

GENERAL LEAVE

Mr. McCOLLUM. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

VETERANS' COMPENSATION COST-OF-LIVING ADJUSTMENT ACT OF 1996

Mr. STUMP. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3458) to increase, effective as of December 1, 1996, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans.

The Clerk read as follows:

H.R. 3458

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Veterans' Compensation Cost-of-Living Adjustment Act of 1996".

SEC. 2. INCREASE IN RATES OF DISABILITY COMPENSATION AND DEPENDENCY AND INDEMNITY COMPENSATION.

(a) RATE ADJUSTMENT.—The Secretary of Veterans Affairs shall, effective on December 1, 1996, increase the dollar amounts in effect for the payment of disability compensation and dependency and indemnity compensation by the Secretary, as specified in subsection (b).

(b) AMOUNTS TO BE INCREASED.—The dollar amounts to be increased pursuant to subsection (a) are the following:

(1) COMPENSATION.—Each of the dollar amounts in effect under section 1114 of title 38, United States Code.

(2) ADDITIONAL COMPENSATION FOR DEPENDENTS.—Each of the dollar amounts in effect under section 1115(1) of such title.

(3) CLOTHING ALLOWANCE.—The dollar amount in effect under section 1162 of such title.

(4) NEW DIC RATES.—The dollar amounts in effect under paragraphs (1) and (2) of section 1311(a) of such title.

(5) OLD DIC RATES.—Each of the dollar amounts in effect under section 1311(a)(3) of such title.

(6) ADDITIONAL DIC FOR SURVIVING SPOUSES WITH MINOR CHILDREN.—The dollar amount in effect under section 1311(b) of such title.

(7) ADDITIONAL DIC FOR DISABILITY.—The dollar amounts in effect under sections 1311(c) and 1311(d) of such title.

(8) DIC FOR DEPENDENT CHILDREN.—The dollar amounts in effect under sections 1313(a) and 1314 of such title.

(c) DETERMINATION OF PERCENTAGE INCREASE.—(1) The increase under subsection (a) shall be made in the dollar amounts specified in subsection (b) as in effect on November 30, 1996. Each such amount shall be increased by the same percentage as the percentage by which benefit amounts payable under title II of the Social Security Act (42 U.S.C. 401 et seq.) are increased effective December 1, 1996, as a result of a determination under section 215(i) of such Act (42 U.S.C. 415(i)).

(2) In the computation of increased dollar amounts pursuant to paragraph (1), any

amount which as so computed is not an even multiple of \$1 shall be rounded to the next lower whole dollar amount.

(d) SPECIAL RULE.—The Secretary may adjust administratively, consistent with the increased made under subsection (a), the rates of disability compensation payable to persons within the purview of section 10 of Public Law 85-857 (72 Stat. 1263) who are not in receipt of compensation payable pursuant to chapter 11 of title 38, United States Code.

SEC. 3. PUBLICATION OF ADJUSTED RATES.

At the same time as the matters specified in section 215(i)(2)(D) of the Social Security Act (42 U.S.C. 415(i)(2)(D)) are required to be published by reason of a determination made under section 215(i) of such Act during fiscal year 1996, the Secretary of Veterans Affairs shall publish in the Federal Register the amounts specified in section 2(b), as increased pursuant to section 2.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona [Mr. STUMP] and the gentleman from Mississippi [Mr. MONTGOMERY] each will control 20 minutes.

The Chair recognizes the gentleman from Arizona [Mr. STUMP].

GENERAL LEAVE

Mr. STUMP. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3458.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. STUMP. Mr. Speaker, I yield myself such time as I may consume.

(Mr. STUMP asked and was given permission to revise and extend his remarks.)

Mr. STUMP. Mr. Speaker, this bill increases the rates of compensation for veterans with service connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans.

The increase would be effective on December 1, 1996, and would be the same percentage increase as applied to Social Security benefits.

The bill also rounds down to the next lower dollar amount, all compensation and DIC benefit payments when not a whole dollar amount.

Mr. Speaker, this is a clean COLA bill without any other provisions attached to it.

In the past, additional provisions on veterans' COLA bills have become controversial, so we have avoided that potential and I urge all Members to support the bill.

I want to thank my good friend, SONNY MONTGOMERY, the ranking minority member of the full committee, for his hard work and guidance on this measure.

Before yielding to him, I also want to thank TERRY EVERETT, chairman of the Subcommittee on Compensation, Pension, Insurance and Memorial Affairs and LANE EVANS, the ranking minority member on the subcommittee.

