPLICATION FOR BENEFITS.*—In the case of an
20 individual who but for having remarried would be eligible
21 for dependency and indemnity compensation under section
22 1311 of title 38, United States Code, and whose remarriage
23 was before the date of the enactment of this Act and after
24 the individual had attained age 55, the individual shall be
25 eligible for such compensation by reason of the amendment
26 made by subsection (a) only if the individual submits an

1 *application for such compensation to the Secretary of Vet-*
2 *erans Affairs not later than the end of the one-year period*
3 *beginning on the date of the enactment of this Act.*

4 **SEC. 7. ELIGIBILITY OF SURVIVING SPOUSES WHO RE-**
5 **MARRY FOR BURIAL IN NATIONAL CEME-**
6 **TERIES.**

7 (a) *ELIGIBILITY.*—Section 2402(5) of title 38, United
8 States Code, is amended by striking “(which for purposes
9 of this chapter includes an unremarried surviving spouse
10 who had a subsequent remarriage which was terminated by
11 death or divorce)” and inserting “(which for purposes of
12 this chapter includes a surviving spouse who had a subse-
13 quent remarriage)”.

14 (b) *EFFECTIVE DATE.*—The amendment made by sub-
15 section (a) shall apply with respect to deaths occurring on
16 or after January 1, 2000.

17 **SEC. 8. PERMANENT AUTHORITY FOR STATE CEMETERY**
18 **GRANTS.**

19 *Paragraph (2) of section 2408(a) of title 38, United*
20 *States Code, is amended—*

21 (1) *by striking “for fiscal year 1999 and for each*
22 *succeeding fiscal year through fiscal year 2004”;* and

23 (2) *by adding at the end the following new sen-*
24 *tence: “Funds appropriated under the preceding sen-*
25 *tence shall remain available until expended.”.*

1 **SEC. 9. REINSTATEMENT OF VETERANS VOCATIONAL**
2 **TRAINING PROGRAM FOR CERTAIN PENSION**
3 **RECIPIENTS.**

4 (a) *ESTABLISHMENT OF NEW PROGRAM PERIOD.*—
5 *Subsection (a)(3) of section 1524 of title 38, United States*
6 *Code, is amended by striking “the period beginning on Feb-*
7 *ruary 1, 1985, and ending on December 31, 1995” and in-*
8 *serting “the five-year period beginning on the date of the*
9 *enactment of the Veterans Benefits Act of 2003”.*

10 (b) *CONFORMING AMENDMENT.*—*Subsection (b)(4) of*
11 *such section is amended by striking “December 31, 1995”*
12 *and inserting “the end of the program period”.*

13 (c) *OUTREACH.*—*Such section is further amended by*
14 *adding at the end the following new subsection:*

15 “(f) *The Secretary shall ensure that the availability*
16 *of vocational training under this section is made known*
17 *through a variety of means, including the Internet and an-*
18 *nouncements in Department publications and other vet-*
19 *erans’ publications.”.*

20 (d) *REPORTS.*—*Such section, as amended by sub-*
21 *section (c), is further amended by adding at the end the*
22 *following new subsection:*

23 “(g) *Not later than two years after the date of the en-*
24 *actment of the Veterans Benefits Act of 2003, and each year*
25 *thereafter, the Secretary shall submit to the Committees on*
26 *Veterans’ Affairs of the Senate and House of Representa-*

1 *tives a report on the operation of this section. The report*
2 *shall set forth an evaluation of the vocational training pro-*
3 *vided under this section for the period involved, and shall*
4 *include an analysis of the cost-effectiveness of the vocational*
5 *training provided under this section as well as data on the*
6 *entered-employment rate of veterans pursuing such voca-*
7 *tional training.”.*

8 *(e) STYLISTIC AMENDMENTS.—Such section is further*
9 *amended—*

10 *(1) by striking “of Veterans Affairs” in sub-*
11 *section (a)(1); and*

12 *(2) by striking “of this section” in subsections*
13 *(a)(2), (b)(1), (b)(4) (both places it appears), (c), (d),*
14 *and (e).*

15 **SEC. 10. INCREASE IN AMOUNTS FOR CERTAIN ADAPTIVE**
16 **BENEFITS FOR DISABLED VETERANS.**

17 *(a) INCREASE IN ASSISTANCE AMOUNT FOR SPE-*
18 *CIALLY ADAPTED HOUSING.—Section 2102 of title 38,*
19 *United States Code, is amended—*

20 *(1) in the matter preceding paragraph (1) of*
21 *subsection (a), by striking “\$48,000” and inserting*
22 *“\$50,000”; and*

