

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 6185

To amend title 38, United States Code, to improve health care for veterans,  
and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 26, 2006

Ms. HARRIS (for herself, Mr. SIMMONS, and Mr. BISHOP of Georgia) introduced the following bill; which was referred to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend title 38, United States Code, to improve health  
care 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,*

3 **SECTION 1. SHORT TITLE; REFERENCES TO TITLE 38,**  
4 **UNITED STATES CODE; TABLE OF CONTENTS.**

5 (a) SHORT TITLE.—This Act may be cited as the  
6 “Veterans Health Care Act of 2006”.

7 (b) REFERENCES.—Except as otherwise expressly  
8 provided, whenever in this Act an amendment or repeal

1 is expressed in terms of an amendment or repeal to a sec-  
 2 tion or other provision, the reference shall be considered  
 3 to be made to a section or other provision of title 38,  
 4 United States Code.

5 (c) TABLE OF CONTENTS.—The table of contents for  
 6 this Act is as follows:

- Sec. 1. Short title; references to title 38, United States Code; table of contents.
- Sec. 2. Care for newborn children of women veterans receiving maternity care.
- Sec. 3. Enhancement of payer provisions for Health care furnished to certain children of Vietnam veterans.
- Sec. 4. Improvements to homeless veterans service providers programs.
- Sec. 5. Additional mental Health providers.
- Sec. 6. Pay comparability for chief nursing officer, office of nursing services.
- Sec. 7. Cost comparison studies.
- Sec. 8. Improvements and expansion of mental Health services.
- Sec. 9. Disclosure of medical records.
- Sec. 10. Expansion of National Guard Outreach Program.
- Sec. 11. Expansion of telehealth services.
- Sec. 12. Mental Health data sources report.
- Sec. 13. Veterans travel reimbursement for health care.
- Sec. 14. Blind rehabilitation outpatient Specialists.
- Sec. 15. Compliance report.
- Sec. 16. Health care and services for veterans affected by Hurricane Katrina.
- Sec. 17. Reimbursement for certain veterans' outstanding emergency treatment expenses.
- Sec. 18. Conveyance of Federal land in exchange for fair market value consideration.
- Sec. 19. Technical and clerical amendments.

7 **SEC. 2. CARE FOR NEWBORN CHILDREN OF WOMEN VET-**  
 8 **ERANS RECEIVING MATERNITY CARE.**

9 (a) IN GENERAL.—Chapter 17 is amended by adding  
 10 at the end the following new section:

11 **“§ 1786. Care for newborn children of women vet-**  
 12 **erans receiving maternity care**

13 “The Secretary may furnish care to a newborn child  
 14 of a woman veteran, who is receiving maternity care fur-  
 15 nished by the Department, for not more than 14 days

1 after the birth of the child if the veteran delivered the child  
 2 in a Department facility or in another facility pursuant  
 3 to a Department contract for the delivery services.”.

4 (b) CLERICAL AMENDMENT.—The table of sections  
 5 at the beginning of such chapter is amended by adding  
 6 at the end the following new item:

“1786. Care for newborn children of women veterans receiving maternity care.”.

7 **SEC. 3. ENHANCEMENT OF PAYER PROVISIONS FOR**  
 8 **HEALTH CARE FURNISHED TO CERTAIN**  
 9 **CHILDREN OF VIETNAM VETERANS.**

10 (a) HEALTH CARE FOR SPINA BIFIDA AND ASSOCI-  
 11 ATED DISABILITIES.—Section 1803 is amended—

12 (1) by redesignating subsection (c) as sub-  
 13 section (d); and

14 (2) by inserting after subsection (b) the fol-  
 15 lowing new subsection (c):

16 “(c)(1) If a payment made by the Secretary for  
 17 health care under this section is less than the amount  
 18 billed for such health care, the health care provider or  
 19 agent of the health care provider may, in accordance with  
 20 paragraphs (2) through (4), seek payment for the dif-  
 21 ference between the amount billed and the amount paid  
 22 by the Secretary from a responsible third party to the ex-  
 23 tent that the provider or agent would be eligible to receive  
 24 payment for such health care from such third party.

1       “(2) The health care provider or agent may not im-  
2       pose any additional charge on the beneficiary who received  
3       the health care, or the family of such beneficiary, for any  
4       service or item for which the Secretary has made payment  
5       under this section.

6       “(3) The total amount of payment a health care pro-  
7       vider or agent may receive for health care furnished under  
8       this section may not exceed the amount billed to the Sec-  
9       retary.

10       “(4) The Secretary, upon request, shall disclose to  
11       such third party information received for the purposes of  
12       carrying out this section.”.

13       (b) HEALTH CARE FOR BIRTH DEFECTS AND ASSO-  
14       CIATED DISABILITIES.—Section 1813 is amended—

15               (1) by redesignating subsection (c) as sub-  
16       section (d); and

17               (2) by inserting after subsection (b) the fol-  
18       lowing new subsection (c):

19       “(c)(1) If payment made by the Secretary for health  
20       care under this section is less than the amount billed for  
21       such health care, the health care provider or agent of the  
22       health care provider may, in accordance with paragraphs  
23       (2) through (4), seek payment for the difference between  
24       the amount billed and the amount paid by the Secretary  
25       from a responsible third party to the extent that the pro-

1 vider or agent would be eligible to receive payment for  
2 such health care from such third party.

3 “(2) The health care provider or agent may not im-  
4 pose any additional charge on the beneficiary who received  
5 health care, or the family of such beneficiary, for any serv-  
6 ice or item for which the Secretary has made payment  
7 under this section.

8 “(3) The total amount of payment a health care pro-  
9 vider or agent may receive for health care furnished under  
10 this section may not exceed the amount billed to the Sec-  
11 retary.

12 “(4) The Secretary, upon request, shall disclose to  
13 such third party information received for the purposes of  
14 carrying out this section.”.

15 **SEC. 4. IMPROVEMENTS TO HOMELESS VETERANS SERVICE**

16 **PROVIDERS PROGRAMS.**

17 (a) PERMANENT AUTHORITY.—Section 2011(a) is  
18 amended—

19 (1) in paragraph (1), by striking “(1)”; and

20 (2) by striking paragraph (2).