Mr. Speaker, I yield such time as he may consume to the gentleman from Alabama [Mr. EVERETT].

Mr. EVERETT. Mr. Speaker, H.R. 3458 will provide a cost of living allow-

ance increase for those who receive compensation and pension as well as other related benefits. The COLA will be in an amount equal to the COLA given to Social Security recipients, and is currently estimated at 2.8 percent. The bill will also round the COLA down to the next lower dollar.

Mr. Speaker, I am pleased we can give a full COLA this year to help our most deserving and neediest veterans and their survivors. I urge my colleagues to support the bill.

Mr. MONTGOMERY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is a bill that increases the compensation for service-connected veterans, their survivors, and certain disabled veterans. This bill is one that millions of veterans and spouses of veterans who died of a service-connected cause depend on the Congress to enact. Each time we do so we reaffirm our commitment to disabled veterans and the survivors of veterans. Many of these beneficiaries depend on their monthly VA check, Mr. Speaker, to pay their rent and to feed their families.

□ 1315

The married veteran with no other dependents who is rated totally disabled, 100 percent disabled, is currently eligible for \$1,975 per month in VA disability payments.

In most cities and communities this amount is enough to allow the veteran and his family to live in some comfort, but it does not allow for many frills or luxuries. My colleagues can understand that even modest increases in food and housing costs must be addressed by providing cost of living increases to these veterans.

Mr. Speaker, I want to thank the gentleman from Arizona, Chairman STUMP, for his cooperation. I think we probably have the most nonpartisan committee in the Congress of the United States. We are very proud of that. I want to commend on my side of the aisle the gentleman from Illinois, LANE EVANS, for his work on this subcommittee and also to the gentleman from Alabama, Mr. EVERETT, chairman of that subcommittee.

Mr. Speaker, I yield 1 minute to the gentleman from Illinois [Mr. EVANS].

Mr. EVANS. Mr. Speaker, I rise in support of this legislation and to commend Chairman STUMP, Subcommittee Chairman TERRY EVERETT, and all of the members who have supported providing adequate compensation to veterans with service-connected disabilities and to spouses of veterans who die of service-connected causes.

This legislation which we are considering today is a small token of our esteem for those who left the service with disabilities. It provides for an increase estimated to be 2.8 percent for veterans drawing disability compensation as well as the spouses of veterans who die of a service-connected cause. There are other measures that we will

consider today that make improvements in veterans programs, but none will touch as many lives as this legislation.

I urge my colleagues to pass this far-reaching and vital legislation.

Mr. STUMP. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona [Mr. HAYWORTH], a member of the committee.

Mr. HAYWORTH. Mr. Speaker, I thank the chairman for yielding time to me.

I also stand to salute our chairman, the dean of the Arizona delegation, for the commonsense approach he brings to the challenges we face on the Committee on Veterans' Affairs, as does the ranking member, my good friend from Mississippi, Mr. MONTGOMERY, who we share in the despair of him leaving this institution at the end of this term.

My colleague from Illinois, Mr. EVANS, said it quite succinctly. No other measure will affect more people who have worn the uniform of this Nation than this cost-of-living adjustment.

Mr. Speaker, I stand in this well today simply to take note of the fact, as I have before, where on many different occasions we come here with profound philosophical differences and different approaches on how we should solve the problems, that today, once again, the Committee on Veterans' Affairs serves as an example of what is possible when Members agree to rather commonsense, broad precepts such as a cost-of-living adjustment for deserving veterans with disabilities and their survivors. This is an outstanding piece of legislation. It is a commonsense approach that brings the concept of fairness to those who have worn this Nation's uniform. I endorse it wholeheartedly.

I urge my colleagues to vote in the affirmative for the legislation. I thank those Members on both sides of the aisle for their meaningful participation in getting this work done, and I salute the subcommittee chairman.

Mr. STUMP. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. GILMAN] chairman of the Committee on International Relations.

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Speaker, I want to commend the distinguished ranking member of the subcommittee and the chairman of the committee for bringing this measure to the floor at this time. Mr. STUMP and Mr. MONTGOMERY have been continual advocates of our veterans' benefits.

Mr. Speaker, I rise today in strong support of H.R. 3458, the Veterans' Compensation Cost-of-Living Adjustment Act.

H.R. 3458 authorizes a full cost-of-living adjustment for veterans with service-connected disabilities and the rates of dependency and indemnity compensation [DIC] for the survivors of certain disabled veterans, for fiscal year 1997.

The Disability Compensation Program is intended to provide some relief for those veterans whose earning potential has been adversely impacted as a result of disabilities incurred during military service.