23 *(2) in subsection (b)(2), by striking “\$9,250”*
24 *and inserting “\$10,000”.*

1 (b) *INCREASE IN AMOUNT OF ASSISTANCE FOR AUTO-*
2 *MOBILE AND ADAPTIVE EQUIPMENT FOR CERTAIN DIS-*
3 *ABLED VETERANS.*—Section 3902(a) of such title is amend-
4 *ed by striking “\$9,000” and inserting “\$11,000”.*

5 (c) *EFFECTIVE DATE.*—The amendments made by sub-
6 *sections (a) and (b) shall apply with respect to assistance*
7 *furnished on or after the date of the enactment of this Act.*

8 **SEC. 11. PRESUMPTIONS OF SERVICE-CONNECTION RELAT-**
9 **ING TO DISEASES AND DISABILITIES OF**
10 **FORMER PRISONERS OF WAR.**

11 Subsection (b) of section 1112 of title 38, United States
12 *Code, is amended to read as follows:*

13 “(b)(1) *For the purposes of section 1110 of this title*
14 *and subject to the provisions of section 1113 of this title,*
15 *in the case of a veteran who is a former prisoner of war—*

16 “(A) *a disease specified in paragraph (2) shall*
17 *be considered to have been incurred in or aggravated*
18 *by such service, notwithstanding that there is no*
19 *record of such disease during the period of service;*
20 *and*

21 “(B) *if the veteran was detained or interned as*
22 *a prisoner of war for not less than thirty days, a dis-*
23 *ease specified in paragraph (3) which became mani-*
24 *fest to a degree of 10 percent or more after active*
25 *military, naval, or air service shall be considered to*

1 *have been incurred in or aggravated by such service,*
2 *notwithstanding that there is no record of such dis-*
3 *ease during the period of service.*

4 “(2) *The diseases specified in this paragraph are the*
5 *following:*

6 “(A) *Psychosis.*

7 “(B) *Any of the anxiety states.*

8 “(C) *Dysthymic disorder (or depressive neu-*
9 *rosis).*

10 “(D) *Organic residuals of frostbite, if the Sec-*
11 *retary determines that the veteran was interned in*
12 *climatic conditions consistent with the occurrence of*
13 *frostbite.*

14 “(E) *Post-traumatic osteoarthritis.*

15 “(3) *The diseases specified in this paragraph are the*
16 *following:*

17 “(A) *Avitaminosis.*

18 “(B) *Beriberi (including beriberi heart disease).*

19 “(C) *Chronic dysentery.*

20 “(D) *Helminthiasis.*

21 “(E) *Malnutrition (including optic atrophy asso-*
22 *ciated with malnutrition).*

23 “(F) *Pellagra.*

24 “(G) *Any other nutritional deficiency.*

25 “(H) *Cirrhosis of the liver.*

1 “(I) *Peripheral neuropathy except where directly*
2 *related to infectious causes.*

3 “(J) *Irritable bowel syndrome.*

4 “(K) *Peptic ulcer disease.*”

5 **SEC. 12. EXTENSION OF SPINA BIFIDA BENEFITS FOR CHIL-**
6 **DREN OF VIETNAM-ERA VETERANS.**

7 (a) *ELIGIBLE CHILDREN.*—Subchapter I of chapter 18
8 of title 38, United States Code, is amended by inserting
9 before section 1802 the following new section:

10 **“§ 1801. Persons eligible for benefits**

11 *“An individual is an eligible child for purposes of this*
12 *subchapter if the individual is suffering from spina bifida*
13 *and is—*

14 *“(1) a child as defined in section 1821(1) of this*
15 *title; or*

16 *“(2) the natural child, regardless of age or mar-*
17 *ital status, of a parent who during the period begin-*
18 *ning on October 1 1967, and ending on May 7 1975,*
19 *performed active military, naval, or air service in the*
20 *Republic of Korea in the area between the south line*
21 *of the Demilitarized Zone and a line five miles south*
22 *of the Civilian Control Line established with respect*
23 *to the Demilitarized Zone, but only if the individual*
24 *was conceived after the parent performed such serv-*
25 *ice.*”

1 (b) *HEALTH CARE*.—Section 1803(a) of such title is
 2 amended by striking “a child of a Vietnam veteran who
 3 is suffering from spina bifida” and inserting “an eligible
 4 child”.

5 (c) *VOCATIONAL TRAINING AND REHABILITATION*.—
 6 Section 1804(a) of such title is amended by striking “a
 7 child of a Vietnam veteran who is suffering from spina
 8 bifida” and inserting “an eligible child”.