21 (b) AUTHORIZATION OF APPROPRIATIONS.—

22 (1) COMPREHENSIVE SERVICE PROGRAMS FOR  
23 HOMELESS VETERANS.—Section 2013 is amended to  
24 read as follows:

1 **“§ 2013. Authorization of appropriations**

2 “There are authorized to be appropriated  
3 \$130,000,000 for fiscal year 2007 and each subsequent  
4 fiscal year to carry out this subchapter.”.

5 (2) HOMELESS VETERAN SERVICE PROVIDER  
6 TECHNICAL ASSISTANCE PROGRAM.—Section  
7 2064(b) is amended to read as follows:

8 “(b) AUTHORIZATION OF APPROPRIATIONS.—There  
9 are authorized to be appropriated \$1,000,000 for each of  
10 fiscal years 2007 through 2012 to carry out the programs  
11 under this section.”.

12 **SEC. 5. ADDITIONAL MENTAL HEALTH PROVIDERS.**

13 (a) QUALIFICATIONS.—Section 7402(b) is amend-  
14 ed—

15 (1) by redesignating paragraph (10) as para-  
16 graph (12); and

17 (2) by inserting after paragraph (9) the fol-  
18 lowing new paragraphs:

19 “(10) MARRIAGE AND FAMILY THERAPIST.—To be  
20 eligible to be appointed to a marriage and family therapist  
21 position, a person shall—

22 “(A) hold a master’s degree in marriage and  
23 family therapy, or a comparable degree in mental  
24 health, from a college or university approved by the  
25 Secretary; and

1           “(B) be licensed or certified to independently  
2           practice marriage and family therapy in a State, ex-  
3           cept that the Secretary may waive the requirement  
4           of licensure or certification for an individual mar-  
5           riage and family therapist for a reasonable period of  
6           time recommended by the Under Secretary for  
7           Health.

8           “(11) LICENSED PROFESSIONAL MENTAL HEALTH  
9           COUNSELORS.—To be eligible to be appointed to a li-  
10          censed professional mental health counselor position, a  
11          person shall—

12           “(A) hold a master’s degree in mental health  
13          counseling, or a related field, from a college or uni-  
14          versity approved by the Secretary; and

15           “(B) be licensed or certified to independently  
16          practice mental health counseling.”.

17          (b) REPORT ON MARRIAGE AND FAMILY THERAPY  
18          WORKLOAD.—

19           (1) IN GENERAL.—Not later than 90 days after  
20          the date of the enactment of this Act, the Under  
21          Secretary for Health of the Department of Veterans  
22          Affairs shall submit to the Committee on Veterans’  
23          Affairs of the Senate and the Committee on Vet-  
24          erans’ Affairs of the House of Representatives a re-

1 port on the provisions of post-traumatic stress dis-  
2 order treatment by marriage and family therapists.

3 (2) CONTENTS.—The report submitted under  
4 paragraph (1) shall include—

5 (A) the actual and projected workloads in  
6 facilities of the Veterans Readjustment Coun-  
7 seling Service and the Veterans Health Admin-  
8 istration for the provision of marriage and fam-  
9 ily counseling for veterans diagnosed with, or  
10 otherwise in need of treatment for, post-trau-  
11 matic stress disorder;

12 (B) the resources available and needed to  
13 support the workload projections described in  
14 subparagraph (A);

15 (C) an assessment by the Under Secretary  
16 for Health of the effectiveness of treatment by  
17 marriage and family therapists; and

18 (D) recommendations, if any, for improve-  
19 ments in the provision of such counseling treat-  
20 ment.

21 **SEC. 6. PAY COMPARABILITY FOR CHIEF NURSING OFFI-**  
22 **CER, OFFICE OF NURSING SERVICES.**

23 Section 7404 is amended—



1           (1) in subsection (d), by striking “subchapter  
2           III and in” and inserting “subsection (e), sub-  
3           chapter III, and”; and

4           (2) by adding at the end the following new sub-  
5           section:

6           “(e) The position of Chief Nursing Officer, Office of  
7           Nursing Services, shall be exempt from the provisions of  
8           section 7451 of this title and shall be paid at a rate not  
9           to exceed the maximum rate established for the Senior Ex-  
10          ecutive Service under section 5382 of title 5, as deter-  
11          mined by the Secretary.”.

12       **SEC. 7. COST COMPARISON STUDIES.**

13          (a) STUDIES AUTHORIZED.—

14           (1) IN GENERAL.—Notwithstanding section  
15          8110(a)(5) of title 38, United States Code, the Sec-  
16          retary of Veterans Affairs may conduct studies to  
17          compare the amount that would be expended if pri-  
18          vate contractors provided specific commercial or in-  
19          dustrial products and services for the Veterans  
20          Health Administration with the amount that would  
21          be expended if the Department of Veterans Affairs  
22          provided such products and services for the Veterans  
23          Health Administration.

24           (2) LIMITATION.—In the course of conducting  
25          the private-public cost comparison studies under

1 paragraph (1), a private contractor may not receive  
2 an advantage for a proposal that would reduce costs  
3 for the Department of Veterans Affairs by—

4 (A) not making an employer-sponsored  
5 health insurance plan available to the workers  
6 who are to be employed in the performance of  
7 that activity or function under the contract; or

8 (B) offering to such workers an employer-  
9 sponsored health benefits plan that requires the  
10 employer to contribute less towards the pre-  
11 mium or subscription share than the amount  
12 that is paid by the Department of Veterans Af-  
13 fairs for health benefits for civilian employees  
14 under chapter 89 of title 5, United States Code.

15 (3) AUTHORIZATION OF APPROPRIATIONS.—

16 (A) IN GENERAL.—There are authorized to  
17 be appropriated \$15,000,000 to carry out para-  
18 graph (1), of which—

19 (i) not more than \$7,500,000 shall be  
20 available to evaluate activities that have  
21 been performed by employees of the Fed-  
22 eral Government; and

23 (ii) not more than \$7,500,000 shall be  
24 available to evaluate activities that have  
25 been performed by private contractors.

1 (B) SUNSET DATE.—This paragraph is re-  
2 pealed on September 30, 2008.

