

One Hundred Ninth Congress
of the
United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Tuesday,
the third day of January, two thousand and six*

An Act

To amend title 38, United States Code, to improve and extend housing, insurance, outreach, and benefits programs provided under the laws administered by the Secretary of Veterans Affairs, to improve and extend employment programs for veterans under laws administered by the Secretary of Labor, and for other purposes.

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Veterans’ Housing Opportunity and Benefits Improvement Act of 2006”.

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

Sec. 1. Short title; table of contents.

TITLE I—HOUSING MATTERS

- Sec. 101. Adapted housing assistance for disabled veterans residing temporarily in housing owned by a family member.
Sec. 102. Adjustable rate mortgages.
Sec. 103. Permanent authority to make direct housing loans to Native American veterans.
Sec. 104. Extension of eligibility for direct loans for Native American veterans to a veteran who is the spouse of a Native American.
Sec. 105. Technical corrections to Veterans Benefits Improvement Act of 2004.

TITLE II—EMPLOYMENT MATTERS

- Sec. 201. Additional duty for the Assistant Secretary of Labor for Veterans’ Employment and Training to raise awareness of skills of veterans and of the benefits of hiring veterans.
Sec. 202. Modifications to the Advisory Committee on Veterans Employment and Training.
Sec. 203. Reauthorization of appropriations for homeless veterans reintegration programs.

TITLE III—LIFE AND HEALTH INSURANCE MATTERS

- Sec. 301. Duration of Servicemembers’ Group Life Insurance coverage for totally disabled veterans following separation from service.
Sec. 302. Limitation on premium increases for reinstated health insurance of servicemembers released from active military service.
Sec. 303. Preservation of employer-sponsored health plan coverage for certain reserve-component members who acquire TRICARE eligibility.

TITLE IV—OTHER MATTERS

- Sec. 401. Inclusion of additional diseases and conditions in diseases and disabilities presumed to be associated with prisoner of war status.
Sec. 402. Consolidation and revision of outreach authorities.
Sec. 403. Extension of annual report requirement on equitable relief cases.

TITLE V—TECHNICAL AMENDMENTS

- Sec. 501. Technical and clarifying amendments to new traumatic injury protection coverage under Servicemembers’ Group Life Insurance.

Sec. 502. Terminology amendments to revise references to certain veterans in provisions relating to eligibility for compensation or dependency and indemnity compensation.

Sec. 503. Technical and clerical amendments.

TITLE I—HOUSING MATTERS

SEC. 101. ADAPTED HOUSING ASSISTANCE FOR DISABLED VETERANS RESIDING TEMPORARILY IN HOUSING OWNED BY A FAMILY MEMBER.

(a) ASSISTANCE AUTHORIZED.—Chapter 21 of title 38, United States Code, is amended by inserting after section 2102 the following new section:

“§ 2102A. Assistance for veterans residing temporarily in housing owned by a family member

“(a) PROVISION OF ASSISTANCE.—In the case of a disabled veteran who is described in subsection (a)(2) or (b)(2) of section 2101 of this title and who is residing, but does not intend to permanently reside, in a residence owned by a member of such veteran’s family, the Secretary may assist the veteran in acquiring such adaptations to such residence as are determined by the Secretary to be reasonably necessary because of the veteran’s disability.

“(b) AMOUNT OF ASSISTANCE.—The assistance authorized under subsection (a) may not exceed—

“(1) \$14,000, in the case of a veteran described in section 2101(a)(2) of this title; or

“(2) \$2,000, in the case of a veteran described in section 2101(b)(2) of this title.

“(c) LIMITATION.—The assistance authorized by subsection (a) shall be limited in the case of any veteran to one residence.

“(d) REGULATIONS.—Assistance under this section shall be provided in accordance with such regulations as the Secretary may prescribe.

“(e) TERMINATION.—No assistance may be provided under this section after the end of the five-year period that begins on the date of the enactment of the Veterans’ Housing Opportunity and Benefits Improvement Act of 2006.”.

(b) LIMITATIONS ON ADAPTED HOUSING ASSISTANCE.—Section 2102 of such title is amended—

(1) in the matter in subsection (a) preceding paragraph (1)—

(A) by striking “shall be limited in the case of any veteran to one housing unit, and necessary land therefor, and”; and

(B) by striking “veteran but shall not exceed \$50,000 in any one case—” and inserting “veteran—”; and

(2) by adding at the end the following new subsection:

“(d)(1) The aggregate amount of assistance available to a veteran under sections 2101(a) and 2102A of this title shall be limited to \$50,000.

“(2) The aggregate amount of assistance available to a veteran under sections 2101(b) and 2102A of this title shall be limited to \$10,000.

“(3) No veteran may receive more than three grants of assistance under this chapter.”.

(c) COORDINATION OF ADMINISTRATION OF BENEFITS.—Chapter 21 of such title is further amended by adding at the end the following new section:

“§ 2107. Coordination of administration of benefits

“The Secretary shall provide for the coordination of the administration of programs to provide specially adapted housing that are administered by the Under Secretary for Health and such programs that are administered by the Under Secretary for Benefits under this chapter, chapter 17, and chapter 31 of this title.”.

(d) CLERICAL AMENDMENTS.—The table of sections at the beginning of such chapter is amended—

(1) by inserting after the item relating to section 2102 the following new item:

“2102A. Assistance for veterans residing temporarily in housing owned by a family member.”;

and

(2) by adding at the end the following new item:

“2107. Coordination of administration of benefits.”.

(e) GAO REPORTS.—

(1) INTERIM REPORT.—Not later than three years after the date of the enactment of this Act, the Comptroller General shall submit to Congress an interim report on the implementation by the Secretary of Veterans Affairs of section 2102A of title 38, United States Code, as added by subsection (a).

(2) FINAL REPORT.—Not later than five years after the date of the enactment of this Act, the Comptroller General shall submit to Congress a final report on the implementation of such section.

(f) TEMPORARY INCREASE IN CERTAIN HOUSING LOAN FEES.—For a subsequent loan described in subsection (a) of section 3710 of title 38, United States Code, to purchase or construct a dwelling with 0-down or any other subsequent loan described in that subsection, other than a loan with 5-down or 10-down, that is closed during fiscal year 2007, the Secretary of Veterans Affairs shall apply section 3729(b)(2) of such title by substituting “3.35” for “3.30”.

