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DELIVER FOR VETERANS ACT

JANUARY 25, 2024.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. BOST, from the Committee on Veterans' Affairs, submitted the following

R E P O R T

[To accompany H.R. 522]

[Including cost estimate of the Congressional Budget Office]

The Committee on Veterans' Affairs, to whom was referred the bill (H.R. 522) to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide or assist in providing a vehicle adapted for operation by disabled individuals to certain eligible persons, to pay expenses associated with the delivery of such vehicle, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

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The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Deliver for Veterans Act".

SEC. 2. ELIGIBILITY FOR DEPARTMENT OF VETERANS AFFAIRS COVERAGE OF COSTS ASSOCIATED WITH DELIVERY OF AN ADAPTIVE VEHICLE.

Section 3902(a) of title 38, United States Code, is amended by striking "by paying the total purchase price of the automobile or other conveyance" and inserting "by paying the total purchase price of the automobile or other conveyance, and the total shipping price to deliver the automobile or other conveyance to the veteran".

SEC. 3. MODIFICATION OF CERTAIN HOUSING LOAN FEES.

The loan fee table in section 3729(b)(2) of title 38, United States Code, is amended by striking "November 15, 2031" each place it appears and inserting "November 20, 2031".

PURPOSE AND SUMMARY

H.R. 522, the "Deliver for Veterans Act" was introduced by Rep. James Moylan of Guam on January 15, 2023. The bill, as amended, would cover the expenses incurred during the shipping of vehicles adapted for use by individuals with disabilities. Specifically, this bill would add the cost of shipping the vehicle to the disabled veteran as an expense covered by the Department of Veterans Affairs (VA).

Finally, the bill would also provide an offset for the cost of these program changes by extending current rates for VA home loan funding fees.

BACKGROUND AND NEED FOR LEGISLATION

Section 1: Short title

This Act may be cited as the "Deliver for Veterans Act."

Section 2: Eligibility for Department of Veterans Affairs coverage of costs associated with delivery of an adaptive vehicle

Under current law, a veteran who has a disability rating related to their service that prevents them from driving can apply for a special allowance that would help the veteran buy or change a vehicle and make it drivable for them. This special allowance comes in two forms, either a one-time payment to help a veteran buy a specially equipped vehicle, or an adaptive equipment grant to change a vehicle for the veteran. VA usually pays the vehicle's seller directly, but on occasion the veteran is reimbursed. Finally, to be eligible for this benefit, veterans with a service-connected disability must have specific disabilities, such as loss or permanent loss of use of hands, feet, permanent decreased vision in eyes, a severe burn injury, or Amyotrophic Lateral Sclerosis. In 2022, VA spent $86,297,000 on automobile grants.

In the past, after a veteran has been approved for the benefit and VA has purchased the vehicle, VA has also covered the cost of shipping vehicles for disabled veterans, but that provision was eliminated due to budget constraints. As a result, disabled veterans are forced to pay out-of-pocket for the cost of shipping a vehicle to their location. The Committee believes this can be a significant financial burden, especially for those who live in remote locations, outside of the continental United States, or in a territory overseas. The cost of shipping a vehicle could also exceed the value of the ve-

hicle itself, making it nearly impossible for veterans to access the transportation they need. Currently, VA may pay the lesser of $24,115, adjusted annually for inflation or the full price associated with the vehicle. To address this issue, this section would reinstate the provision to cover shipping costs for disabled veterans. The Committee believes this would help alleviate the financial burden on veterans and ensure that they have access to the transportation they need to live independently and participate fully in their communities.

Section 3: Modification of certain housing loan fees

Under current law, veterans who take advantage of the VA Home Loan Program pay a small fee that can be rolled into their monthly mortgage payments. This section would cover the costs of the other section of this bill by extending the current rates for VA home loan funding fees by a few days to November 20, 2031. Extending the funding fee increases a veteran's monthly cost by about $5 on top of the monthly mortgage. Disabled veterans do not pay the funding fee and would not be affected by this extension of the home loan fees. The Committee believes this short-term extension of current funding fee rates is a reasonable way to cover the costs associated with the other sections of this bill.

HEARINGS

On November 2, 2023, the Subcommittee on Economic Opportunity held a legislative hearing on H.R. 522 and other bills that were pending before the subcommittee.

The following witnesses testified:

Mr. Joseph Garcia, Executive Director of Education Service, U.S. Department of Veterans Affairs; Mr. Nick Pamperin, Executive Director Veterans Readiness and Employment Services, U.S. Department of Veterans Affairs; Mr. James Ruhlman, Deputy Director of Education Services, U.S. Department of Veterans Affairs; Ms. Margarita Devlin, Deputy Assistant Secretary for Operations and Management, U.S. Department of Labor; Ms. Kristina Keenan, Deputy Director, National Legislative Service, Veterans of Foreign Wars of the United States; Mr. Marquis Barefield, Assistant National Legislative Director, Disabled American Veterans; Ms. Tammy Barlet, Vice President of Government Affairs, Student Veterans of America; Mr. Joseph W. Wescott II, Legislative Director, National Association of State Approving Agencies, Inc., and Mr. Micheal Hazard, Veterans in Piping Program Manager, United Association of Journeyman and Apprentices of the Plumbing and Pipefitting Industry of the United States and Canada.

The following organizations submitted statements for the record:

Commercial Vehicle Training Association, National Association of State Workforce Agencies, The American Legion, Veterans Education Project, and Veterans Education Success.

SUBCOMMITTEE CONSIDERATION

On November 15, 2023, the Subcommittee on Economic Opportunity held a markup on the legislation included H.R. 522. There were no amendments to this bill at the Subcommittee level. A mo-

tion by Mr. Levin to report H.R. 522 was favorably forwarded to the full committee.

COMMITTEE CONSIDERATION

On December 5, 2023, the full Committee met in open markup session, a quorum being present, and ordered H.R. 522, as amended, to be reported favorably to the House of Representatives by voice vote. During consideration of the bill, the following amendments were considered:

> An amendment in the nature of a substitute offered by Chairman Bost added section three of the amended bill which would cover the expenses incurred during the delivery of automobiles for eligible disabled veterans and would extend current rates for VA home loan funding fees to pay for programs in the bill. The amendment in the nature of a substitute was approved by voice vote.

A motion by Mr. Deluzio to report H.R. 522, as amended, favorably to the House of Representatives was agreed to by voice vote.

COMMITTEE VOTES

In compliance with clause 3(b) of rule XIII of the Rules of the House of Representatives, no recorded votes were taken on amendments or in connection with ordering H.R. 522, as amended, reported to the House.

COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 3(c)(1) of rule XIII and clause (2)(b)(1) of rule X of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in the descriptive portions of this report.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

In accordance with clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the Committee's performance goals and objectives of H.R. 522, as amended, are to allow VA to cover the cost of shipping a vehicle that has been retrofitted for a disabled veteran to that veteran.

EARMARKS AND TAX AND TARIFF BENEFITS

H.R. 522, as amended, does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI of the Rules of the House of Representatives.

COMMITTEE COST ESTIMATE

The Committee adopts as its own the Congressional Budget Office cost estimate on this measure.

BUDGET AUTHORITY AND CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

H.R. 522, Deliver for Veterans Act
As ordered reported by the House Committee on Veterans' Affairs on December 5, 2023

By Fiscal Year, Millions of Dollars	2024	2024-2028	2024-2033
Direct Spending (Outlays)	1	5	-1
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	1	5	-1
Spending Subject to Appropriation (Outlays)	0	0	0

Increases *net direct spending* in any of the four consecutive 10-year periods beginning in 2034?	< $2.5 billion	Statutory pay-as-you-go procedures apply?	Yes
		Mandate Effects	
Increases *on-budget deficits* in any of the four consecutive 10-year periods beginning in 2034?	< $5 billion	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No

H.R. 522 would make changes to automobile grant and home loan programs administered by the Department of Veterans Affairs (VA). The costs of both programs are paid from mandatory appropriations. CBO estimates that enacting the bill would decrease net direct spending by $1 million over the 2024–2033 period.

Auto Grants. VA provides grants to purchase automobiles for veterans who have specified service-connected disabilities that usually impair their mobility. Under current law, the amount of the grant is capped at the lesser of the total purchase price of the automobile or $25,603 in 2024 and adjusted for inflation in subsequent years. H.R. 522 would authorize VA to also include the cost of shipping to deliver the automobile to the veteran, subject to the maximum amount for such grants.

On the basis of data provided by VA, CBO estimates that grants provided over the 2024–2033 period will be about $1,100 less than the maximum amount allowed, on average. CBO expects that the average shipping cost would meet or exceed the difference between the average and maximum grant amounts; thus, grants for vehicles with shipping costs would be for the maximum amount. CBO estimates that half of grantees would incur shipping costs that would be paid under the bill, increasing direct spending by $11 million over the 2024–2033 period.

Homes Loan Fees. H.R.522 would increase the fees that VA charges borrowers for its loan guarantees. VA provides loan guarantees to lenders that allow eligible borrowers to obtain better loan terms—such as lower interest rates or smaller down payments—to purchase, construct, improve, or refinance a home. VA typically pays lenders up to 25 percent of the outstanding mortgage balance if a borrower's home is foreclosed upon. Those payments, net of fees paid by borrowers and recoveries by lenders, constitute the subsidy cost for the loan guarantees.[1]

[1] Under the Federal Credit Reform Act of 1990, the subsidy cost of a loan guarantee is the net present value of estimated payments by the government to cover defaults and delinquencies,

Continued

Under current law, the rates for most of the fees that borrowers pay to VA for loans guaranteed after November 15, 2031, will drop from a weighted average of about 2.4 percent to about 1.2 percent of the loan amount. The bill would extend the higher rates through November 20, 2031, thereby reducing the subsidy cost of loans guaranteed during that period. Using information from VA, CBO estimates that extending the higher rates would decrease direct spending by $12 million over the 2024–2033 period.

The costs of the legislation, detailed in Table 1, fall within budget function 700 (veterans benefits and services).

TABLE 1.—ESTIMATED BUDGETARY EFFECTS OF H.R. 522

	By fiscal year, millions of dollars—											
	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2024–2028	2024–2033
Increases or Decreases (−) in Direct Spending (Outlays)												
Auto Grants	1	1	1	1	1	1	1	1	1	2	5	11
Home Loan Fees	0	0	0	0	0	0	0	0	-12	0	0	-12
Total Changes in Direct Spending	1	1	1	1	1	1	1	1	-11	2	5	-1

Budget authority equals outlays for all sections.

The CBO staff contact for this estimate is Paul B.A. Holland. The estimate was reviewed by Christina Hawley Anthony, Deputy Director of Budget Analysis.

PHILLIP L. SWAGEL,
Director, Congressional Budget Office.

FEDERAL MANDATES STATEMENT

Section 423 of the Congressional Budget and Impoundment Control Act (as amended by Section 101(a)(2) of the Unfunded Mandate Reform Act, P.L. 104–4 is inapplicable to H.R. 522, as amended.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act would be created by H.R. 522, as amended.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that H.R. 522, as amended, does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

STATEMENT ON DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, the Committee finds that no provision of H.R. 522, as amended, would establish or reauthorize a program of the

interest subsidies, or other expenses offset by any payments to the government, including origination or other fees, penalties, and recoveries on defaulted loans. Such subsidy costs are calculated by discounting those expected cash flows using the rate on Treasury securities of comparable maturity. The resulting estimated subsidy costs are recorded in the budget when the loans are disbursed or modified. A positive subsidy indicates that the loan results in net outlays from the Treasury; a negative subsidy indicates that the loan results in net receipts to the Treasury.

Federal Government known to be duplicative of another Federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

Section 1. Short title

This section would establish the short title of the bill as "Deliver for Veterans Act."

Section 2. Eligibility for Department of Veterans Affairs coverage of costs associated with delivery of an adaptive vehicle

This section would amend 38 U.S.C § 3902(a). The proposed amendment would strike the phrase "by paying the total purchase price of the automobile or other conveyance" and replace it with the following: "by paying the total purchase price of the automobile or other conveyance, and the total shipping price to deliver the automobile or other conveyance to the veteran." Under this section, certain disabled veterans and members of the Armed Forces would be eligible for an automobile without incurring the cost of shipping as long as the total price of the vehicle is less than $24,115.12.

Section 3. Modification of certain housing loan fees

This section would provide funding for these programs included in the bill by extending current VA home loan funding fee rates as established in 38 U.S.C. § 3729, from November 15, 2031, to November 20, 2031.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, and existing law in which no change is proposed is shown in roman):

TITLE 38, UNITED STATES CODE

* * * * * * *

PART III—READJUSTMENT AND RELATED BENEFITS

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CHAPTER 37—HOUSING AND SMALL BUSINESS LOANS

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SUBCHAPTER III—ADMINISTRATIVE PROVISIONS

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§ 3729. Loan fee

(a) REQUIREMENT OF FEE.—(1) Except as provided in subsection (c), a fee shall be collected from each person obtaining a housing loan guaranteed, insured, or made under this chapter, and each person assuming a loan to which section 3714 of this title applies. No such loan may be guaranteed, insured, made, or assumed until the fee payable under this section has been remitted to the Secretary.

(2) The fee may be included in the loan and paid from the proceeds thereof.

(b) DETERMINATION OF FEE.—(1) The amount of the fee shall be determined from the loan fee table in paragraph (2). The fee is expressed as a percentage of the total amount of the loan guaranteed, insured, or made, or, in the case of a loan assumption, the unpaid principal balance of the loan on the date of the transfer of the property.

(2) The loan fee table referred to in paragraph (1) is as follows:

Type of loan	Active duty veteran	Reservist	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 on or after October 1, 2004, and before January 1, 2020).	2.15	2.40	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 January 1, 2020, and before April 7, 2023).	2.30	2.30	NA

Type of loan	Active duty veteran	Reservist	Other obligor
(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 April 7, 2023, and before November [15] *20*, 2031).	2.15	2.15	NA
(A)(iv) 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 November [15] *20*, 2031).	1.40	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 on or after October 1, 2004, and before January 1, 2020).	3.30	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 January 1, 2020, and before April 7, 2023).	3.60	3.60	NA

Type of loan	Active duty veteran	Reservist	Other obligor
(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 April 7, 2023, and before November [15] *20*, 2031).	3.30	3.30	NA
(B)(iv) 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 November [15] *20*, 2031).	1.25	1.25	NA
(C)(i) Loan described in section 3710(a) to purchase or construct a dwelling with 5-down (closed before January 1, 2020).	1.50	1.75	NA
(C)(ii) Loan described in section 3710(a) to purchase or construct a dwelling with 5-down (closed on or after January 1, 2020, and before April 7, 2023).	1.65	1.65	NA
(C)(iii) Loan described in section 3710(a) to purchase or construct a dwelling with 5-down (closed on or after April 7, 2023, and before November [15] *20*, 2031).	1.50	1.50	NA
(C)(iv) Loan described in section 3710(a) to purchase or construct a dwelling with 5-down (closed on or after November [15] *20*, 2031).	0.75	0.75	NA

Type of loan	Active duty veteran	Reservist	Other obligor
(D)(i) Loan described in section 3710(a) to purchase or construct a dwelling with 10-down (closed before January 1, 2020).	1.25	1.50	NA
(D)(ii) Loan described in section 3710(a) to purchase or construct a dwelling with 10-down (closed on or after January 1, 2020, and before April 7, 2023).	1.40	1.40	NA
(D)(iii) Loan described in section 3710(a) to purchase or construct a dwelling with 10-down (closed on or after April 7, 2023, and before November [15] *20*, 2031).	1.25	1.25	NA
(D)(iv) Loan described in section 3710(a) to purchase or construct a dwelling with 10-down (closed on or after November [15] *20*, 2031).	0.50	0.50	NA
(E) Interest rate reduction refinancing loan.	0.50	0.50	NA
(F) Direct loan under section 3711.	1.00	1.00	NA
(G) Manufactured home loan under section 3712 (other than an interest rate reduction refinancing loan).	1.00	1.00	NA
(H) Loan to Native American veteran under section 3762 (other than an interest rate reduction refinancing loan).	1.25	1.25	NA
(I) Loan assumption under section 3714.	0.50	0.50	0.50
(J) Loan under section 3733(a).	2.25	2.25	2.25.

(3) Any reference to a section in the "Type of loan" column in the loan fee table in paragraph (2) refers to a section of this title.

(4) For the purposes of paragraph (2):

(A) The term "active duty veteran" means any veteran eligible for the benefits of this chapter other than a Reservist.

(B) The term "Reservist" means a veteran described in section 3701(b)(5)(A) of this title who is eligible under section 3702(a)(2)(E) of this title.

(C) The term "other obligor" means a person who is not a veteran, as defined in section 101 of this title or other provision of this chapter.

(D)(i) The term "initial loan" means a loan to a veteran guaranteed under section 3710 or made under section 3711 of this title if the veteran has never obtained a loan guaranteed under section 3710 or made under section 3711 of this title.

(ii) If a veteran has obtained a loan guaranteed under section 3710 or made under section 3711 of this title and the dwelling securing such loan was substantially damaged or destroyed by a major disaster declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170), the Secretary shall treat as an initial loan, as defined in clause (i), the next loan the Secretary guarantees or makes to such veteran under section 3710 or 3711, respectively, if—

(I) such loan is guaranteed or made before the date that is three years after the date on which the dwelling was substantially damaged or destroyed; and

(II) such loan is only for repairs or construction of the dwelling, as determined by the Secretary.

(E) The term "subsequent loan" means a loan to a veteran, other than an interest rate reduction refinancing loan, guaranteed under section 3710 or made under section 3711 of this title that is not an initial loan.

(F) The term "interest rate reduction refinancing loan" means a loan described in section 3710(a)(8), 3710(a)(9)(B)(i), 3710(a)(11), 3712(a)(1)(F), or 3762(h) of this title.

(G) The term "0-down" means a downpayment, if any, of less than 5 percent of the total purchase price or construction cost of the dwelling.

(H) The term "5-down" means a downpayment of at least 5 percent or more, but less than 10 percent, of the total purchase price or construction cost of the dwelling.

(I) The term "10-down" means a downpayment of 10 percent or more of the total purchase price or construction cost of the dwelling.

(c) WAIVER OF FEE.—(1) A fee may not be collected under this section from a veteran who is receiving compensation (or who, but for the receipt of retirement pay or active service pay, would be entitled to receive compensation), from a surviving spouse of any veteran (including a person who died in the active military, naval, air, or space service) who died from a service-connected disability, or from a member of the Armed Forces who is serving on active duty and who provides, on or before the date of loan closing, evidence of having been awarded the Purple Heart.

(2)(A) A veteran described in subparagraph (B) shall be treated as receiving compensation for purposes of this subsection as of the date of the rating described in such subparagraph without regard to whether an effective date of the award of compensation is established as of that date.

(B) A veteran described in this subparagraph is a veteran who is rated eligible to receive compensation—

(i) as the result of a pre-discharge disability examination and rating; or

(ii) based on a pre-discharge review of existing medical evidence (including service medical and treatment records) that results in the issuance of a memorandum rating.

* * * * * * *

CHAPTER 39—AUTOMOBILES AND ADAPTIVE EQUIPMENT FOR CERTAIN DISABLED VETERANS AND MEMBERS OF THE ARMED FORCES

* * * * * * *

§ 3902. Assistance for providing automobile and adaptive equipment

(a) The Secretary, under regulations which the Secretary shall prescribe, shall provide or assist in providing an automobile or other conveyance to each eligible person [by paying the total purchase price of the automobile or other conveyance] *by paying the total purchase price of the automobile or other conveyance, and the total shipping price to deliver the automobile or other conveyance to the veteran* (including all State, local, and other taxes) or $18,900 (as adjusted from time to time under subsection (e)), whichever is the lesser, to the seller from whom the eligible person is purchasing under a sales agreement between the seller and the eligible person.

(b)(1) The Secretary, under regulations which the Secretary shall prescribe, shall provide each eligible person the adaptive equipment deemed necessary to insure that the eligible person will be able to operate the automobile or other conveyance in a manner consistent with such person's own safety and the safety of others and so as to satisfy the applicable standards of licensure established by the State of such person's residency or other proper licensing authority.

(2) In the case of any veteran (other that a person eligible for assistance under paragraph (1) of this subsection) who is entitled to compensation for ankylosis of one or both knees, or one or both hips, the Secretary, under the terms and conditions set forth in subsections (a), (c), and (d) of section 3903 of this title and under regulations which the Secretary shall prescribe, shall provide such adaptive equipment to overcome the disability resulting from such ankylosis as (A) is necessary to meet the applicable standards of licensure established by the State of such veteran's residency or other proper licensing authority for the operation of such veteran's automobile or other conveyance by such veteran, and (B) is determined to be necessary by the Under Secretary for Health for the safe operation of such automobile or other conveyance by such veteran.

(c) In accordance with regulations which the Secretary shall prescribe, the Secretary shall (1) repair, replace, or reinstall adaptive equipment deemed necessary for the operation of an automobile or other conveyance acquired in accordance with the provisions of this chapter, and (2) provide, repair, replace, or reinstall such adaptive equipment for any automobile or other conveyance which an eligible person may previously or subsequently have acquired.

(d) If an eligible person cannot qualify to operate an automobile or other conveyance, the Secretary shall provide or assist in providing an automobile or other conveyance to such person, as provided in subsection (a) of this section, if the automobile or other conveyance is to be operated for the eligible person by another person.

(e) Effective on October 1 of each year (beginning in 2011), the Secretary shall increase the dollar amount in effect under subsection (a) by a percentage equal to the percentage by which the Consumer Price Index for all urban consumers (U.S. city average) increased during the 12-month period ending with the last month for which Consumer Price Index data is available. In the event that such Consumer Price Index does not increase during such period, the Secretary shall maintain the dollar amount in effect under subsection (a) during the previous fiscal year.

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