3 (b) REPORT.—Not later than March 15, 2008, the  
4 Secretary of Veterans Affairs shall submit to the Com-  
5 mittee on Veterans' Affairs of the Senate and the Com-  
6 mittee on Veterans' Affairs of the House of Representa-  
7 tives a report that—

8 (1) identifies the amount expended by the De-  
9 partment of Veterans Affairs during fiscal year 2007  
10 to conduct cost comparison studies, including—

11 (A) studies conducted in accordance with  
12 Office of Management and Budget Circular A-  
13 76; and

14 (B) studies to identify the most efficient  
15 internal processes for the Department of Vet-  
16 erans Affairs;

17 (2) summarizes the benefits and burdens of the  
18 studies described in paragraph (1);

19 (3) analyzes each approach for determining—

20 (A) the best method of allocating the re-  
21 sources of the Department of Veterans Affairs;  
22 and

23 (B) the appropriate use of nongovern-  
24 mental employees; and

1           (4) identifies the amount of savings (calculated  
2           in terms of full-time employee reinvestment), if any,  
3           to the Department of Veterans Affairs as a result  
4           of—

5                   (A) the private-public cost comparison  
6                   studies conducted under subsection (a); and

7                   (B) the Department of Veterans Affairs in-  
8                   ternal processes for the same positions.

9 **SEC. 8. IMPROVEMENTS AND EXPANSION OF MENTAL**  
10 **HEALTH SERVICES.**

11           (a) FINDINGS.—Congress makes the following find-  
12 ings:

13                   (1) Mental health treatment capacity at com-  
14                   munity-based outpatient clinics remains inadequate  
15                   and inconsistent, despite the requirement under sec-  
16                   tion 1706(c) of title 38, United States Code, that  
17                   every primary care health care facility of the De-  
18                   partment of Veterans Affairs develop and carry out  
19                   a plan to meet the mental health care needs of vet-  
20                   erans who require such services.

21                   (2) In 2001, the minority staff of the Com-  
22                   mittee on Veterans' Affairs of the Senate conducted  
23                   a survey of community-based outpatient clinics and  
24                   found that there was no established systemwide

1 baseline of acceptable mental health service levels at  
2 such clinics.

3 (3) In February 2005, the Government Ac-  
4 countability Office reported that the Department of  
5 Veterans Affairs had not fully met any of the 24  
6 clinical care and education recommendations made  
7 in 2004 by the Special Committee on Post-Trau-  
8 matic Stress Disorder of the Under Secretary for  
9 Health of the Department of Veterans Affairs.

10 (b) CLINICAL SERVICES AND EDUCATION.—

11 (1) IN GENERAL.—The Secretary of Veterans  
12 Affairs shall—

13 (A) expand the number of clinical treat-  
14 ment teams principally dedicated to the treat-  
15 ment of post-traumatic stress disorder in med-  
16 ical facilities of the Department of Veterans Af-  
17 fairs;

18 (B) expand and improve the services avail-  
19 able to diagnose and treat substance abuse;

20 (C) expand and improve telehealth initia-  
21 tives to provide better access to mental health  
22 services in areas of the country in which the  
23 Secretary determines that a need for such serv-  
24 ices exist due to the distance of such locations

1 from an appropriate facility of the Department  
2 of Veterans Affairs;

3 (D) improve education programs available  
4 to primary care delivery professionals and dedi-  
5 cate such programs to recognize, treat, and  
6 clinically manage veterans with mental health  
7 care needs;

8 (E) expand the delivery of mental health  
9 services in community-based outpatient clinics  
10 of the Department of Veterans Affairs in which  
11 such services are not available as of the date of  
12 enactment of this Act; and

13 (F) expand and improve the Mental Health  
14 Intensive Case Management Teams for the  
15 treatment and clinical case management of vet-  
16 erans with serious or chronic mental illness.

17 (2) AUTHORIZATION OF APPROPRIATIONS.—

18 There are authorized to be appropriated  
19 \$95,000,000 in each of fiscal years 2007 and 2008  
20 to improve and expand the treatment services and  
21 options available to veterans in need of mental  
22 health treatment from the Department of Veterans  
23 Affairs, of which—

24 (A) \$5,000,000 shall be allocated to carry  
25 out paragraph (1)(A);

1 (B) \$50,000,000 shall be allocated to carry  
2 out paragraph (1)(B);

3 (C) \$10,000,000 shall be allocated to carry  
4 out paragraph (1)(C);

5 (D) \$1,000,000 shall be allocated to carry  
6 out paragraph (1)(D);

7 (E) \$20,000,000 shall be allocated to carry  
8 out paragraph (1)(E); and

9 (F) \$5,000,000 shall be allocated to carry  
10 out paragraph (1)(F).

11 (c) REQUIRED CAPACITY FOR COMMUNITY-BASED  
12 OUTPATIENT CLINICS.—

13 (1) ACCOUNTABILITY FOR THE PROVISION OF  
14 MENTAL HEALTH SERVICES.—The Under Secretary  
15 shall take appropriate steps and provide necessary  
16 incentives (including appropriate performance incen-  
17 tives) to ensure that each Regional Director of the  
18 Veterans Health Administration is encouraged to—

19 (A) prioritize the provision of mental  
20 health services to veterans in need of such serv-  
21 ices;

22 (B) foster collaborative working environ-  
23 ments among clinicians for the provision of  
24 mental health services; and

1 (C) conduct mental health consultations  
2 during primary care appointments.

3 (2) MENTAL HEALTH AND SUBSTANCE ABUSE  
4 SERVICES.—

5 (A) IN GENERAL.—The Secretary shall en-  
6 sure that each community-based outpatient clin-  
7 ic of the Department has the capacity to pro-  
8 vide, or monitor the provision of, mental health  
9 services to enrolled veterans in need of such  
10 services.

11 (B) SETTINGS.—In carrying out subpara-  
12 graph (A), the Secretary shall ensure that men-  
13 tal health services are provided through—

14 (i) a community-based outpatient clin-  
15 ic of the Department by an employee of  
16 the Department;

17 (ii) referral to another facility of the  
18 Department;

19 (iii) contract with an appropriate  
20 mental health professional in the local  
21 community; or

22 (iv) tele-mental health service.

23 (3) REPORTING REQUIREMENT.—Not later than  
24 January 31, 2009, the Secretary of Veterans Affairs  
25 shall submit to Congress a report that—



1 (A) describes the status and availability of  
2 mental health services at community-based out-  
3 patient clinics;

4 (B) describes the substance of services  
5 available at such clinics; and

6 (C) includes the ratios between mental  
7 health staff and patients at such clinics.