9 (d) *MONETARY ALLOWANCE*.—Section 1805(a) of such
 10 title is amended by striking “any child of a Vietnam vet-
 11 eran” and inserting “any eligible child”.

12 (e) *CONFORMING AMENDMENTS*.—Chapter 18 of such
 13 title is amended as follows:

14 (1) The heading of the chapter is amended to
 15 read as follows:

16 **“CHAPTER 18—DISABILITY BENEFITS FOR**
 17 **CHILDREN OF VIETNAM VETERANS**
 18 **AND OTHER VETERANS EXPOSED TO**
 19 **HERBICIDE AGENTS”.**

20 (2) The heading of subchapter I is amended to
 21 read as follows:

22 **“SUBCHAPTER I—CHILDREN BORN WITH SPINA**
 23 **BIFIDA”.**

24 (3) The table of sections at the beginning of the
 25 chapter is amended—

“LOAN FEE TABLE

| Type of loan | Veteran | Other obligor |
|--|---------|---------------|
| (A)(i) Initial loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other initial loan described in section 3710(a) other than with 5-down or 10-down (closed before October 1, 2003) | 2.00 | NA |
| (A)(ii) Initial loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other initial loan described in section 3710(a) other than with 5-down or 10-down (closed on or after October 1, 2003, and before October 1, 2011) | 2.15 | NA |
| (A)(iii) Initial loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other initial loan described in section 3710(a) other than with 5-down or 10-down (closed on or after October 1, 2011) | 1.40 | NA |
| (B)(i) Subsequent loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other subsequent loan described in section 3710(a) (closed before October 1, 2011) | 3.30 | NA |
| (B)(ii) Subsequent loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other subsequent loan described in section 3710(a) (closed on or after October 1, 2011 and before October 1, 2013) | 2.15 | NA |
| (B)(iii) Subsequent loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other subsequent loan described in section 3710(a) (closed on or after October 1, 2013) | 1.25 | NA |
| (C)(i) Loan described in section 3710(a) to purchase or construct a dwelling with 5-down (closed before October 1, 2011) | 1.50 | NA |
| (C)(ii) Loan described in section 3710(a) to purchase or construct a dwelling with 5-down (closed on or after October 1, 2011) | 0.75 | NA |
| (D)(i) Initial loan described in section 3710(a) to purchase or construct a dwelling with 10-down (closed before October 1, 2011) .. | 1.25 | NA |
| (D)(ii) Initial loan described in section 3710(a) to purchase or construct a dwelling with 10-down (closed on or after October 1, 2011) | 0.50 | NA |
| (E) Interest rate reduction refinancing loan | 0.50 | NA |
| (F) Direct loan under section 3711 | 1.00 | NA |
| (G) Manufactured home loan under section 3712 (other than an interest rate reduction refinancing loan) | 1.00 | NA |
| (H) Loan to Native American veteran under section 3762 (other than an interest rate reduction refinancing loan) | 1.25 | NA |
| (I) Loan assumption under section 3714 | 0.50 | 0.50 |
| (J) Loan under section 3733(a) | 2.25 | 2.25 |
| (K) Hybrid loan under section 3707A | 1.25 | NA”. |

1 (b) CONFORMING AMENDMENTS.—(1) Subparagraph
2 (A) of paragraph (4) of such section is amended to read
3 as follows:

1 (2) by striking “of this paragraph” each place it
2 appears in subsection (a)(4).

3 **SEC. 16. RATE OF PAYMENT OF BENEFITS FOR CERTAIN**
4 **FILIPINO VETERANS AND THEIR SURVIVORS**
5 **RESIDING IN THE UNITED STATES.**

6 (a) *RATE OF PAYMENT.*—Section 107 of title 38,
7 *United States Code, is amended—*

8 (1) *in the second sentence of subsection (b), by*
9 *striking “Payments” and inserting “Except as pro-*
10 *vided in subsection (c), payments”;* and

11 (2) *in subsection (c)—*

12 (A) *by inserting “and subchapter II of*
13 *chapter 13 (except section 1312(a)) of this title”*
14 *after “chapter 11 of this title”;*

15 (B) *by striking “in subsection (a)” and in-*
16 *serting “in subsection (a) or (b)”;* and

17 (C) *by striking “of subsection (a)” and in-*
18 *serting “of the applicable subsection”.*

19 (b) *EFFECTIVE DATE.*—*The amendments made by sub-*
20 *section (a) shall apply to benefits paid for months begin-*
21 *ning after the date of the enactment of this Act.*