The Survivors Benefit Program is intended to provide partial compensation to the appropriate survivors for a loss of financial support due to a service-connected death.

Congress has provided an annual cost-of-living adjustment to these veterans and survivors since 1976.

Mr. Speaker, I believe this is a worthy piece of legislation and an appropriate response of this legislative body to the sacrifices made by our Nation's veterans and their families.

Mr. STEARNS. Mr. Speaker, I rise today in strong support of H.R. 3458 The Veterans' Compensation Cost-of-Living Adjustment Act.

As a cosponsor of this legislation, I believe that H.R. 3458 takes great strides in securing that our veterans are fairly and adequately compensated for their service to our country.

The bill calls for an increased rate of compensation for the 2.2 million veterans whose injuries are connected to their military service, as well as 300,000 survivors of veterans who died from service-connected injuries.

We have an obligation to provide for those injured while serving to defend our country. This bill provides for a much needed increase in compensation, bringing it up to the same level as Social Security benefits. The current estimate of a 2.8-percent increase will provide relief from the impaired earning capacity of disabled veterans and their families.

Mr. Chairman, it is time that we recognize the sacrifices of our Nation's disabled veterans and adjust their compensation fairly. This legislation serves our veterans, as they so selflessly and heroically served our Nation, and I urge my colleagues to support it.

Mr. MONTGOMERY. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. STUMP. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. GUTKNECHT). The question is on the motion offered by the gentleman from Arizona [Mr. STUMP] that the House suspend the rules and pass the bill, H.R. 3458.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

EXTENDING BENEFITS TO VETERANS EXPOSED TO AGENT ORANGE

Mr. STUMP. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3643) to amend title 38, United States Code, to extend through December 31, 1998, the period during which the Secretary of Veterans Affairs is authorized to provide priority health care to certain veterans who were exposed to agent orange or who served in the Persian Gulf war and to make such au-

thority permanent in the case of certain veterans exposed to ionizing radiation, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3643

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

SECTION 1. AUTHORITY TO PROVIDE PRIORITY HEALTH CARE.

(a) AUTHORIZED INPATIENT CARE.—Section 1710(e) of title 38, United States Code, is amended—

(1) in paragraph (1), by striking out subparagraphs (A) and (B) and inserting in lieu thereof the following:

“(e)(1)(A) A herbicide-exposed veteran is eligible for hospital care and nursing home care under subsection (a)(1)(G) for any disease suffered by the veteran that is—

“(i) among those diseases for which the National Academy of Sciences, in a report issued in accordance with section 2 of the Agent Orange Act of 1991, has determined—

“(I) that there is sufficient evidence to conclude that there is a positive association between occurrence of the disease in humans and exposure to a herbicide agent;

“(II) that there is evidence which is suggestive of an association between occurrence of the disease in humans and exposure to a herbicide agent, but such evidence is limited in nature; or

“(III) that available studies are insufficient to permit a conclusion about the presence or absence of an association between occurrence of the disease in humans and exposure to a herbicide agent; or

“(ii) a disease for which the Secretary, pursuant to a recommendation of the Under Secretary for Health on the basis of a peer-reviewed research study or studies published within 20 months after the most recent report of the National Academy under section 2 of the Agent Orange Act of 1991, determines there is credible evidence suggestive of an association between occurrence of the disease in humans and exposure to a herbicide agent.

“(B) A radiation-exposed veteran is eligible for hospital care and nursing home care under subsection (a)(1)(G) for any disease suffered by the veteran that is—

“(i) a disease listed in section 1112(c)(2) of this title; or

“(ii) any other disease for which the Secretary, based on the advice of the Advisory Committee on Environmental Hazards, determines that there is credible evidence of a positive association between occurrence of the disease in humans and exposure to ionizing radiation.”;

(2) in paragraph (2)—

(A) by striking out “Hospital” and inserting in lieu thereof “Hospital” and inserting in lieu thereof “In the case of a veteran described in paragraph (1)(C), hospital”;

(B) by striking out “subparagraph” and all that follows through “subsection” and inserting in lieu thereof “paragraph (1)(C)”;

(3) in paragraph (3), by striking out “of this section after December 31, 1996” and inserting in lieu thereof “after December 31, 1998, in the case of care for a veteran described in paragraph (1)(A) or paragraph (1)(C)”;

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

“(4) For purposes of this subsection and section 1712 of this title:

“(A) The term ‘herbicide-exposed veteran’ means a veteran (i) who served on active duty in the Republic of Vietnam during the Vietnam era, and (ii) who the Secretary finds may have been exposed during such service to a herbicide agent.