8 (d) COOPERATION ON MENTAL HEALTH AWARENESS  
9 AND PREVENTION.—

10 (1) AGREEMENT.—The Secretary of Defense  
11 and the Secretary of Veterans Affairs shall enter  
12 into a Memorandum of Understanding—

13 (A) to ensure that separating service mem-  
14 bers receive standardized individual mental  
15 health and sexual trauma assessments as part  
16 of separation exams; and

17 (B) that includes the development of  
18 shared guidelines on how to conduct the assess-  
19 ments.

20 (2) ESTABLISHMENT OF JOINT VETERANS AF-  
21 FAIRS—DEPARTMENT OF DEFENSE WORKGROUP ON  
22 MENTAL HEALTH.—

23 (A) IN GENERAL.—Not later than 180  
24 days after the date of the enactment of this  
25 Act, the Secretary of Defense and the Secretary

1 of Veterans Affairs shall establish a joint  
2 workgroup on mental health, which shall be  
3 comprised of not less than seven leaders in the  
4 field of mental health appointed from their re-  
5 spective departments.

6 (B) STUDY.—Not later than one year after  
7 the establishment of the workgroup under sub-  
8 paragraph (A), the workgroup shall analyze the  
9 feasibility, content, and scope of initiatives re-  
10 lated to—

11 (i) combating stigmas and prejudices  
12 associated with service members who suffer  
13 from mental health disorders or readjust-  
14 ment issues, through the use of peer coun-  
15 seling programs or other educational initia-  
16 tives;

17 (ii) ways in which the Department of  
18 Veterans Affairs can make its expertise in  
19 treating mental health disorders more  
20 readily available to Department of Defense  
21 mental health care providers;

22 (iii) family and spousal education to  
23 assist family members of veterans and  
24 service members to recognize and deal with

1 signs of potential readjustment issues or  
2 other mental health disorders; and

3 (iv) the seamless transition of service  
4 members who have been diagnosed with  
5 mental health disorders from active duty to  
6 veteran status (in consultation with the  
7 Seamless Transition Task Force and other  
8 entities assisting in this effort).

9 (C) REPORT.—Not later than June 30,  
10 2008, the Secretary of Defense and the Sec-  
11 retary of Veterans Affairs shall submit to Con-  
12 gress a report containing the findings and rec-  
13 ommendations of the workgroup established  
14 under subparagraph (A).

15 (e) PRIMARY CARE CONSULTATIONS FOR MENTAL  
16 HEALTH.—

17 (1) GUIDELINES.—The Under Secretary for  
18 Health of the Department of Veterans Affairs shall  
19 establish systemwide guidelines for screening pri-  
20 mary care patients for mental health disorders and  
21 illnesses.

22 (2) TRAINING.—Based upon the guidelines es-  
23 tablished under paragraph (1), the Under Secretary  
24 shall conduct appropriate training for clinicians of

1 the Department of Veterans Affairs to carry out  
2 mental health consultations.

3 (f) CLINICAL TRAINING AND PROTOCOLS.—

4 (1) FINDINGS.—Congress finds that—

5 (A) the Iraq War Clinician Guide has tre-  
6 mendous value; and

7 (B) the Secretary of Defense and the Na-  
8 tional Center on Post Traumatic Stress Dis-  
9 order should continue to work together to en-  
10 sure that the mental health care needs of serv-  
11 ice members and veterans are met.

12 (2) COLLABORATION.—The National Center on  
13 Post Traumatic Stress Disorder shall collaborate  
14 with the Secretary of Defense—

15 (A) to enhance the clinical skills of military  
16 clinicians through training, treatment protocols,  
17 web-based interventions, and the development of  
18 evidence-based interventions; and

19 (B) to promote pre-deployment resilience  
20 and post-deployment readjustment among serv-  
21 ice members serving in Operation Iraqi Free-  
22 dom and Operation Enduring Freedom.

23 (3) TRAINING.—The National Center on Post  
24 Traumatic Stress Disorder shall work with the Sec-  
25 retary of Defense to ensure that clinicians in the De-

1       partment of Defense are provided with the training  
2       and protocols developed pursuant to paragraph  
3       (2)(A).

4               (4) AUTHORIZATION OF APPROPRIATIONS.—  
5       There are authorized to be appropriated \$2,000,000  
6       for 2007 to carry out this subsection.

7       **SEC. 9. DISCLOSURE OF MEDICAL RECORDS.**

8               (a) LIMITED EXCEPTION TO CONFIDENTIALITY OF  
9       MEDICAL RECORDS.—Section 5701 is amended by adding  
10      at the end the following new subsection:

11              “(k)(1)(A) The Secretary may disclose the name and  
12      address of any individual described in subparagraph (C)  
13      to an entity described in subparagraph (B) in order to  
14      facilitate the determination by such entity whether the in-  
15      dividual is, or after death will be, a suitable organ, tissue,  
16      or eye donor if—

17              “(i) the individual is near death (as determined  
18      by the Secretary) or is deceased; and

19              “(ii) the disclosure is permitted under regula-  
20      tions promulgated pursuant to section 264 of the  
21      Health Insurance Portability and Accountability Act  
22      of 1996 (42 U.S.C. 1320d–2 note).

23              “(B) An entity described in this subparagraph is—

24              “(i) an organ procurement organization; or

1           “(ii) an entity that the Secretary has deter-  
2           mined—

3                   “(I) is substantially similar in function,  
4                   professionalism, and reliability to an organ pro-  
5                   curement organization; and

6                   “(II) should be treated for purposes of this  
7                   subsection in the same manner as an organ pro-  
8                   curement organization.

9           “(C) An individual described in this subparagraph  
10           is—

11                   “(i) a member or former member of the Armed  
12                   Forces; or

13                   “(ii) a dependent of a member or former mem-  
14                   ber of the Armed Forces.

15           “(2) In this subsection, the term ‘organ procurement  
16           organization’ has the meaning given the term ‘qualified  
17           organ procurement organization’ in section 371(b) of the  
18           Public Health Service Act (42 U.S.C. 273(b)).”

19           (b) DISCLOSURES FROM CERTAIN MEDICAL  
20           RECORDS.—Section 7332(b)(2) is amended by adding at  
21           the end the following new subparagraph:

22                   “(E) To an entity described in paragraph  
23                   (1)(B) of section 5701(k) of this title, but only to  
24                   the extent authorized by such section.”.

1 **SEC. 10. EXPANSION OF NATIONAL GUARD OUTREACH PRO-**  
2 **GRAM.**

3 (a) REQUIREMENT.—The Secretary of Veterans Af-  
4 fairs shall expand the total number of personnel employed  
5 by the Department of Veterans Affairs as part of the Re-  
6 adjustment Counseling Service’s Global War on Terrorism  
7 Outreach Program (referred to in this section as the “Pro-  
8 gram”).

9 (b) COORDINATION.—In carrying out subsection (a),  
10 the Secretary shall coordinate participation in the Pro-  
11 gram by appropriate employees of the Veterans Benefits  
12 Administration and the Veterans Health Administration.

13 (c) INFORMATION AND ASSESSMENTS.—The Sec-  
14 retary shall ensure that—

15 (1) all appropriate health, education, and bene-  
16 fits information is available to returning members of  
17 the National Guard; and

18 (2) proper assessments of the needs in each of  
19 these areas is made by the Department of Veterans  
20 Affairs.

21 (d) COLLABORATION.—The Secretary of Veterans  
22 Affairs shall collaborate with appropriate State National  
23 Guard officials and provide such officials with any assets  
24 or services of the Department of Veterans Affairs that the  
25 Secretary determines to be necessary to carry out the Pro-  
26 gram.

1 **SEC. 11. EXPANSION OF TELEHEALTH SERVICES.**

2 (a) IN GENERAL.—The Secretary shall increase the  
3 number of Veterans Readjustment Counseling Service fa-  
4 cilities capable of providing health services and counseling  
5 through telehealth linkages with facilities of the Veterans  
6 Health Administration.

7 (b) PLAN.—The Secretary shall submit to the Com-  
8 mittee on Veterans' Affairs of the Senate and the Com-  
9 mittee on Veterans' Affairs of the House of Representa-  
10 tives a plan to implement the requirement under sub-  
11 section (a), which shall describe the facilities that will have  
12 such capabilities at the end of each of fiscal years 2006,  
13 2007, and 2008.

14 **SEC. 12. MENTAL HEALTH DATA SOURCES REPORT.**

15 (a) IN GENERAL.—Not less than 180 days after the  
16 date of the enactment of this Act, the Secretary of Vet-  
17 erans Affairs shall submit to the Committee on Veterans'  
18 Affairs of the Senate and the Committee on Veterans' Af-  
19 fairs of the House of Representatives a report describing  
20 the mental health data maintained by the Department of  
21 Veterans Affairs.

22 (b) CONTENTS.—The report submitted under sub-  
23 section (a) shall include—

24 (1) a comprehensive list of the sources of all  
25 such data, including the geographic locations of fa-



1 facilities of the Department of Veterans Affairs main-  
2 taining such data;

3 (2) an assessment of the limitations or advan-  
4 tages to maintaining the current data configuration  
5 and locations; and

6 (3) any recommendations, if any, for improving  
7 the collection, use, and location of mental health  
8 data maintained by the Department of Veterans Af-  
9 fairs.

10 **SEC. 13. VETERANS TRAVEL REIMBURSEMENT FOR**  
11 **HEALTH CARE.**

12 (a) PAYMENTS FOR CERTAIN ADDITIONAL MEDICAL  
13 CARE.—Section 111(b)(1) of title 38, United States Code,  
14 is amended by adding at the end the following new sub-  
15 paragraph:

16 “(G) A veteran whose travel is in connection  
17 with treatment or care for a non-service-connected  
18 disability at a non-Department facility, if the treat-  
19 ment or care—

20 “(i) is provided upon the recommendation  
21 of medical personnel of a Department medical  
22 center or clinic; and

23 “(ii) is not available at the Department  
24 medical center or clinic at which such rec-  
25 ommendation is made.”.

1 (b) CALCULATION OF EXPENSES OF TRAVEL.—

2 (1) IN GENERAL.—In calculating expenses of  
3 travel for purposes of the Veterans Beneficiary  
4 Travel Program, the Secretary of Veterans Affairs  
5 shall use the mileage reimbursement rates for the  
6 use of privately owned vehicles by Government em-  
7 ployees on official business, as prescribed by the Ad-  
8 ministrator of General Services under section  
9 5707(b) of title 5, United States Code.

10 (2) DEFINITION.—In this subsection, the term  
11 “Veterans Beneficiary Travel Program” means the  
12 program of payment or reimbursement for necessary  
13 expenses of travel of veterans and their beneficiaries  
14 prescribed under sections 111 and 1728 of title 38,  
15 United States Code, and under any other provision  
16 of law administered by the Secretary of Veterans Af-  
17 fairs for payment or reimbursement for such ex-  
18 penses of travel.

19 (c) EFFECTIVE DATE.—Subparagraph (G) of section  
20 111(b)(1) of title 38, United States Code, as added by  
21 subsection (a), and the provisions of subsection (b) shall  
22 apply with respect to travel performed after the end of  
23 the 60-day period beginning on the date of the enactment  
24 of this Act.

1 **SEC. 14. BLIND REHABILITATION OUTPATIENT SPECIAL-**  
2 **ISTS.**

3 (a) FINDINGS.—Congress makes the following find-  
4 ings:

5 (1) There are approximately 135,000 blind vet-  
6 erans throughout the United States, including ap-  
7 proximately 35,000 who are enrolled in the health-  
8 care system of the Department of Veterans Affairs.  
9 An aging veteran population and injuries incurred in  
10 Operation Iraqi Freedom and Operation Enduring  
11 Freedom are increasing the number of blind vet-  
12 erans.

13 (2) Since 1996, when the Department of Vet-  
14 erans Affairs hired its first 14 blind rehabilitation  
15 outpatient specialists (referred to in this section as  
16 “Specialists”), Specialists have been a critical part  
17 of the continuum of care for blind and visually im-  
18 paired veterans.

19 (3) The Department of Veterans Affairs oper-  
20 ates 10 residential blind rehabilitation centers that  
21 are considered among the best in the world. These  
22 centers have had long waiting lists, with as many as  
23 1,500 blind veterans waiting for openings in 2004.

24 (4) Specialists provide—

1 (A) critically needed services to veterans  
2 who are unable to attend residential centers or  
3 are waiting to enter such a program;

4 (B) a range of services, including training  
5 with living skills, mobility, and adaptation of  
6 manual skills; and

7 (C) pre-admission screening and follow-up  
8 care for blind rehabilitation centers.

9 (5) There are not enough Specialist positions to  
10 meet the increased numbers and needs of blind vet-  
11 erans.

12 (b) ESTABLISHMENT OF SPECIALIST POSITIONS.—  
13 Not later than 30 months after the date of the enactment  
14 of this Act, the Secretary of Veterans Affairs shall estab-  
15 lish a Specialist position at not fewer than 35 facilities  
16 of the Department of Veterans Affairs at which such a  
17 position does not exist as of the date of the enactment  
18 of this Act.

19 (c) SELECTION OF FACILITIES.—In identifying the  
20 most appropriate facilities at which a Specialist position  
21 shall be established pursuant to subsection (b), the Sec-  
22 retary shall—

23 (1) give priority to facilities with large numbers  
24 of enrolled legally blind veterans;

1           (2) ensure that each facility does not have such  
2 a position; and

3           (3) ensure that each facility is in need of the  
4 services of such Specialists.

5           (d) COORDINATION.—The Secretary shall coordinate  
6 the provision of blind rehabilitation services for veterans  
7 with services for the care of the visually impaired offered  
8 by State and local agencies, especially if such State and  
9 local agencies can provide similar services to veterans in  
10 settings located closer to the residences of such veterans.

11          (e) AUTHORIZATION OF APPROPRIATIONS.—There  
12 are authorized to be appropriated to carry out this section  
13 \$3,500,000 for each of the fiscal years 2007 through  
14 2012.

15 **SEC. 15. COMPLIANCE REPORT.**

16          Section 1706(b)(5)(A) is amended by striking  
17 “2004” and inserting “2007”.

18 **SEC. 16. HEALTH CARE AND SERVICES FOR VETERANS AF-**  
19 **FECTED BY HURRICANE KATRINA.**

20          (a) REQUIREMENT FOR HOSPITAL CARE AND MED-  
21 ICAL SERVICES FOR PRIORITY 8 VETERANS AFFECTED BY  
22 HURRICANE KATRINA.—

23           (1) IN GENERAL.—Notwithstanding any other  
24 provision of law and any notwithstanding any pre-  
25 vious decisions made by the Secretary of Veterans

1 Affairs pursuant to chapter 17 of title 38 United  
2 States Code, the Secretary shall provide necessary  
3 medical and health care services to any veteran af-  
4 fected by Hurricane Katrina as if such veteran was  
5 enrolled for care under section 1705 of title 38,  
6 United States Code.

7 (2) STATUS OF VETERANS.—For purposes of  
8 managing the health care system, as required under  
9 section 1705 of title 38, United States Code, a vet-  
10 eran who seeks care under paragraph (1) shall not  
11 be considered to be an enrollee of the health care  
12 system under such section unless the Secretary sub-  
13 sequently designates such a veteran as such an en-  
14 rollee.

15 (b) PROHIBITION ON COLLECTION OF COPAYMENTS  
16 FOR VETERANS AFFECTED BY HURRICANE KATRINA.—  
17 In furnishing hospital care and medical services to any  
18 veteran affected by Hurricane Katrina, the Secretary shall  
19 not collect from, or with respect to, such veteran any pay-  
20 ment for such care and services otherwise required under  
21 any provision of law, including any copayment for medica-  
22 tions otherwise required under section 1722A of title 38,  
23 United States Code.

24 (c) DEFINITION.—In this section, the term “veteran  
25 affected by Hurricane Katrina” means any veteran who,

1 as of August 29, 2005, resided in the catchment region  
2 of the Department of Veterans Affairs medical center in—

3 (1) New Orleans, Louisiana;

4 (2) Biloxi, Mississippi; or

5 (3) Gulfport, Mississippi.

6 (d) SUNSET PROVISION.—The authority under this  
7 section shall expire on January 31, 2007.

8 **SEC. 17. REIMBURSEMENT FOR CERTAIN VETERANS' OUT-**  
9 **STANDING EMERGENCY TREATMENT EX-**  
10 **PENSES.**

11 (a) IN GENERAL.—Subchapter III of chapter 17 is  
12 amended by inserting after section 1725 the following new  
13 section:

14 **“§ 1725A. Reimbursement for emergency treatment**  
15 **expenses for which certain veterans re-**  
16 **main personally liable**

17 “(a)(1) Subject to subsection (c), the Secretary may  
18 reimburse a veteran described in subsection (b) for ex-  
19 penses resulting from emergency treatment furnished to  
20 the veteran in a non-Department facility for which the vet-  
21 eran remains personally liable.

22 “(2) In any case in which reimbursement is author-  
23 ized under subsection (a)(1), the Secretary, in the Sec-  
24 retary’s discretion, may, in lieu of reimbursing the vet-  
25 eran, make payment—

1           “(A) to a hospital or other health care provider  
2           that furnished the treatment; or

3           “(B) to the person or organization that paid for  
4           such treatment on behalf of the veteran.

5           “(b) A veteran referred to in subsection (a) is an indi-  
6           vidual who—

7           “(1) is enrolled in the health care system estab-  
8           lished under section 1705(a) of this title;

9           “(2) received care under this chapter during the  
10          24-month period preceding the furnishing of such  
11          emergency treatment;

12          “(3) is entitled to care or services under a  
13          health-plan contract that partially reimburses the  
14          cost of the veteran’s emergency treatment;

15          “(4) is financially liable to the provider of emer-  
16          gency care treatment for costs not covered by the  
17          veteran’s health-plan contract, including copayments  
18          and deductibles; and

19          “(5) is not eligible for reimbursement for med-  
20          ical care or services under section 1725 or 1728 of  
21          this title.

22          “(c)(1) Any amount paid by the Secretary under sub-  
23          section (a) shall exclude the amount of any payment the  
24          veteran would have been required to make to the United



1 States under this chapter if the veteran had received the  
2 emergency treatment from the Department.

3 “(2) The Secretary may not provide reimbursement  
4 under this section with respect to any item or service—

5 “(A) provided or for which payment has been  
6 made, or can reasonably be expected to be made,  
7 under the veteran’s health-plan contract; or

8 “(B) for which payment has been made or can  
9 reasonably be expected to be made by a third party.

10 “(3)(A) Payment by the Secretary under this section  
11 on behalf of a veteran to a provider of emergency treat-  
12 ment shall, unless rejected and refunded by the provider  
13 within 30 days of receipt, extinguish any liability on the  
14 part of the veteran for that treatment.

15 “(B) The absence of a contract or agreement between  
16 the Secretary and the provider, any provision of a contract  
17 or agreement, or an assignment to the contrary shall not  
18 operate to modify, limit, or negate the requirement under  
19 subparagraph (A).