1 **SEC. 17. BURIAL BENEFITS FOR NEW PHILIPPINE SCOUTS**
2 **RESIDING IN THE UNITED STATES.**

3 (a) *BENEFIT ELIGIBILITY.*—Section 107 of title 38,
4 United States Code, as amended by section 16, is further
5 amended—

6 (1) in subsection (b)(2)—

7 (A) by striking “and” and inserting a
8 comma; and

9 (B) by inserting “, 23, and 24 (to the extent
10 provided for in section 2402(8))” after “(except
11 section 1312(a))”;

12 (2) in the second sentence of subsection (b), as
13 amended by section 16(a)(1), by inserting “or (d)”
14 after “subsection (c)”;

15 (3) in subsection (d)(1), by inserting “or (b), as
16 otherwise applicable,” after “subsection (a)”;

17 (4) in subsection (d)(2), by inserting “or whose
18 service is described in subsection (b) and who dies
19 after the date of the enactment of the Veterans Bene-
20 fits Act of 2003,” after “November 1, 2000,”.

21 (b) *NATIONAL CEMETERY INTERMENT.*—Section
22 2402(8) of such title is amended by striking “section
23 107(a)” and inserting “subsection (a) or (b) of section 107”.

24 (c) *EFFECTIVE DATE.*—The amendments made by sub-
25 sections (a) and (b) shall apply with respect to deaths occur-
26 ring after the date of the enactment of this Act.

1 **SEC. 18. EXTENSION OF AUTHORITY TO MAINTAIN RE-**
2 **GIONAL OFFICE IN THE REPUBLIC OF THE**
3 **PHILIPPINES.**

4 *Section 315(b) of title 38, United States Code, is*
5 *amended by striking “December 31, 2003” and inserting*
6 *“December 31, 2009”.*

7 **SEC. 19. OUTSTATIONING OF TRANSITION ASSISTANCE**
8 **PROGRAM PERSONNEL.**

9 *(a) IN GENERAL.—(1) Chapter 41 of title 38, United*
10 *States Code, is amended by adding at the end the following*
11 *new section:*

12 **“§4113. Outstationing of Transition Assistance Pro-**
13 **gram personnel**

14 *“(a) STATIONING OF TAP PERSONNEL AT OVERSEAS*
15 *MILITARY INSTALLATIONS.—(1) The Secretary—*

16 *“(A) shall station employees of the Veterans’ Em-*
17 *ployment and Training Service, or contractors under*
18 *subsection (c), at each veterans assistance office de-*
19 *scribed in paragraph (2); and*

20 *“(B) may station such employees or contractors*
21 *at such other military installations outside the United*
22 *States as the Secretary, after consultation with the*
23 *Secretary of Defense, determines to be appropriate or*
24 *desirable to carry out the purposes of this chapter.*

25 *“(2) Veterans assistance offices referred to in para-*
26 *graph (1)(A) are those offices that are established by the*

1 *Secretary of Veterans Affairs on military installations pur-*
2 *suant to the second sentence of section 7723(a) of this title.*

3 “(b) *FUNCTIONS.—Employees (or contractors) sta-*
4 *tioned at military installations pursuant to subsection (a)*
5 *shall provide, in person, counseling, assistance in identi-*
6 *fying employment and training opportunities, help in ob-*
7 *taining such employment and training, and other related*
8 *information and services to members of the Armed Forces*
9 *who are being separated from active duty, and the spouses*
10 *of such members, under the Transition Assistance Program*
11 *and Disabled Transition Assistance Program established in*
12 *section 1144 of title 10.*

13 “(c) *AUTHORITY TO CONTRACT WITH PRIVATE ENTI-*
14 *TIES.—The Secretary, consistent with such section 1144,*
15 *may enter into contracts with public or private entities to*
16 *provide, in person, some or all of the counseling, assistance,*
17 *information and services under the Transition Assistance*
18 *Program required under subsection (a).”.*

19 (2) *The table of sections at the beginning of such chap-*
20 *ter is amended by adding at the end the following new item:*

“4113. Outstationing of Transition Assistance Program personnel.”.