SEC. 102. ADJUSTABLE RATE MORTGAGES.

Section 3707A(c)(4) of title 38, United States Code, is amended by striking “1 percentage point” and inserting “such percentage points as the Secretary may prescribe”.

SEC. 103. PERMANENT AUTHORITY TO MAKE DIRECT HOUSING LOANS TO NATIVE AMERICAN VETERANS.

(a) PERMANENT AUTHORITY.—Section 3761 of title 38, United States Code, is amended—

(1) in subsection (a)—

(A) by striking “establish and implement a pilot program under which the Secretary may” in the first sentence; and

(B) by striking “shall establish and implement the pilot program” in the third sentence and inserting “shall make such loans”;

(2) in subsection (b), by striking “In carrying out the pilot program under this subchapter, the” and inserting “The”; and

(3) by striking subsection (c).

(b) REPORTS.—Section 3762(j) of such title is amended to read as follows:

“(j) The Secretary shall include as part of the annual benefits report of the Veterans Benefits Administration information concerning the cost and number of loans provided under this subchapter for the fiscal year covered by the report.”.

(c) CONFORMING AMENDMENTS.—

(1) SECTION 3762.—Section 3762 of such title is amended—

(A) in subsection (a), by inserting “under this subchapter” after “to a Native American veteran”;

(B) in subsection (b)(1)(E), by striking “the pilot program established under this subchapter is implemented” and inserting “loans under this subchapter are made”;

(C) in subsection (c)(1)(B), by striking “carry out the pilot program under this subchapter in a manner that demonstrates the advisability of making direct housing loans” in the second sentence and inserting “make direct housing loans under this subchapter”;

(D) in subsection (i)—

(i) by striking “the pilot program provided for under this subchapter and” in paragraph (1);

(ii) by striking “under the pilot program and in assisting such organizations and veterans in participating in the pilot program” in paragraph (2)(A) and inserting “under this subchapter and in assisting such organizations and veterans with respect to such housing benefits”; and

(iii) by striking “in participating in the pilot program” in paragraph (2)(E) and inserting “with respect to such benefits”.

(2) CONFORMING REPEAL.—Section 8(b) of the Veterans Home Loan Program Amendments of 1992 (Public Law 102-547; 38 U.S.C. 3761 note) is repealed.

(d) ESTABLISHMENT OF MAXIMUM AMOUNT OF LOANS.—Section 3762(c)(1)(B) of title 38, United States Code, is amended—

(1) by striking “(B) The” and inserting “(B)(i) Subject to clause (ii), the”; and

(2) by adding at the end the following new clause:

“(ii) The amount of a loan made by the Secretary under this subchapter may not exceed the maximum loan amount authorized for loans guaranteed under section 3703(a)(1)(C) of this title.”.

(e) TECHNICAL AMENDMENT.—Subsection (c)(1)(A) of section 3762 of such title is amended by inserting “veteran” after “Native American”.

(f) CLERICAL AMENDMENTS.—

(1) SUBCHAPTER HEADING.—The heading for subchapter V of chapter 37 of such title is amended to read as follows:

“SUBCHAPTER V—DIRECT HOUSING LOANS FOR NATIVE AMERICAN VETERANS”.

(2) SECTION HEADING.—The heading for section 3761 of such title is amended to read as follows:

“§ 3761. Direct housing loans to Native American veterans; program authority”.

(3) SECTION HEADING.—The heading for section 3762 of such title is amended to read as follows:

“§ 3762. Direct housing loans to Native American veterans; program administration”.

(4) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 37 of such title is amended by striking the items relating to subchapter V and sections 3761 and 3762 and inserting the following new items:

“SUBCHAPTER V—DIRECT HOUSING LOANS FOR NATIVE AMERICAN VETERANS

“3761. Direct housing loans to Native American veterans; program authority.

“3762. Direct housing loans to Native American veterans; program administration.”.

SEC. 104. EXTENSION OF ELIGIBILITY FOR DIRECT LOANS FOR NATIVE AMERICAN VETERANS TO A VETERAN WHO IS THE SPOUSE OF A NATIVE AMERICAN.

(a) EXTENSION.—Subchapter V of chapter 37 of title 38, United States Code, is amended—

- (1) by redesignating section 3764 as section 3765; and
- (2) by inserting after section 3763 the following new section:

“§ 3764. Qualified non-Native American veterans

“(a) TREATMENT OF NON-NATIVE AMERICAN VETERANS.—Subject to the succeeding provisions of this section, for purposes of this subchapter—

“(1) a qualified non-Native American veteran is deemed to be a Native American veteran; and

“(2) for purposes of applicability to a non-Native American veteran, any reference in this subchapter to the jurisdiction of a tribal organization over a Native American veteran is deemed to be a reference to jurisdiction of a tribal organization over the Native American spouse of the qualified non-Native American veteran.

“(b) USE OF LOAN.—In making direct loans under this subchapter to a qualified non-Native American veteran by reason of eligibility under subsection (a), the Secretary shall ensure that the tribal organization permits, and the qualified non-Native American veteran actually holds, possesses, or purchases, using the proceeds of the loan, jointly with the Native American spouse of the qualified non-Native American veteran, a meaningful interest in the lot, dwelling, or both, that is located on trust land.

“(c) RESTRICTIONS IMPOSED BY TRIBAL ORGANIZATIONS.—Nothing in subsection (b) shall be construed as precluding a tribal organization from imposing reasonable restrictions on the right of the qualified non-Native American veteran to convey, assign, or otherwise dispose of such interest in the lot or dwelling, or both, if such restrictions are designed to ensure the continuation in trust status of the lot or dwelling, or both. Such requirements may include the termination of the interest of the qualified non-Native American veteran in the lot or dwelling, or both, upon the dissolution of the marriage of the qualified non-Native American veteran to the Native American spouse.”.

(b) CONFORMING AMENDMENTS.—Section 3765 of such title, as redesignated by subsection (a)(1), is amended by adding at the end the following new paragraph:

“(5) The term ‘qualified non-Native American veteran’ means a veteran who—

“(A) is the spouse of a Native American, but
“(B) is not a Native American.”.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 37 of such title is amended by striking the item relating to section 3764 and inserting the following new items:

“3764. Qualified non-Native American veterans.

“3765. Definitions.”.

SEC. 105. TECHNICAL CORRECTIONS TO VETERANS BENEFITS IMPROVEMENT ACT OF 2004.

(a) CORRECTIONS.—Section 2101 of title 38, United States Code, as amended by section 401 of the Veterans Benefits Improvement Act of 2004 (Public Law 108–454; 118 Stat. 3614), is amended—

(1) by redesignating subsection (c) as subsection (d);

(2) by inserting after subsection (b) a new subsection (c) consisting of the text of subsection (c) of such section 2101 as in effect immediately before the enactment of such Act, modified—

(A) in paragraph (1)—

(i) in the first sentence, by striking “paragraph (1), (2), or (3)” and inserting “subparagraph (A), (B), (C), or (D) of paragraph (2)”; and

(ii) in the second sentence, by striking “the second sentence” and inserting “paragraph (3)”; and

(B) in paragraph (2)—

(i) in the first sentence, by striking “paragraph (1)” and inserting “paragraph (2)”; and

(ii) in the second sentence, by striking “paragraph (2)” and inserting “paragraph (3)”; and

(3) in subsection (a)(3), by striking “subsection (c)” in the matter preceding subparagraph (A) and inserting “subsection (d)”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as of December 10, 2004, as if enacted immediately after the enactment of the Veterans Benefits Improvement Act of 2004 on that date.

TITLE II—EMPLOYMENT MATTERS

SEC. 201. ADDITIONAL DUTY FOR THE ASSISTANT SECRETARY OF LABOR FOR VETERANS' EMPLOYMENT AND TRAINING TO RAISE AWARENESS OF SKILLS OF VETERANS AND OF THE BENEFITS OF HIRING VETERANS.

Subsection (b) of section 4102A of title 38, United States Code, is amended by adding at the end the following new paragraph:

“(8) With advice and assistance from the Advisory Committee on Veterans Employment and Training, and Employer Outreach established under section 4110 of this title, furnish information to employers (through meetings in person with hiring executives of corporations and otherwise) with respect to the training and skills of veterans and disabled veterans,

and the advantages afforded employers by hiring veterans with such training and skills, and to facilitate employment of veterans and disabled veterans through participation in labor exchanges (Internet-based and otherwise), and other means.”.

SEC. 202. MODIFICATIONS TO THE ADVISORY COMMITTEE ON VETERANS EMPLOYMENT AND TRAINING.

(a) COMMITTEE NAME.—

(1) CHANGE OF NAME.—Subsection (a)(1) of section 4110 of title 38, United States Code, is amended by striking “Advisory Committee on Veterans Employment and Training” and inserting “Advisory Committee on Veterans Employment, Training, and Employer Outreach”.

(2) SECTION HEADING.—The heading of such section is amended to read as follows:

“§ 4110. Advisory Committee on Veterans Employment, Training, and Employer Outreach”.

(3) TABLE OF SECTIONS.—The item relating to section 4110 in the table of sections at the beginning of chapter 41 of such title is amended to read as follows:

“4110. Advisory Committee on Veterans Employment, Training, and Employer Outreach.”.

(4) REFERENCES.—Any reference to the Advisory Committee established under section 4110 of such title in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the Advisory Committee on Veterans Employment, Training, and Employer Outreach.

(b) EXPANSION OF DUTIES OF ADVISORY COMMITTEE.—Subsection (a)(2) of such section is amended—

(1) in subparagraph (A), by inserting “and their integration into the workforce” after “veterans”;

(2) by striking “and” at the end of subparagraph (B);

(3) by redesignating subparagraph (C) as subparagraph (E); and

(4) by inserting after subparagraph (B) the following new subparagraphs:

“(C) assist the Assistant Secretary of Labor for Veterans’ Employment and Training in carrying out outreach activities to employers with respect to the training and skills of veterans and the advantages afforded employers by hiring veterans;

“(D) make recommendations to the Secretary, through the Assistant Secretary of Labor for Veterans’ Employment and Training, with respect to outreach activities and the employment and training of veterans; and”.

(c) MODIFICATION OF ADVISORY COMMITTEE MEMBERSHIP.—

(1) MEMBERSHIP.—Subsection (c)(1) of such section is amended to read as follows:

“(c)(1) The Secretary of Labor shall appoint at least 12, but no more than 15, individuals to serve as members of the advisory committee as follows:

“(A) Six individuals, one each from among representatives nominated by each of the following organizations:

“(i) The National Society of Human Resource Managers.

“(ii) The Business Roundtable.

“(iii) The National Association of State Workforce Agencies.

“(iv) The United States Chamber of Commerce.

“(v) The National Federation of Independent Business.

“(vi) A nationally recognized labor union or organization.

“(B) Not more than five individuals from among representatives nominated by veterans service organizations that have a national employment program.

“(C) Not more than five individuals who are recognized authorities in the fields of business, employment, training, rehabilitation, or labor and who are not employees of the Department of Labor.”.

(2) CONFORMING AMENDMENTS.—Subsection (d) of such section is amended—

(A) by striking paragraphs (3), (4), (8), (10), (11), and (12); and

(B) by redesignating paragraphs (5), (6), (7), and (9) as paragraphs (3), (4), (5), and (6), respectively.

(d) REINSTATEMENT AND MODIFICATION OF REPORTING REQUIREMENT.—Subsection (f)(1) of such section is amended—

(1) by striking the first sentence and inserting the following: “Not later than December 31 of each year, the advisory committee shall submit to the Secretary and to the Committees on Veterans’ Affairs of the Senate and House of Representatives a report on the employment and training needs of veterans, with special emphasis on disabled veterans, for the previous fiscal year.”;

(2) in subparagraph (A), by inserting “and their integration into the workforce” after “veterans”;

(3) by striking “and” at the end of subparagraph (B);

(4) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (F), respectively;

(5) by inserting after subparagraph (A) the following new subparagraph:

“(B) an assessment of the outreach activities carried out by the Secretary of Labor to employers with respect to the training and skills of veterans and the advantages afforded employers by hiring veterans;”;

(6) by inserting after subparagraph (C), as so redesignated, the following new subparagraphs:

“(D) a description of the activities of the advisory committee during that fiscal year;

“(E) a description of activities that the advisory committee proposes to undertake in the succeeding fiscal year; and”.

SEC. 203. REAUTHORIZATION OF APPROPRIATIONS FOR HOMELESS VETERANS REINTEGRATION PROGRAMS.

Subsection (e)(1) of section 2021 of title 38, United States Code, is amended by adding at the end the following new subparagraph:

“(F) \$50,000,000 for each of fiscal years 2007 through 2009.”.

TITLE III—LIFE AND HEALTH INSURANCE MATTERS

SEC. 301. DURATION OF SERVICEMEMBERS' GROUP LIFE INSURANCE COVERAGE FOR TOTALLY DISABLED VETERANS FOL- LOWING SEPARATION FROM SERVICE.

(a) SEPARATION OR RELEASE FROM ACTIVE DUTY.—

(1) EXTENSION OF PERIOD OF COVERAGE.—Paragraph (1)(A) of section 1968(a) of title 38, United States Code, is amended by striking “shall cease” and all that follows and inserting “shall cease on the earlier of the following dates (but in no event before the end of 120 days after such separation or release):

“(i) The date on which the insured ceases to be totally disabled.

“(ii) The date that is—

“(I) two years after the date of separation or release from such active duty or active duty for training, in the case of such a separation or release during the period beginning on the date that is one year before the date of the enactment of Veterans' Housing Opportunity and Benefits Improvement Act of 2006 and ending on September 30, 2011; and

“(II) 18 months after the date of separation or release from such active duty or active duty for training, in the case of such a separation or release on or after October 1, 2011.”.

(2) TECHNICAL AMENDMENTS.—Paragraph (1) of such section is further amended—

(A) in the matter preceding subparagraph (A), by striking “shall cease—” and inserting “shall cease as follows:”; and

(B) in subparagraph (B), by striking “at” after “(B)” and inserting “At”.

(b) SEPARATION OR RELEASE FROM CERTAIN RESERVE ASSIGNMENTS.—Paragraph (4) of such section is amended by striking “shall cease” the second place it appears and all that follows and inserting “shall cease on the earlier of the following dates (but in no event before the end of 120 days after separation or release from such assignment):

“(A) The date on which the insured ceases to be totally disabled.

“(B) The date that is—

“(i) two years after the date of separation or release from such assignment, in the case of such a separation or release during the period beginning on the date that is one year before the date of the enactment of Veterans' Housing Opportunity and Benefits Improvement Act of 2006 and ending on September 30, 2011; and

“(ii) 18 months after the date of separation or release from such assignment, in the case of such a separation or release on or after October 1, 2011.”.

SEC. 302. LIMITATION ON PREMIUM INCREASES FOR REINSTATED HEALTH INSURANCE OF SERVICEMEMBERS RELEASED FROM ACTIVE MILITARY SERVICE.

(a) **PREMIUM PROTECTION.**—Section 704 of the Servicemembers Civil Relief Act (50 U.S.C. App. 594) is amended by adding at the end the following new subsection:

“(e) **LIMITATION ON PREMIUM INCREASES.**—

“(1) **PREMIUM PROTECTION.**—The amount of the premium for health insurance coverage that was terminated by a servicemember and required to be reinstated under subsection (a) may not be increased, for the balance of the period for which coverage would have been continued had the coverage not been terminated, to an amount greater than the amount chargeable for such coverage before the termination.

“(2) **INCREASES OF GENERAL APPLICABILITY NOT PRECLUDED.**—Paragraph (1) does not prevent an increase in premium to the extent of any general increase in the premiums charged by the carrier of the health care insurance for the same health insurance coverage for persons similarly covered by such insurance during the period between the termination and the reinstatement.”.

(b) **TECHNICAL AMENDMENT.**—Subsection (b)(3) of such section is amended by striking “if the” and inserting “in a case in which the”.

SEC. 303. PRESERVATION OF EMPLOYER-SPONSORED HEALTH PLAN COVERAGE FOR CERTAIN RESERVE-COMPONENT MEMBERS WHO ACQUIRE TRICARE ELIGIBILITY.

(a) **CONTINUATION OF COVERAGE.**—Subsection (a)(1) of section 4317 of title 38, United States Code, is amended by inserting after “by reason of service in the uniformed services,” the following: “or such person becomes eligible for medical and dental care under chapter 55 of title 10 by reason of subsection (d) of section 1074 of that title.”.

(b) **REINSTATEMENT OF COVERAGE.**—Subsection (b) of such section is amended—

(1) in paragraph (1)—

(A) by inserting after “by reason of service in the uniformed services,” the following: “or by reason of the person’s having become eligible for medical and dental care under chapter 55 of title 10 by reason of subsection (d) of section 1074 of that title.”; and

(B) by inserting “or eligibility” before the period at the end of the first sentence; and

(2) by adding at the end the following new paragraph:

“(3) In the case of a person whose coverage under a health plan is terminated by reason of the person having become eligible for medical and dental care under chapter 55 of title 10 by reason of subsection (d) of section 1074 of that title but who subsequently does not commence a period of active duty under the order to active duty that established such eligibility because the order is canceled before such active duty commences, the provisions of paragraph (1) relating to any exclusion or waiting period in connection with the reinstatement of coverage under a health plan shall apply to such person’s continued employment, upon the termination of such eligibility for medical and dental care under chapter 55 of title 10 that is incident to the cancellation of such order, in the

same manner as if the person had become reemployed upon such termination of eligibility.”.

TITLE IV—OTHER MATTERS

SEC. 401. INCLUSION OF ADDITIONAL DISEASES AND CONDITIONS IN DISEASES AND DISABILITIES PRESUMED TO BE ASSOCIATED WITH PRISONER OF WAR STATUS.

Section 1112(b)(3) of title 38, United States Code, is amended by adding at the end the following new subparagraphs:

“(L) Atherosclerotic heart disease or hypertensive vascular disease (including hypertensive heart disease) and their complications (including myocardial infarction, congestive heart failure and arrhythmia).

“(M) Stroke and its complications.”.

SEC. 402. CONSOLIDATION AND REVISION OF OUTREACH AUTHORITIES.

(a) **IN GENERAL.**—Part IV of title 38, United States Code, is amended by adding at the end the following new chapter:

“CHAPTER 63—OUTREACH ACTIVITIES

“6301. Purpose; definitions.

“6302. Biennial plan.

“6303. Outreach services.

“6304. Veterans assistance offices.

“6305. Outstationing of counseling and outreach personnel.

“6306. Use of other agencies.

“6307. Outreach for eligible dependents.

“6308. Biennial report to Congress.

“§ 6301. Purpose; definitions

“(a) **PURPOSE.**—The Congress declares that—

“(1) the outreach services program authorized by this chapter is for the purpose of ensuring that all veterans (especially those who have been recently discharged or released from active military, naval, or air service and those who are eligible for readjustment or other benefits and services under laws administered by the Department) are provided timely and appropriate assistance to aid and encourage them in applying for and obtaining such benefits and services in order that they may achieve a rapid social and economic readjustment to civilian life and obtain a higher standard of living for themselves and their dependents; and

“(2) the outreach services program authorized by this chapter is for the purpose of charging the Department with the affirmative duty of seeking out eligible veterans and eligible dependents and providing them with such services.

“(b) **DEFINITIONS.**—For the purposes of this chapter—

“(1) the term ‘other governmental programs’ includes all programs under State or local laws as well as all programs under Federal law other than those authorized by this title; and

“(2) the term ‘eligible dependent’ means a spouse, surviving spouse, child, or dependent parent of a person who served in the active military, naval, or air service.

“§ 6302. Biennial plan

“(a) BIENNIAL PLAN REQUIRED.—The Secretary shall, during the first nine months of every odd-numbered year, prepare a biennial plan for the outreach activities of the Department for the two-fiscal-year period beginning on October 1 of that year.

“(b) ELEMENTS.—Each biennial plan under subsection (a) shall include the following:

“(1) Plans for efforts to identify eligible veterans and eligible dependents who are not enrolled or registered with the Department for benefits or services under the programs administered by the Secretary.

“(2) Plans for informing eligible veterans and eligible dependents of modifications of the benefits and services under the programs administered by the Secretary, including eligibility for medical and nursing care and services.

“(c) COORDINATION IN DEVELOPMENT.—In developing the biennial plan under subsection (a), the Secretary shall consult with the following:

“(1) Directors or other appropriate officials of organizations approved by the Secretary under section 5902 of this title.

“(2) Directors or other appropriate officials of State and local education and training programs.

“(3) Representatives of nongovernmental organizations that carry out veterans outreach programs.

“(4) Representatives of State and local veterans employment organizations.

“(5) Other individuals and organizations that the Secretary considers appropriate.

“§ 6303. Outreach services

“(a) REQUIREMENT TO PROVIDE SERVICES.—In carrying out the purposes of this chapter, the Secretary shall provide the outreach services specified in subsections (b) through (d). In areas where a significant number of eligible veterans and eligible dependents speak a language other than English as their principal language, such services shall, to the maximum feasible extent, be provided in the principal language of such persons.

“(b) INDIVIDUAL NOTICE TO NEW VETERANS.—The Secretary shall by letter advise each veteran at the time of the veteran’s discharge or release from active military, naval, or air service (or as soon as possible after such discharge or release) of all benefits and services under laws administered by the Department for which the veteran may be eligible. In carrying out this subsection, the Secretary shall ensure, through the use of veteran-student services under section 3485 of this title, that contact, in person or by telephone, is made with those veterans who, on the basis of their military service records, do not have a high school education or equivalent at the time of discharge or release.

“(c) DISTRIBUTION OF INFORMATION.—(1) The Secretary—

“(A) shall distribute full information to eligible veterans and eligible dependents regarding all benefits and services to which they may be entitled under laws administered by the Secretary; and

“(B) may, to the extent feasible, distribute information on other governmental programs (including manpower and training programs) which the Secretary determines would be beneficial to veterans.

“(2) Whenever a veteran or dependent first applies for any benefit under laws administered by the Secretary (including a request for burial or related benefits or an application for life insurance proceeds), the Secretary shall provide to the veteran or dependent information concerning benefits and health care services under programs administered by the Secretary. Such information shall be provided not later than three months after the date of such application.

“(d) PROVISION OF AID AND ASSISTANCE.—The Secretary shall provide, to the maximum extent possible, aid and assistance (including personal interviews) to members of the Armed Forces, veterans, and eligible dependents with respect to subsections (b) and (c) and in the preparation and presentation of claims under laws administered by the Department.

“(e) ASSIGNMENT OF EMPLOYEES.—In carrying out this section, the Secretary shall assign such employees as the Secretary considers appropriate to conduct outreach programs and provide outreach services for homeless veterans. Such outreach services may include site visits through which homeless veterans can be identified and provided assistance in obtaining benefits and services that may be available to them.

“§ 6304. Veterans assistance offices

“(a) IN GENERAL.—The Secretary shall establish and maintain veterans assistance offices at such places throughout the United States and its territories and possessions, and in the Commonwealth of Puerto Rico, as the Secretary determines to be necessary to carry out the purposes of this chapter. The Secretary may maintain such offices on such military installations located elsewhere as the Secretary, after consultation with the Secretary of Defense and taking into account recommendations, if any, of the Secretary of Labor, determines to be necessary to carry out such purposes.

“(b) LOCATION OF OFFICES.—In establishing and maintaining such offices, the Secretary shall give due regard to—

“(1) the geographical distribution of veterans recently discharged or released from active military, naval, or air service;

“(2) the special needs of educationally disadvantaged veterans (including their need for accessibility of outreach services); and

“(3) the necessity of providing appropriate outreach services in less populated areas.

“§ 6305. Outstationing of counseling and outreach personnel

“The Secretary may station employees of the Department at locations other than Department offices, including educational institutions, to provide—

“(1) counseling and other assistance regarding benefits under this title to veterans and other persons eligible for benefits under this title; and

“(2) outreach services under this chapter.

“§ 6306. Use of other agencies

“(a) In carrying out this chapter, the Secretary shall arrange with the Secretary of Labor for the State employment service to match the particular qualifications of an eligible veteran or eligible dependent with an appropriate job or job training opportunity, including, where possible, arrangements for outstationing the State

employment personnel who provide such assistance at appropriate facilities of the Department.

“(b) In carrying out this chapter, the Secretary shall, in consultation with the Secretary of Labor, actively seek to promote the development and establishment of employment opportunities, training opportunities, and other opportunities for veterans, with particular emphasis on the needs of veterans with service-connected disabilities and other eligible veterans, taking into account applicable rates of unemployment and the employment emphases set forth in chapter 42 of this title.

“(c) In carrying out this chapter, the Secretary shall cooperate with and use the services of any Federal department or agency or any State or local governmental agency or recognized national or other organization.

“(d) In carrying out this chapter, the Secretary shall, where appropriate, make referrals to any Federal department or agency or State or local governmental unit or recognized national or other organization.

“(e) In carrying out this chapter, the Secretary may furnish available space and office facilities for the use of authorized representatives of such governmental unit or other organization providing services.

“(f) In carrying out this chapter, the Secretary shall conduct and provide for studies, in consultation with appropriate Federal departments and agencies, to determine the most effective program design to carry out the purposes of this chapter.

“§ 6307. Outreach for eligible dependents

“(a) NEEDS OF DEPENDENTS.—In carrying out this chapter, the Secretary shall ensure that the needs of eligible dependents are fully addressed.

“(b) INFORMATION AS TO AVAILABILITY OF OUTREACH SERVICES FOR DEPENDENTS.—The Secretary shall ensure that the availability of outreach services and assistance for eligible dependents under this chapter is made known through a variety of means, including the Internet, announcements in veterans publications, and announcements to the media.

“§ 6308. Biennial report to Congress

“(a) REPORT REQUIRED.—The Secretary shall, not later than December 1 of every even-numbered year (beginning in 2008), submit to Congress a report on the outreach activities carried out by the Department.

“(b) CONTENT.—Each report under this section shall include the following:

“(1) A description of the implementation during the preceding fiscal year of the current biennial plan under section 6302 of this title.

“(2) Recommendations for the improvement or more effective administration of the outreach activities of the Department.”.

(b) INCORPORATION OF RECOMMENDATIONS TO IMPROVE OUTREACH AND AWARENESS.—The Secretary of Veterans Affairs shall, to the extent appropriate, incorporate the recommendations for the improvement of veterans outreach and awareness activities included in the report submitted to Congress by the Secretary

pursuant to section 805 of the Veterans Benefits Improvement Act of 2004 (Public Law 108–454).

(c) REPEAL OF RECODIFIED PROVISIONS.—Subchapter II of chapter 77 of title 38, United States Code, is repealed.

(d) CONFORMING AND CLERICAL AMENDMENTS.—

(1) Subchapter III of chapter 77 of such title is redesignated as subchapter II.

(2) The table of sections at the beginning of such chapter is amended by striking the items relating to the heading for subchapter II, sections 7721 through 7727, and the heading for subchapter III and inserting the following:

“SUBCHAPTER II—QUALITY ASSURANCE”.

(3) The tables of chapters at the beginning of such title, and at the beginning of part IV of such title, are amended by inserting after the item relating to chapter 61 the following new item:

“63. Outreach Activities 6301”.

(e) CROSS-REFERENCE AMENDMENTS.—

(1) Section 3485(a)(4)(A) of title 38, United States Code, is amended by striking “subchapter II of chapter 77” and inserting “chapter 63”.

(2) Section 4113(a)(2) of such title is amended by striking “section 7723(a)” and inserting “section 6304(a)”.

(3) Section 4214(g) of such title is amended by striking “section 7722” and “section 7724” and inserting “section 6303” and “section 6305”, respectively.

(4) Section 168(b)(2)(B) of the Workforce Investment Act of 1998 (29 U.S.C. 2913(b)(2)(B)) is amended by striking “subchapter II of chapter 77” and inserting “chapter 63”.

SEC. 403. EXTENSION OF ANNUAL REPORT REQUIREMENT ON EQUITABLE RELIEF CASES.

Section 503(c) of title 38, United States Code, is amended by striking “December 31, 2004” and inserting “December 31, 2009”.

TITLE V—TECHNICAL AMENDMENTS

SEC. 501. TECHNICAL AND CLARIFYING AMENDMENTS TO NEW TRAUMATIC INJURY PROTECTION COVERAGE UNDER SERVICEMEMBERS’ GROUP LIFE INSURANCE.

(a) SECTION 1980A.—Section 1980A of title 38, United States Code, is amended as follows:

(1) Subsection (a) is amended to read as follows:

“(a)(1) A member of the uniformed services who is insured under Servicemembers’ Group Life Insurance shall automatically be insured for traumatic injury in accordance with this section. Insurance benefits under this section shall be payable if the member, while so insured, sustains a traumatic injury on or after December 1, 2005, that results in a qualifying loss specified pursuant to subsection (b)(1).

“(2) If a member suffers more than one such qualifying loss as a result of traumatic injury from the same traumatic event, payment shall be made under this section in accordance with the

schedule prescribed pursuant to subsection (d) for the single loss providing the highest payment.”.

(2) Subsection (b) is amended—

(A) in paragraph (1)—

(i) by striking “issued a” and all that follows through “limited to—” and inserting “insured against traumatic injury under this section is insured against such losses due to traumatic injury (in this section referred to as ‘qualifying losses’) as are prescribed by the Secretary by regulation. Qualifying losses so prescribed shall include the following:”;

(ii) by capitalizing the first letter of the first word of each of subparagraphs (A) through (H);

(iii) by striking the semicolon at the end of each of subparagraphs (A) through (F) and inserting a period; and

(iv) by striking “; and” at the end of subparagraph (G) and inserting a period;

(B) in paragraph (2)—

(i) by striking “subsection—” and inserting “subsection.”;

(ii) by striking “the” at the beginning of subparagraphs (A), (B), and (C) and inserting “The”;

(iii) in subparagraph (A), by striking “4 limbs;” and inserting “four limbs.”;

(iv) in subparagraph (B), by striking “; and” at the end and inserting a period;

(v) in subparagraph (C), by striking “1 side” and inserting “one side”; and

(vi) by adding at the end the following new subparagraph:

“(D) The term ‘inability to carry out the activities of daily living’ means the inability to independently perform two or more of the following six functions:

“(i) Bathing.

“(ii) Continence.

“(iii) Dressing.

“(iv) Eating.

“(v) Toileting.

“(vi) Transferring.”;

(C) in paragraph (3)—

(i) by striking “, in collaboration with the Secretary of Defense,”;

(ii) by striking “shall prescribe” and inserting “may prescribe”; and

(iii) by striking “the conditions under which coverage against loss will not be provided” and inserting “conditions under which coverage otherwise provided under this section is excluded”; and

(D) by adding at the end the following new paragraph:

“(4) A member shall not be considered for the purposes of this section to be a member insured under Servicemembers’ Group Life Insurance if the member is insured under Servicemembers’ Group Life Insurance only as an insurable dependent of another member pursuant to subparagraph (A)(ii) or (C)(ii) of section 1967(a)(1) of this title.”.

(3) Subsection (c) is amended to read as follows:

“(c)(1) A payment may be made to a member under this section only for a qualifying loss that results directly from a traumatic injury sustained while the member is covered against loss under this section and from no other cause.

“(2)(A) A payment may be made to a member under this section for a qualifying loss resulting from a traumatic injury only for a loss that is incurred during the applicable period of time specified pursuant to subparagraph (B).

“(B) For each qualifying loss, the Secretary shall prescribe, by regulation, a period of time to be the period of time within which a loss of that type must be incurred, determined from the date on which the member sustains the traumatic injury resulting in that loss, in order for that loss to be covered under this section.”.

(4) Subsection (d) is amended by striking “losses described in subsection (b)(1) shall be—” and all that follows and inserting “qualifying losses shall be made in accordance with a schedule prescribed by the Secretary, by regulation, specifying the amount of payment to be made for each type of qualifying loss, to be based on the severity of the qualifying loss. The minimum payment that may be prescribed for a qualifying loss is \$25,000, and the maximum payment that may be prescribed for a qualifying loss is \$100,000.”.

(5) Subsection (e) is amended—

(A) by striking “of Veterans Affairs” each place it appears;

(B) in paragraph (1), by striking “as the premium allocable” and all that follows through “protection under this section”;

(C) in paragraph (2), by striking “Secretary of the concerned service” and inserting “Secretary concerned”; and

(D) by striking paragraphs (6), (7), and (8) and inserting the following:

“(6) The cost attributable to insuring members under this section for any month or other period specified by the Secretary, less the premiums paid by the members, shall be paid by the Secretary concerned to the Secretary. The Secretary shall allocate the amount payable among the uniformed services using such methods and data as the Secretary determines to be reasonable and practicable. Payments under this paragraph shall be made on a monthly basis or at such other intervals as may be specified by the Secretary and shall be made within 10 days of the date on which the Secretary provides notice to the Secretary concerned of the amount required.

“(7) For each period for which a payment by a Secretary concerned is required under paragraph (6), the Secretary concerned shall contribute such amount from appropriations available for active duty pay of the uniformed service concerned.

“(8) The sums withheld from the basic or other pay of members, or collected from them by the Secretary concerned, under this subsection, and the sums contributed from appropriations under this subsection, together with the income derived from any dividends or premium rate adjustments received from insurers shall be deposited to the credit of the revolving fund established in the Treasury of the United States under section 1869(d)(1) of this title.”.

(6) Subsection (f) is amended to read as follows:

“(f) When a claim for benefits is submitted under this section, the Secretary of Defense or, in the case of a member not under the jurisdiction of the Secretary of Defense, the Secretary concerned, shall certify to the Secretary whether the member with respect to whom the claim is submitted—

“(1) was at the time of the injury giving rise to the claim insured under Servicemembers’ Group Life Insurance for the purposes of this section; and

“(2) has sustained a qualifying loss.”.

(7) Subsection (g) of such section is amended—

(A) by inserting “(1)” after “(g)”;

(B) by striking “will not be made” and inserting “may not be made under the insurance coverage under this section”;

(C) by striking “the period” and all that follows through “the date” and inserting “a period prescribed by the Secretary, by regulation, for such purpose that begins on the date”;

(D) by designating the second sentence as paragraph (2);

(E) by striking “If the member” and inserting “If a member eligible for a payment under this section”;

(F) by striking “will be” and inserting “shall be”; and

(G) by striking “according to” and all that follows and inserting “to the beneficiary or beneficiaries to whom the payment would be made if the payment were life insurance under section 1967(a) of this title.”.

(8) Subsection (h) of such section is amended—

(A) in the first sentence, by striking “member’s separation from the uniformed service” and inserting “termination of the member’s duty status in the uniformed services that established eligibility for Servicemembers’ Group Life Insurance”;

(B) by striking the second sentence; and

(C) by adding at the end the following new sentence: “The termination of coverage under this section is effective in accordance with the preceding sentence, notwithstanding any continuation after the date specified in that sentence of Servicemembers’ Group Life Insurance coverage pursuant to 1968(a) of this title for a period specified in that section.”.

(9) Such section is further amended by adding at the end the following new subsection:

“(j) Regulations under this section shall be prescribed in consultation with the Secretary of Defense.”.

(b) APPLICABILITY TO QUALIFYING LOSSES INCURRED IN OPERATION ENDURING FREEDOM AND OPERATION IRAQI FREEDOM BEFORE EFFECTIVE DATE OF NEW PROGRAM.—

(1) ELIGIBILITY.—A member of the uniformed services who during the period beginning on October 7, 2001, and ending at the close of November 30, 2005, sustains a traumatic injury resulting in a qualifying loss is eligible for coverage for that loss under section 1980A of title 38, United States Code, if, as determined by the Secretary concerned, that loss was a direct result of a traumatic injury incurred in the theater of operations for Operation Enduring Freedom or Operation Iraqi Freedom.

(2) **CERTIFICATION OF PERSONS ENTITLED TO PAYMENT.**—The Secretary concerned shall certify to the life insurance company issuing the policy of life insurance for Servicemembers' Group Life Insurance under chapter 19 of title 38, United States Code, the name and address of each person who the Secretary concerned determines to be entitled by reason of paragraph (1) to a payment under section 1980A of title 38, United States Code, plus such additional information as the Secretary of Veterans Affairs may require.

(3) **FUNDING.**—At the time a certification is made under paragraph (2), the Secretary concerned, from funds then available to that Secretary for the pay of members of the uniformed services under the jurisdiction of that Secretary, shall pay to the Secretary of Veterans Affairs the amount of funds the Secretary of Veterans Affairs determines to be necessary to pay all costs related to payments to be made under that certification. Amounts received by the Secretary of Veterans Affairs under this paragraph shall be deposited to the credit of the revolving fund in the Treasury of the United States established under section 1969(d) of title 38, United States Code.

(4) **QUALIFYING LOSS.**—For purposes of this subsection, the term “qualifying loss” means—

(A) a loss specified in the second sentence of subsection (b)(1) of section 1980A of title 38, United States Code, as amended by subsection (a); and

(B) any other loss specified by the Secretary of Veterans Affairs pursuant to the first sentence of that subsection.

(5) **SECRETARY CONCERNED.**—For purposes of this subsection, the term “Secretary concerned” has the meaning given that term in paragraph (25) of section 101 of title 38, United States Code.

(c) **CONFORMING AMENDMENTS.**—

(1) Section 1965 of title 38, United States Code, is amended by striking paragraph (11).

(2) Section 1032(c) of Public Law 109–13 (119 Stat. 257; 38 U.S.C. 1980A note) is repealed.

SEC. 502. TERMINOLOGY AMENDMENTS TO REVISE REFERENCES TO CERTAIN VETERANS IN PROVISIONS RELATING TO ELIGIBILITY FOR COMPENSATION OR DEPENDENCY AND INDEMNITY COMPENSATION.

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

(1) Section 1114(l) is amended by striking “so helpless” and inserting “with such significant disabilities”.

(2) Section 1114(m) is amended by striking “so helpless” and inserting “so significantly disabled”.

(3) Sections 1115(1)(E)(ii), 1122(b)(2), 1311(c)(2), 1315(g)(2), and 1502(b)(2) are amended by striking “helpless or blind, or so nearly helpless or blind as to” and inserting “blind, or so nearly blind or significantly disabled as to”.

SEC. 503. TECHNICAL AND CLERICAL AMENDMENTS.

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

(1) **TYPOGRAPHICAL ERROR.**—Section 1117(h)(1) is amended by striking “notwithstanding” and inserting “notwithstanding”.

- (2) INSERTION OF MISSING WORD.—Section 1513(a) is amended by inserting “section” after “prescribed by”.
- (3) DELETION OF EXTRA WORDS.—Section 3012(a)(1)(C)(ii) is amended by striking “on or”.
- (4) CROSS REFERENCE CORRECTION.—Section 3017(b)(1)(D) is amended by striking “3011(c)” and inserting “3011(e)”.
- (5) STYLISTIC AMENDMENTS.—Section 3018A is amended—
- (A) by striking “of this section” in subsections (b) and (c);
 - (B) by striking “of this subsection” in subsections (a)(4), (a)(5), (d)(1) (both places it appears), and (d)(3); and
 - (C) by striking “of this chapter” in subsection (d)(3) and inserting “of this title”.
- (6) CROSS REFERENCE CORRECTION.—Section 3117(b)(1) is amended—
- (A) by striking “section 8” and inserting “section 4(b)(1)”; and
 - (B) by striking “633(b)” and inserting “633(b)(1)”.
- (7) INSERTION OF MISSING WORD.—Section 3511(a)(1) is amended by inserting “sections” after “under both”.
- (8) SUBSECTION HEADINGS.—
- (A) Sections 3461, 3462, 3481, 3565, 3680, and 3690 are each amended by revising each subsection heading for a subsection therein (appearing as a centered heading immediately before the text of the subsection) so that such heading appears immediately after the subsection designation and is set forth in capitals-and-small-capitals typeface, followed by a period and a one-em dash.
 - (B) Section 3461(c) is amended by inserting after the subsection designation the following: “DURATION OF ENTITLEMENT.—”.
 - (C) Section 3462 is amended—
 - (i) in subsection (d), by inserting after the subsection designation the following: “PRISONERS OF WAR.—”; and
 - (ii) in subsection (e), by inserting after the subsection designation the following: “TERMINATION OF ASSISTANCE.—”.
- (9) CROSS REFERENCE CORRECTION.—Section 3732(c)(10)(D) is amended by striking “clause (B) of paragraphs (5), (6), (7), and (8) of this subsection” and inserting “paragraphs (5)(B), (6), (7)(B), and (8)(B)”.
- (10) DATE OF ENACTMENT REFERENCE.—Section 3733(a)(7) is amended by striking “the date of the enactment of the Veterans Benefits Act of 2003” and inserting “December 16, 2003”.
- (11) REPEAL OF OBSOLETE PROVISIONS.—Section 4102A is amended—
- (A) in subsection (c)(7)—
 - (i) by striking “With respect to program years beginning during or after fiscal year 2004, one percent of” and inserting “Of”; and
 - (ii) by striking “for the program year” and inserting “for any program year, one percent”; and
 - (B) in subsection (f)(1), by striking “By not later than May 7, 2003, the” and inserting “The”.

(12) REPEAL OF OBSOLETE PROVISIONS.—Section 4105(b) is amended—

(A) by striking “shall provide,” and all that follows through “Affairs with” and inserting “shall, on the 15th day of each month, provide the Secretary and the Secretary of Veterans Affairs with updated information regarding”; and

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

(13) CITATION CORRECTION.—Section 4110B is amended—

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

(B) by inserting “(29 U.S.C. 2822(b))” before the period at the end.

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

(15) CAPITALIZATION CORRECTION.—Section 7253(d)(5) is amended by striking “court” and inserting “Court”.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*