20 “(4) In accordance with regulations prescribed by the  
21 Secretary, the Secretary shall—

22 “(A) establish criteria for determining the  
23 amount of reimbursement (which may include a  
24 maximum amount) payable under this section; and

1           “(B) delineate the circumstances under which  
2           such payment may be made, including requirements  
3           for requesting reimbursement.

4           “(d)(1) In accordance with regulations prescribed by  
5           the Secretary, the United States shall have the inde-  
6           pendent right to recover any amount paid under this sec-  
7           tion if, and to the extent that, a third party subsequently  
8           makes a payment for the same emergency treatment.

9           “(2) Any amount paid by the United States to the  
10          veteran, the veteran’s personal representative, successor,  
11          dependents, or survivors, or to any other person or organi-  
12          zation paying for such treatment shall constitute a lien  
13          in favor of the United States against any recovery the  
14          payee subsequently receives from a third party for the  
15          same treatment.

16          “(3) Any amount paid by the United States to the  
17          provider that furnished the veteran’s emergency treatment  
18          shall constitute a lien against any subsequent amount the  
19          provider receives from a third party for the same emer-  
20          gency treatment for which the United States made pay-  
21          ment.

22          “(4) The veteran or the veteran’s personal represent-  
23          ative, successor, dependents, or survivors shall—

1           “(A) ensure that the Secretary is promptly noti-  
2           fied of any payment received from any third party  
3           for emergency treatment furnished to the veteran;

4           “(B) immediately forward all documents relat-  
5           ing to a payment described in subparagraph (A);

6           “(C) cooperate with the Secretary in an inves-  
7           tigation of a payment described in subparagraph  
8           (A); and

9           “(D) assist the Secretary in enforcing the  
10          United States right to recover any payment made  
11          under subsection (c)(3).

12          “(e) The Secretary may waive recovery of a payment  
13          made to a veteran under this section that is otherwise re-  
14          quired under subsection (d)(1) if the Secretary determines  
15          that such waiver would be in the best interest of the  
16          United States, as defined by regulations prescribed by the  
17          Secretary.

18          “(f) For purposes of this section—

19                 “(1) The term ‘health-plan contract’ includes—

20                         “(A) an insurance policy or contract, med-  
21                         ical or hospital service agreement, membership  
22                         or subscription contract, or similar arrange-  
23                         ment, under which health services for individ-  
24                         uals are provided or the expenses of such serv-  
25                         ices are paid;

1           “(B) an insurance program described in  
2 section 1811 of the Social Security Act (42  
3 U.S.C. 1395e) or established by section 1831 of  
4 that Act (42 U.S.C. 1395j);

5           “(C) a State plan for medical assistance  
6 approved under title XIX of such Act (42  
7 U.S.C. 1396 et seq.); and

8           “(D) a workers’ compensation law or plan  
9 described in section 1729(A)(2)(B) of this title.

10          “(2) The term ‘third party’ means—

11           “(A) a Federal entity;

12           “(B) a State or political subdivision of a  
13 State;

14           “(C) an employer or an employer’s insur-  
15 ance carrier; and

16           “(D) a person or entity obligated to pro-  
17 vide, or pay the expenses of, such emergency  
18 treatment.

19          “(3) The term ‘emergency treatment’ has the  
20 meaning given such term in section 1725 of this  
21 title.”.

22          (b) CLERICAL AMENDMENT.—The table of sections  
23 at the beginning of such chapter is amended by inserting  
24 after the item relating to section 1725 the following new  
25 item:

“1725A. Reimbursement for emergency treatment expenses for which certain veterans remain personally liable.”.

1 **SEC. 18. CONVEYANCE OF FEDERAL LAND IN EXCHANGE**  
2 **FOR FAIR MARKET VALUE CONSIDERATION.**

3 (a) DEFINITIONS.—In this section:

4 (1) CITY.—The term “City” means the city of  
5 Fort Thomas, Kentucky.

6 (2) FAIR MARKET VALUE CONSIDERATION.—  
7 The term “fair market value consideration” means  
8 the monetary value of the Federal land as of the  
9 date of conveyance under subsection (b), as deter-  
10 mined by the Secretary.

11 (3) FEDERAL LAND.—The term “Federal land”  
12 means an approximately 11.75 acre parcel of feder-  
13 ally-owned property, including the 15 structures lo-  
14 cated on such property, which is managed by the  
15 Department of Veterans Affairs and located in the  
16 northeastern portion of Tower Park in the City.

17 (4) SECRETARY.—The term “Secretary” means  
18 the Secretary of Veterans Affairs.

19 (b) IN GENERAL.—Subject to valid existing rights,  
20 easements, and rights-of-way, the Secretary may convey  
21 all right, title, and interest of the United States in and  
22 to the Federal land to the City in exchange for fair market  
23 value consideration.

1           (c) **RELEASE FROM LIABILITY.**—Effective on the  
2 date of conveyance to the City of the parcel of Federal  
3 land under subsection (b), the United States shall not be  
4 liable for damages arising out of any act, omission, or oc-  
5 currence relating to the Federal land and facilities con-  
6 veyed, but shall continue to be liable for damages caused  
7 by acts of negligence committed by the United States or  
8 by any employee or agent of the United States before the  
9 date of conveyance, consistent with chapter 171 of title  
10 28, United States Code.

11           (d) **ADMINISTRATIVE COSTS.**—All administrative  
12 costs relating to the conveyance of the Federal land under  
13 subsection (b) shall be paid by the City to the United  
14 States.

15 **SEC. 19. TECHNICAL AND CLERICAL AMENDMENTS.**

16           (a) **TITLE 38, UNITED STATES CODE.**—Title 38,  
17 United States Code, is amended as follows:

18               (1) **TYPOGRAPHICAL ERROR.**—Section  
19 1117(h)(1) is amended by striking  
20 “notwithstanding” and inserting “notwith-  
21 standing”.

22               (2) **INSERTION OF MISSING WORD.**—Section  
23 1513(a) is amended by inserting “section” after  
24 “prescribed by”.

1           (3)       CITATION       CORRECTION.—Section  
2       1718(e)(2) is amended by inserting “of 1938” after  
3       “Act”.

4           (4)       CITATION       CORRECTION.—Section  
5       1785(b)(1) is amended by striking “Robert B.” and  
6       inserting “Robert T.”.

7           (5)       PUNCTUATION   CORRECTION.—Section  
8       2002(1) is amended by inserting a closing paren-  
9       thesis before the period at the end.

10          (6)       PUNCTUATION   CORRECTION.—Section  
11       2011(a)(1)(C) is amended by inserting a period at  
12       the end.

13          (7)       CROSS REFERENCE CORRECTION.—Section  
14       2041(a)(3)(A)(i) is amended by striking “under this  
15       chapter” and inserting “established under section  
16       3722 of this title”.

17          (8)       DELETION OF EXTRA WORDS.—Section  
18       3012(a)(1)(C)(ii) is amended by striking “on or”.

19          (9)       CROSS REFERENCE CORRECTION.—Section  
20       3017(b)(1)(D) is amended by striking “3011(c)”  
21       and inserting “3011(e)”.

22          (10)       STYLISTIC AMENDMENTS.—Section 3018A  
23       is amended—

24                (A) in subsections (b) and (c), by striking  
25                “of this section” each place it appears;

1 (B) in subsections (a)(4), (a)(5), (d)(1),  
2 and (d)(3) by striking “of this subsection” each  
3 place it appears; and

4 (C) in subsection (d)(3), by striking “of  
5 this chapter” and inserting “of this title”.

6 (11) CROSS REFERENCE CORRECTION.—Section  
7 3117(b)(1) is amended—

8 (A) by striking “section 8” and inserting  
9 “section 4(b)(1)”; and

10 (B) by striking “633(b)” and inserting  
11 “633(b)(1)”.

12 (12) INSERTION OF MISSING WORD.—Section  
13 3511(a)(1) is amended by inserting “sections” after  
14 “under both”.

15 (13) SUBSECTION HEADINGS.—

16 (A) Sections 3461, 3462, 3481, 3565,  
17 3680, and 3690 are each amended by revising  
18 each subsection heading for a subsection therein  
19 (appearing as a centered heading immediately  
20 before the text of the subsection) so that such  
21 heading appears immediately after the sub-  
22 section designation and is set forth in capitals-  
23 and-small-capitals typeface, followed by a period  
24 and a one-em dash.



1 (B) Section 3461(c) is amended by insert-  
2 ing after the subsection designation the fol-  
3 lowing: “DURATION OF ENTITLEMENT.—”.

4 (C) Section 3462 is amended—

5 (i) in subsection (d), by inserting after  
6 the subsection designation the following:  
7 “PRISONERS OF WAR.—”; and

8 (ii) in subsection (e), by inserting  
9 after the subsection designation the fol-  
10 lowing: “TERMINATION OF ASSISTANCE.—  
11 ”.

12 (14) CROSS REFERENCE CORRECTION.—Section  
13 3732(e)(10)(D) is amended by striking “clause (B)  
14 of paragraphs (5), (6), (7), and (8) of this sub-  
15 section” and inserting “paragraphs (5)(B), (6),  
16 (7)(B), and (8)(B)”.

17 (15) DATE OF ENACTMENT REFERENCE.—Sec-  
18 tion 3733(a)(7) is amended by striking “the date of  
19 the enactment of the Veterans’ Benefits Act of  
20 2003” and inserting “December 16, 2003”.

21 (16) REPEAL OF OBSOLETE PROVISIONS.—Sec-  
22 tion 4102A(e)(7) is amended—

23 (A) by striking “With respect to program  
24 years beginning during or after fiscal year  
25 2004, one percent of” and inserting “Of”; and

1 (B) by striking “for the program year”  
2 and inserting “for any program year, one per-  
3 cent”.

4 (17) REPEAL OF OBSOLETE PROVISIONS.—Sec-  
5 tion 4105(b) is amended—

6 (A) by striking “shall provide,” and all  
7 that follows through “Affairs with” and insert-  
8 ing “shall, on the 15th day of each month, pro-  
9 vide the Secretary and the Secretary of Vet-  
10 erans Affairs with updated information regard-  
11 ing”; and

12 (B) by striking “and shall” and all that  
13 follows through “regarding the list”.

14 (18) CITATION CORRECTION.—Section 4110B is  
15 amended—

16 (A) by striking “this Act” and inserting  
17 “the Workforce Investment Act of 1998”; and

18 (B) by striking “the Workforce Investment  
19 Act of 1998” and inserting “that Act (29  
20 U.S.C. 2822(b))”.

21 (19) CROSS-REFERENCE CORRECTION.—Section  
22 4331(b)(2)(C) is amended by striking “section  
23 2303(a)(2)(C)(ii)” and inserting “section  
24 2302(a)(2)(C)(ii)”.

1           (20) CAPITALIZATION CORRECTION.—Section  
2           7253(d)(5) is amended by striking “court” and in-  
3           serting “Court”.

4           (21) CITATION CORRECTION.—Section  
5           8111(b)(1) is amended by striking “into the stra-  
6           tegic” and all that follows through “and Results  
7           Act” and inserting “into the strategic plan of each  
8           Department under section 306 of title 5 and the  
9           performance plan of each Department under section  
10          1115 of title 31”.

11          (22) REPEAL OF OBSOLETE PROVISIONS.—Sec-  
12          tion 8111 is amended further—

13                 (A) in subsection (d)—

14                         (i) in paragraph (2), by striking “ef-  
15                         fective October 1, 2003,”; and

16                         (ii) in paragraph (3)(A), by striking  
17                         the last sentence; and

18                 (B) in subsection (e)(2)—

19                         (i) in the second sentence, by striking  
20                         “shall be implemented no later than Octo-  
21                         ber 1, 2003, and”; and

22                         (ii) in the third sentence, by striking  
23                         “, following implementation of the sched-  
24                         ule,”.

1           (23)       CITATION       CORRECTION.—Section  
2       8111A(a)(2)(B)(i) is amended by striking “Robert  
3       B.” and inserting “Robert T.”.

4       (b) PUBLIC LAW 107–296.—

5           (1) IN GENERAL.—Section 1704(d) of the  
6       Homeland Security Act of 2002 (Public Law 107–  
7       296; 116 Stat. 2315) is amended—

8                   (A) by striking “101(25)(d)” and inserting  
9       “101(25)(D)”; and

10                   (B) by striking “3011(a)(1)(A)(ii)(II)”  
11       and inserting “3011(a)(1)(A)(ii)(III)”.

12           (2) EFFECTIVE DATE.—The amendments made  
13       by paragraph (1) shall be effective as of November  
14       25, 2002.

○