21 (b) *DEADLINE FOR IMPLEMENTATION.—Not later than*
22 *the date that is 90 days after the date of the enactment*
23 *of this Act, the Secretary of Labor shall implement section*
24 *4113 of title 38, United States Code, as added by subsection*
25 *(a), and shall have employees of the Veterans’ Employment*

1 *and Training Service, or contractors, to carry out that sec-*
2 *tion at the military installations involved by such date.*

3 **SEC. 20. FORFEITURE OF BENEFITS FOR SUBVERSIVE AC-**
4 **TIVITIES.**

5 (a) *ADDITION OF CERTAIN OFFENSES.—Paragraph*
6 *(2) of section 6105(b) of title 38, United States Code, is*
7 *amended—*

8 (1) *by inserting “175, 229,” after “sections”; and*
9 (2) *by inserting “831, 1091, 2332a, 2332b,” after*
10 *“798.”*

11 (b) *EFFECTIVE DATE.—The amendments made by sub-*
12 *section (a) shall apply to claims filed after the date of the*
13 *enactment of this Act.*

14 **SEC. 21. TECHNICAL AMENDMENTS RELATED TO JOBS FOR**
15 **VETERANS ACT.**

16 (a) *JOB TRAINING AND PLACEMENT FUNCTIONS OF*
17 *THE DEPARTMENT OF LABOR.—(1) Subsection (c)(2)(B)(ii)*
18 *of section 4102A of such title is amended by striking “Octo-*
19 *ber 1, 2002” and inserting “October 1, 2003”.*

20 (2) *The amendment made by paragraph (1) shall take*
21 *effect as if included in the enactment of section 4(a) of the*
22 *Jobs for Veterans Act (Public Law 107–288; 116 Stat.*
23 *2038).*

1 (b) *OTHER TECHNICAL AMENDMENTS.*—(1) *Such sub-*
2 *section is further amended by striking “, as amended by*
3 *the Jobs for Veterans Act”.*

4 (2) *Subsection (f)(1) of such section is amended by*
5 *striking “6 months after the date of the enactment of this*
6 *section,” and inserting “May 7, 2003,”.*

7 **SEC. 22. TECHNICAL AND CONFORMING RELATING TO ES-**
8 **TABLISHMENT OF SOCIAL SECURITY ADMIN-**
9 **ISTRATION AS AN INDEPENDENT AGENCY.**

10 *Title 38, United States Code, is amended as follows:*

11 (1) *Section 1322 is amended—*

12 (A) *in subsection (a), by striking “Secretary*
13 *of Health and Human Services” and all that fol-*
14 *lows through the period and inserting “Commis-*
15 *sioner of Social Security, and shall be certified*
16 *by the Commissioner to the Secretary upon re-*
17 *quest of the Secretary.”; and*

18 (B) *in subsection (b)—*

19 (i) *by striking “Secretary of Health*
20 *and Human Services” in the first sentence*
21 *and inserting “Commissioner of Social Se-*
22 *curity”;*

23 (ii) *by striking “the two Secretaries”*
24 *and inserting “the Secretary and the Com-*
25 *missioner”;* and

1 (iii) by striking “Secretary of Health
2 and Human Services” in the second sen-
3 tence and inserting “Commissioner”.

4 (2) Section 5101(a) is amended by striking “Sec-
5 retary of Health and Human Services” and inserting
6 “Commissioner of Social Security”.

7 (3) Section 5317 is amended by striking “Sec-
8 retary of Health and Human Services” in subsections
9 (a), (b), and (g) and inserting “Commissioner of So-
10 cial Security”.

11 (4)(A) Section 5318 is amended—

12 (i) in subsection (a), by striking “Depart-
13 ment of Health and Human Services” and in-
14 serting “Social Security Administration”; and

15 (ii) in subsection (b)—

16 (I) by striking “Department of Health
17 and Human Services” and inserting “So-
18 cial Security Administration”;

19 (II) by striking “Secretary of Health
20 and Human Services” the first place it ap-
21 pears and inserting “Commissioner of So-
22 cial Security”;

23 (III) by striking “Secretary of Health
24 and Human Services” the second place it
25 appears and inserting “Commissioner”; and

1 *(IV) by striking “such Secretaries” and*
2 *inserting “the Secretary and the Commis-*
3 *sioner”.*

4 *(B)(i) The heading of such section is amended to*
5 *read as follows:*

6 **“§5318. Review of Social Security Administration**
7 **death information”.**

8 *(ii) The item relating to that section in the table*
9 *of sections at the beginning at chapter 53 is amended*
10 *to read as follows:*

“5318. Review of Social Security Administration death information.”.

Amend the title so as to read: “A bill to amend title 38, United States Code, to improve benefits under laws administered by the Secretary of Veterans Affairs, and for other purposes.”.

Union Calendar No. 117

108TH CONGRESS
1ST SESSION

H. R. 2297

[Report No. 108-211]

A BILL

To amend title 38, United States Code, to modify and improve certain benefits for veterans, and for other purposes.

JULY 15, 2003

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed