

I want to thank Congressman BILBRAY for taking the lead on this Beach legislation over the years and for all his hard work in making sure we pass this legislation. Without his hard work and determination over the years we would not have passed this legislation today. I also would like to recognize Senator LAUTENBERG for his leadership on this issue in the Senate.

Every year, over 180 million people visit coastal waters for recreational purposes. Over half of the population of the United States lives near a coastal area and traditionally a great majority of Americans visit coastal areas every year to swim, fish, hunt, dive, bike, view wildlife and learn. For many states, this tourism provides significant economic benefits. In fact, coastal recreation and the tourism industry are the second largest employers in the nation, and supporting 28.3 million jobs. In New Hampshire, for example, the seacoast region is one of the most popular tourism spots in the State. Rye Beach and Hampton Beach, to name a couple, provide beautiful vacation spots for those of us in New Hampshire and many of our friends in neighboring states.

Unfortunately, pathogens found in sewage spills, storm water runoff, and combined sewer overflows are impairing water quality and threatening the health of the public who visit our nation's beaches. While some States have strong programs for monitoring and informing the public of the presence of pathogens that are harmful to human health, others do not.

In response to the need for consistency among the States in monitoring and public notification of pathogens in coastal recreation waters, Representative BILBRAY and Senator LAUTENBERG introduced their Beach bills.

The bills require all states with coastal recreation waters to adopt water quality criteria that protect public health and welfare, consistent with EPA criteria guidance for pathogens and pathogen indicators. The legislation requires the Administrator of the Environmental Protection Agency, in cooperation with State and local governments, to publish performance criteria that provide guidance for state monitoring and assessment, and public notification programs that protect human health.

The performance criteria will be used by the States as guidance to improve upon existing monitoring and notification programs or, in some States to establish monitoring and notification programs. In the case of New Hampshire, which as an extensive monitoring and notification program, these performance criteria will provide further guidance to improve upon our program.

The bills provides \$30 million over 5 years in grants to States and local communities for the implementation and development of these monitoring and notification programs. In certain situations, such as the early stage of a

program, EPA will be able to award as a grant a large percentage, up to 100 percent, of the costs of developing a program to some states. This provides those few States without monitoring and notification programs a great incentive through grant funding to develop and implement this comprehensive program. Improving water quality at our nation's beaches, as well as implementing monitoring and public notification programs, will benefit all Americans who have a right to expect that they can safely swim in the water.

The Committee filed the Report on S. 522 (Rept. No. 106-366) on August 25, 2000. The Committee Report and the text of S. 522, as amended in Committee, reflected a number of changes negotiated by the Committee and the two principle sponsors of the House and Senate bills, Congressman BRIAN BILBRAY of California and Senator FRANK LAUTENBERG. Over the past few months, I have worked with my colleagues on the Committee, particularly Senators LAUTENBERG and BAUCUS, and with Congressman BILBRAY to continue to improve the language of this legislation. Together, we have crafted a comprehensive Manager's Amendment that I believe provides States with needed flexibility and enhances environmental protection. As the manager of the bill, and a cosponsor of the Senate bill, I am pleased that the Senate passed this Manager's Amendment as a substitute to the text of both H.R. 999 and S. 522. Both bills, as passed by the Senate, reflect the agreements and principles set forth in Senate Report No. 106-366.

I thank Senator BAUCUS and my other Committee colleagues, as well as Senators LOTT and DASCHLE, for helping us continue the tradition of bipartisan action on environmental matters.

VETERANS PROGRAMS ENHANCEMENT ACT OF 2000

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent the Senate now proceed to the consideration of Calendar No. 787, S. 1810.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 1810) to amend title 38, United States Code, to clarify and improve veterans' claims in appellate procedures.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Veterans' Affairs, with an amendment, as follows:

(Strike out all after the enacting clause and insert the part printed in italic.)

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) *SHORT TITLE.*—This Act may be cited as the “Veterans Programs Enhancement Act of 2000”.

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

Sec. 1. Short title; table of contents.

Sec. 2. References to title 38, United States Code.

TITLE I—BENEFITS MATTERS

Subtitle A—Compensation and Pension Matters

Sec. 101. Clarification and enhancement of authorities relating to the processing of claims for veterans benefits.

Sec. 102. Expansion of list of diseases presumed to be service-connected for radiation-exposed veterans.

Sec. 103. Special monthly compensation for female veterans who lose a breast as a result of a service-connected disability.

Subtitle B—Education Matters

Sec. 111. Making uniform the requirement for high school diploma or equivalency before application for Montgomery GI Bill benefits.

Sec. 112. Repeal of requirement for initial obligated period of active duty as condition of eligibility for Montgomery GI Bill benefits.

Sec. 113. Availability under survivors' and dependents' educational assistance of preparatory courses for college and graduate school entrance exams.

Sec. 114. Election of certain recipients of commencement of period of eligibility for survivors' and dependents' educational assistance.

Sec. 115. Adjusted effective date for award of survivors' and dependents' educational assistance.

Subtitle C—Housing Matters

Sec. 121. Elimination of reduction in assistance for specially adapted housing for disabled veterans for veterans having joint ownership of housing units.

Sec. 122. Increase in maximum amount of housing loan guarantee.

Sec. 123. Termination of collection of loan fees from veterans rated eligible for compensation at pre-discharge rating examinations.

Subtitle D—Insurance Matters

Sec. 131. Premiums for term service disabled veterans' insurance for veterans older than age 70.

Sec. 132. Increase in automatic maximum coverage under Servicemembers' Group Life Insurance and Veterans' Group Life Insurance.

Sec. 133. Family coverage under Servicemembers' Group Life Insurance.

Subtitle E—Burial Matters

Sec. 141. Eligibility for interment in the national cemeteries of certain Filipino veterans of World War II.

Subtitle F—Employment Matters

Sec. 151. Veterans employment emphasis under Federal contracts for recently separated veterans.

Sec. 152. Comptroller General audit of veterans employment and training service of the Department of Labor.

Subtitle G—Benefits for Children of Female Vietnam Veterans

Sec. 161. Short title.

Sec. 162. Benefits for the children of female Vietnam veterans who suffer from certain birth defects.

Subtitle H—Other Benefits Matters

Sec. 171. Review of dose reconstruction program of the Defense Threat Reduction Agency.

TITLE II—HEALTH CARE MATTERS

Sec. 201. Veterans not subject to copayments for medications.

Sec. 202. Establishment of position of Advisor on Physician Assistants within Office of Undersecretary for Health.

Sec. 203. Temporary full-time appointments of certain medical personnel.

TITLE III—CONSTRUCTION AND FACILITIES MATTERS

Subtitle A—Construction Matters

Sec. 301. Authorization of major medical facility projects for fiscal year 2001.

Sec. 302. Authorization of additional major medical facility project for fiscal year 2000.

Sec. 303. Authorization of appropriations.

Subtitle B—Other Matters

Sec. 311. Maximum term of lease of Department of Veterans Affairs property for homeless purposes.

Sec. 312. Land conveyance, Miles City Veterans Administration Medical Complex, Miles City, Montana.

Sec. 313. Conveyance of Ft. Lyon Department of Veterans Affairs Medical Center, Colorado, to the State of Colorado.

Sec. 314. Effect of closure of Ft. Lyon Department of Veterans Affairs Medical Center on administration of health care for veterans.

SEC. 2. REFERENCES TO TITLE 38, UNITED STATES CODE.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

TITLE I—BENEFITS MATTERS

Subtitle A—Compensation and Pension Matters

SEC. 101. CLARIFICATION AND ENHANCEMENT OF AUTHORITIES RELATING TO THE PROCESSING OF CLAIMS FOR VETERANS BENEFITS.

(a) DEFINITION OF CLAIMANT.—Chapter 51 is amended—

(1) by redesignating section 5101 as section 5101A; and

(2) by inserting before section 5101A, as so redesignated, the following new section:

“§5101. Definition of ‘claimant’

“For purposes of this chapter, the term ‘claimant’ means any individual who submits a claim for benefits under the laws administered by the Secretary.”

(b) INCOMPLETE APPLICATIONS.—Section 5103(a) is amended by striking “evidence” both places it appears and inserting “information”.

(c) REAFFIRMATION AND CLARIFICATION OF DUTY TO ASSIST.—Chapter 51 is further amended by inserting after section 5103 the following new section:

“§5103A. Assistance to claimants

“(a) Except as provided in subsection (b), the Secretary shall make reasonable efforts to assist in the development of information and medical or lay evidence necessary to establish the eligibility of a claimant for benefits under the laws administered by the Secretary.

“(b) The Secretary is not required to provide assistance to a claimant under subsection (a) if no reasonable possibility exists, as determined in accordance with regulations prescribed under subsection (f), that such assistance would aid in the establishment of the eligibility of the claimant for benefits under the laws administered by the Secretary.

“(c) In any claim for benefits under the laws administered by the Secretary, the assistance provided by the Secretary under subsection (a) shall include the following:

“(1) Informing the claimant and the claimant’s representative, if any, of the information and medical or lay evidence needed in order to aid in the establishment of the eligibility of the claimant for benefits under the laws administered by the Secretary.

“(2) Informing the claimant and the claimant’s representative, if any, if the Secretary is

unable to obtain any information or medical or lay evidence described in paragraph (1).

“(d)(1) In any claim for disability compensation under chapter 11 of this title, the assistance provided by the Secretary under subsection (a) shall include, in addition to the assistance provided under subsection (c), the following:

“(A) Obtaining the relevant service and medical records maintained by applicable governmental entities that pertain to the veteran for the period or periods of the veteran’s service in the active military, naval, or air service.

“(B) Obtaining existing records of relevant medical treatment or examination provided at Department health-care facilities or at the expense of the Department, but only if the claimant has furnished information sufficient to locate such records.

“(C) Obtaining from governmental entities any other relevant records the claimant adequately identifies and authorizes the Secretary to obtain.

“(D) Making reasonable efforts to obtain from private persons and entities any other relevant records the claimant adequately identifies and authorizes the Secretary to obtain.

“(E) Providing a medical examination needed for the purpose of determining the existence of a current disability if the claimant submits verifiable evidence, as determined in accordance with the regulations prescribed under subsection (f), establishing that the claimant is unable to afford medical treatment.

“(F) Providing such other assistance as the Secretary considers appropriate.

“(2) The efforts made to obtain records under subparagraphs (A), (B), and (C) of paragraph (1) shall continue until it is reasonably certain, as determined in accordance with the regulations prescribed under subsection (f), that such records do not exist.

“(e) If while obtaining or after obtaining information or lay or medical evidence under subsection (d) the Secretary determines that a medical examination or a medical opinion is necessary to substantiate entitlement to a benefit, the Secretary shall provide such medical examination or obtain such medical opinion.

“(f) The Secretary shall prescribe regulations for purposes of the administration of this section.”

(d) COST OF OTHER AGENCIES IN FURNISHING INFORMATION.—Section 5106 is amended by adding at the end the following new sentence: “The cost of providing such information shall be borne by the department or agency providing such information.”

(e) REPEAL OF “WELL-GROUNDED CLAIM” RULE.—Section 5107 is amended to read as follows:

“§5107. Burden of proof; benefit of the doubt

“(a) Except when otherwise provided by this title or by the Secretary in accordance with the provisions of this title, a claimant shall have the burden of proof in establishing entitlement to benefits under the laws administered by the Secretary.

“(b) The Secretary shall consider all information and lay and medical evidence of record in a case before the Department with respect to benefits under laws administered by the Secretary, and shall give the claimant the benefit of the doubt when there is an approximate balance of positive and negative evidence regarding an issue material to the determination of the matter.”

(f) APPLICABILITY OF ENHANCED AUTHORITIES.—(1) Except as specifically provided otherwise, section 5103A of title 38, United States Code (as added by subsection (c)), and section 5107 of title 38, United States Code (as amended by subsection (e)), shall apply to any claim pending on or filed on or after the date of the enactment of this Act.

(2)(A) In the case of a claim for benefits described in subparagraph (B), the Secretary of Veterans Affairs shall, upon the request of the

claimant, or upon the Secretary’s motion, order such claim readjudicated in accordance with section 5103A of title 38, United States Code (as so added), and section 5107 of title 38, United States Code (as so amended), as if the denial or dismissal of such claim as described in that subparagraph had not been made.

(B) A claim for benefits described in this subparagraph is any claim for benefits—

(i) the denial of which became final during the period beginning on July 14, 1999, and ending on the date of the enactment of this Act; and

(ii) which was denied or dismissed because the claim was not well grounded (as that term was used in section 5107(a) of title 38, United States Code, during the period referred to in clause (i)).

(3) No claim shall be readjudicated under paragraph (2) unless the request for readjudication is filed, or the motion made, not later than two years after the date of the enactment of this Act.

(4) In the absence of a timely request of a claimant under paragraph (3), nothing in this subsection shall be construed as establishing a duty on the part of the Secretary to locate and readjudicate a claim described in paragraph (2)(B).

(g) CLERICAL AMENDMENTS.—The table of sections at the beginning of chapter 51 is amended—

(1) by striking the item relating to section 5101 and inserting the following new items:

“5101. Definition of ‘claimant’.

“5101A. Claims and forms.”; and

(2) by inserting after the item relating to section 5103 the following new item:

“5103A. Assistance to claimants.”.

SEC. 102. EXPANSION OF LIST OF DISEASES PRESUMED TO BE SERVICE-CONNECTED FOR RADIATION-EXPOSED VETERANS.

Section 1112(c)(2) is amended by adding at the end the following:

“(P) Lung cancer.

“(Q) Colon cancer.

“(R) Tumors of the brain and central nervous system.

“(S) Ovarian cancer.”.

SEC. 103. SPECIAL MONTHLY COMPENSATION FOR FEMALE VETERANS WHO LOSE A BREAST AS A RESULT OF A SERVICE-CONNECTED DISABILITY.

(a) IN GENERAL.—Section 1114(k) is amended—

(1) by striking “or has suffered” and inserting “has suffered”; and

(2) by inserting after “air and bone conduction,” the following: “or, in the case of a female veteran, has suffered the anatomical loss of one or both breasts (including loss by mastectomy).”

(b) EFFECTIVE DATE.—(1) The amendments made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply with respect to payment of compensation under section 1114(k) of title 38, United States Code (as so amended), for months beginning on or after that date.

(2) No compensation may be paid for any period before the date of the enactment of this Act by reason of the amendments made by subsection (a).

Subtitle B—Education Matters

SEC. 111. MAKING UNIFORM THE REQUIREMENT FOR HIGH SCHOOL DIPLOMA OR EQUIVALENCY BEFORE APPLICATION FOR MONTGOMERY GI BILL BENEFITS.

(a) ACTIVE DUTY PROGRAM.—(1) Section 3011 is amended—

(A) in subsection (a), by striking paragraph (2) and inserting the following new paragraph (2):

“(2) who completes the requirements of a secondary school diploma (or equivalency certificate), or successfully completes (or otherwise receives academic credit for) the equivalent of 12

semester hours in a program of education leading to a standard college degree, before applying for benefits under this section; and”;

(B) by striking subsection (e); and

(C) by redesignating subsections (f), (g), (h), and (i) as subsections (e), (f), (g), and (h), respectively.

(2) Section 3017(a)(1)(A)(ii) is amended by striking “clause (2)(A)” and inserting “clause (2)”.

(b) **SELECTED RESERVE PROGRAM.**—Section 3012 is amended—

(1) in subsection (a), by striking paragraph (2) and inserting the following new paragraph (2):

“(2) who completes the requirements of a secondary school diploma (or equivalency certificate), or successfully completes (or otherwise receives academic credit for) the equivalent of 12 semester hours in a program of education leading to a standard college degree, before applying for benefits under this section; and”;

(2) by striking subsection (f); and

(3) by redesignating subsection (g) as subsection (f).

(c) **WITHDRAWAL OF ELECTION NOT TO ENROLL.**—Section 3018(b)(4) is amended to read as follows:

“(4) before applying for benefits under this section—

“(A) completes the requirements of a secondary school diploma (or equivalency certificate); or

“(B) successfully completes (or otherwise receives academic credit for) the equivalent of 12 semester hours in a program of education leading to a standard college degree; and”.

(d) **EDUCATIONAL ASSISTANCE PROGRAM FOR MEMBERS OF THE SELECTED RESERVE.**—Paragraph (2) of section 16132(a) of title 10, United States Code, is amended to read as follows:

“(2) before applying for benefits under this section, has completed the requirements of a secondary school diploma (or an equivalency certificate);”.

SEC. 112. REPEAL OF REQUIREMENT FOR INITIAL OBLIGATED PERIOD OF ACTIVE DUTY AS CONDITION OF ELIGIBILITY FOR MONTGOMERY GI BILL BENEFITS.

(a) **ACTIVE DUTY PROGRAM.**—Section 3011, as amended by section 111 of this Act, is further amended—

(1) in subsection (a)(1)(A)—

(A) by striking clause (i) and inserting the following new clause (i):

“(i) who serves an obligated period of active duty of at least two years of continuous active duty in the Armed Forces; or”;

(B) in clause (ii)(I), by striking “in the case of an individual who completed not less than 20 months” and all that follows through “was at least three years” and inserting “if, in the case of an individual with an obligated period of service of two years, the individual completes not less than 20 months of continuous active duty under that period of obligated service, or, in the case of an individual with an obligated period of service of three years, the individual completes not less than 30 months of continuous active duty under that period of obligated service”;

(2) in subsection (d)(1), by striking “individual’s initial obligated period of active duty” and inserting “obligated period of active duty on which an individual’s entitlement to assistance under this section is based”;

(3) in subsection (g)(2)(A), as redesignated by section 111(a)(1)(C) of this Act, by striking “during an initial period of active duty,” and inserting “during the obligated period of active duty on which entitlement to assistance under this section is based.”; and

(4) in subsection (h), as so redesignated, by striking “initial”.

(b) **SELECTED RESERVE PROGRAM.**—Section 3012 is amended—

(1) in subsection (a)(1)(A)(i), by striking “, as the individual’s” and all that follows through

“Armed Forces” and inserting “an obligated period of active duty of at least two years of continuous active duty in the Armed Forces”; and (2) in subsection (e)(1), by striking “initial”.

(c) **DURATION OF ASSISTANCE.**—Section 3013 is amended—

(1) in subsection (a)(2), by striking “individual’s initial obligated period of active duty” and inserting “obligated period of active duty on which such entitlement is based”; and

(2) in subsection (b)(1), by striking “individual’s initial obligated period of active duty” and inserting “obligated period of active duty on which such entitlement is based”.

(d) **AMOUNT OF ASSISTANCE.**—Section 3015 is amended—

(1) in the second sentence of subsection (a), by inserting before “a basic educational assistance allowance” the following: “in the case of an individual entitled to an educational assistance allowance under this chapter whose obligated period of active duty on which such entitlement is based is three years,”;

(2) in subsection (b), by striking “and whose initial obligated period of active duty is two years,” and inserting “whose obligated period of active duty on which such entitlement is based is two years,”; and

(3) in subsection (c)(2), by striking subparagraphs (A) and (B) and inserting the following new subparagraphs (A) and (B):

“(A) whose obligated period of active duty on which such entitlement is based is less than three years;

“(B) who, beginning on the date of the commencement of such obligated period of active duty, serves a continuous period of active duty of not less than three years; and”.

SEC. 113. AVAILABILITY UNDER SURVIVORS’ AND DEPENDENTS’ EDUCATIONAL ASSISTANCE OF PREPARATORY COURSES FOR COLLEGE AND GRADUATE SCHOOL ENTRANCE EXAMS.

Paragraph (5) of section 3501(a) is amended by adding at the end the following new sentence: “The term also includes any preparatory course described in section 3002(3)(B) of this title.”.

SEC. 114. ELECTION OF CERTAIN RECIPIENTS OF COMMENCEMENT OF PERIOD OF ELIGIBILITY FOR SURVIVORS’ AND DEPENDENTS’ EDUCATIONAL ASSISTANCE.

Section 3512(a)(3) is amended by striking “8 years after,” and all that follows through the end and inserting “8 years after the date elected by the person (if such election is approved as the beginning date of such period by the Secretary and is made during the period between such birthdays) which beginning date—

“(A) in the case of a person whose eligibility is based on a parent who has a service-connected total disability permanent in nature, shall be between the dates described in subsection (d) of this section; and

“(B) in the case of a person whose eligibility is based on the death of a parent, shall be between—

“(i) the date of the parent’s death; and

“(ii) the date of the Secretary’s decision that the death was service-connected;”.

SEC. 115. ADJUSTED EFFECTIVE DATE FOR AWARD OF SURVIVORS’ AND DEPENDENTS’ EDUCATIONAL ASSISTANCE.

(a) **IN GENERAL.**—Section 5113 is amended—

(1) in subsection (a), by striking “subsection (b) of this section,” and inserting “subsections (b) and (c).”;

(2) by redesignating subsection (b) as subsection (c); and

(3) by inserting after subsection (a) the following new subsection (b):

“(b)(1) In determining the effective date of an award of educational assistance under chapter 35 of this title for an individual described in paragraph (2) based on an original claim, the Secretary shall consider the individual’s application under section 3513 of this title as having

been filed on the effective date from which the Secretary, by rating decision, determines that the veteran from whom eligibility for such educational assistance is derived either died of a service-connected disability or established the existence of a total service-connected disability evaluated as permanent in nature if that effective date is more than one year before the date the rating decision is made.

“(2) An individual referred to in paragraph (1) is a person eligible for educational assistance under chapter 35 of this title by reason of subparagraph (A)(i), (A)(ii), (B), or (D) of section 3501(a)(1) of this title who—

“(A) submits to the Secretary an original application under section 3513 of this title for educational assistance under that chapter within one year after the date that the Secretary issues the rating decision on which the individual’s eligibility for such educational assistance is based;

“(B) claims such educational assistance for pursuit of an approved program of education during a period or periods preceding the one-year period ending on the date on which the individual’s application under that section is received by the Secretary; and

“(C) would, without regard to this subsection, have been entitled to such educational assistance for pursuit of such approved program of education if the individual had submitted such application on the effective date from which the Secretary determined that the individual was eligible for such educational assistance.”.

(b) **STYLISTIC AMENDMENT.**—Subsection (c) of that section, as redesignated by subsection (a)(2) of this section, is amended by striking “of this section”.

(c) **APPLICABILITY.**—The amendments made by this section shall take effect on the date of the enactment of this Act, and shall apply with respect to applications first made under section 3513 of title 38, United States Code, that—

(1) are received by the Secretary of Veterans Affairs on or after the date of the enactment of this Act; or

(2) as of that date are pending with the Secretary or exhaustion of available administrative and judicial remedies.

Subtitle C—Housing Matters

SEC. 121. ELIMINATION OF REDUCTION IN ASSISTANCE FOR SPECIALLY ADAPTED HOUSING FOR DISABLED VETERANS FOR VETERANS HAVING JOINT OWNERSHIP OF HOUSING UNITS.

Section 2102 is amended by adding at the end the following new subsection:

“(c) The amount of assistance afforded under subsection (a) for a veteran authorized assistance by section 2101(a) of this title shall not be reduced by reason that title to the housing unit, which is vested in the veteran, is also vested in any other person, if the veteran resides in the housing unit.”.

SEC. 122. INCREASE IN MAXIMUM AMOUNT OF HOUSING LOAN GUARANTEE.

(a) **IN GENERAL.**—Subparagraph (A)(i)(IV) of section 3703(a)(1) is amended by striking “\$50,750” and inserting “\$63,175”.

(b) **CONFORMING AMENDMENT.**—Subparagraph (B) of that section is amended by striking “\$50,750” and inserting “\$63,175”.

SEC. 123. TERMINATION OF COLLECTION OF LOAN FEES FROM VETERANS RATED ELIGIBLE FOR COMPENSATION AT PRE-DISCHARGE RATING EXAMINATIONS.

Section 3729(c) is amended—

(1) by inserting “(1)” before “A fee”; and

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

“(2) A veteran who is rated eligible to receive compensation as a result of a pre-discharge disability examination and rating shall be treated as receiving compensation for purposes of this subsection as of the date on which the veteran is rated eligible to receive compensation as a result of the pre-discharge disability examination

and rating without regard to whether an effective date of the award of compensation is established as of that date.”

Subtitle D—Insurance Matters

SEC. 131. PREMIUMS FOR TERM SERVICE DISABLED VETERANS' INSURANCE FOR VETERANS OLDER THAN AGE 70.

Section 1922 is amended by adding at the end the following new subsection:

“(c) The premium rate of any term insurance issued under this section shall not exceed the relevant age 70 premium rate.”

SEC. 132. INCREASE IN AUTOMATIC MAXIMUM COVERAGE UNDER SERVICEMEMBERS' GROUP LIFE INSURANCE AND VETERANS' GROUP LIFE INSURANCE.

(a) MAXIMUM UNDER SERVICEMEMBERS' GROUP LIFE INSURANCE.—Section 1967 is amended in subsections (a), (c), and (d) by striking “\$200,000” each place it appears and inserting “\$250,000”.

(b) MAXIMUM UNDER VETERANS' GROUP LIFE INSURANCE.—Section 1977(a) is amended by striking “\$200,000” each place it appears and inserting “\$250,000”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the first day of the first month that begins more than 120 days after the date of the enactment of this Act.

SEC. 133. FAMILY COVERAGE UNDER SERVICEMEMBERS' GROUP LIFE INSURANCE.

(a) INSURABLE DEPENDENTS.—Section 1965 is amended by adding at the end the following:

“(10) The term ‘insurable dependent’, with respect to a member, means the following:

“(A) The member's spouse.

“(B) A child of the member for so long as the child is unmarried and the member is providing over 50 percent of the support of the child.”

(b) INSURANCE COVERAGE.—(1) Subchapter III of chapter 19 is amended by inserting after section 1967 the following new section:

“§ 1967A. Insurance of dependents

“(a) Subject to the provisions of this section, any policy of insurance purchased by the Secretary under section 1966 of this title shall also automatically insure against death each insurable dependent of a member.

“(b)(1) A member insurable under this subchapter may make an election not to insure a spouse under this subchapter.

“(2) Except as provided in subsection (c)(3), a spouse covered by an election under paragraph (1) is not insured under this section.

“(3) Except as otherwise provided under this section, no insurable dependent of a member is insured under this section unless the member is insured under this subchapter.

“(c)(1) Subject to an election under paragraph (2), the amount for which a person insured under this section is insured under this subchapter is as follows:

“(A) In the case of a member's spouse, the lesser of—

“(i) the amount for which the member is insured under this subchapter; or

“(ii) \$50,000.

“(B) In the case of a member's child, \$5,000.

“(2) A member may elect in writing to insure the member's spouse in an amount less than the amount provided for under paragraph (1)(A). The amount of insurance so elected shall be evenly divisible by \$10,000.

“(3) If a spouse eligible for insurance under this section is not so insured, or is insured for less than the maximum amount provided for under subparagraph (A) of paragraph (1) by reason of an election made by the member concerned under paragraph (2), the spouse may thereafter be insured under this section in the maximum amount or any lesser amount elected as provided for in paragraph (2) upon written application by the member, proof of good health of the spouse, and compliance with such other terms and conditions as may be prescribed by the Secretary.

“(d)(1) Insurance coverage under this section with respect to an insurable dependent of the member shall cease—

“(A) upon election made in writing by the member to terminate the coverage; or

“(B) the date that is 120 days after the earlier of—

“(i) the date of the member's death;

“(ii) the date of termination of the insurance on the member under this subchapter; or

“(iii) the date on which the insurable dependent of the member no longer meets the criteria applicable to an insurable dependent as specified in section 1965(10) of this title.

“(2)(A) At the election of an insured spouse whose insurance under this subchapter is terminated under paragraph (1), the insurance shall be converted to an individual policy of insurance upon written application for conversion made to the participating company selected by the insured spouse and the payment of the required premiums.

“(B) The individual policy of insurance of an insured spouse making an election under subparagraph (A) shall become effective on the date of the termination of the spouse's insurance under paragraph (1).

“(C) The second, fourth, and fifth sentences of section 1977(e) of this title shall apply with respect to the insurance of an insured spouse under this paragraph.

“(e)(1) During any period in which the spouse of a member is insured under this section, there shall be deducted each month from the member's basic or other pay, or otherwise collected from the member, until the member's separation or release from active duty an amount determined by the Secretary (which shall be the same for all such members) as the premium allocable to the pay period for providing that insurance coverage.

“(2)(A) The Secretary shall determine the premium amounts to be charged for insurance coverage for spouses of members under this section.

“(B) The premium amounts shall be determined on the basis of sound actuarial principles and shall include an amount necessary to cover the administrative costs to the insurer or insurers providing such insurance.

“(C) Each premium rate for the first policy year shall be continued for subsequent policy years, except that the rate may be adjusted for any such subsequent policy year on the basis of the experience under the policy, as determined by the Secretary in advance of that policy year.

“(3) Any amounts deducted or collected under paragraph (1), together with the income derived from any dividends or premium rate adjustments received from insurers with respect to insurance under this section, shall be deposited to the credit of the revolving fund established by section 1969(d) of this title, and shall be available for payment and use in accordance with the provisions of that section.

“(f) Any amount of insurance in force on an insurable dependent of a member under this section on the date of the dependent's death shall be paid, upon the establishment of a valid claim therefor, to the member or, in the event of the member's death before payment to the member can be made, then to the person or persons entitled to receive payment of the proceeds of insurance on the member's life under section 1970 of this title.”

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1967 the following new item:

“1967A. Insurance of dependents.”

(c) EFFECTIVE DATE AND INITIAL IMPLEMENTATION.—(1) This section and the amendments made by this section shall take effect on the first day of the first month that begins more than 120 days after the date of the enactment of this Act, except that paragraph (2) shall take effect on the date of the enactment of this Act.

(2) The Secretary of Veterans Affairs, in consultation with the Secretaries of the military de-

partments, the Secretary of Transportation, the Secretary of Commerce, and the Secretary of Health and Human Services, shall take such action as is necessary to ensure that each member of the uniformed services on active duty (other than active duty for training) during the period between the date of the enactment of this Act and the effective date under paragraph (1) is furnished an explanation of the insurance benefits available for dependents under the amendments made by this section and is afforded an opportunity before such effective date to make elections that are authorized under those amendments to be made with respect to dependents.

Subtitle E—Burial Matters

SEC. 141. ELIGIBILITY FOR INTERMENT IN THE NATIONAL CEMETERIES OF CERTAIN FILIPINO VETERANS OF WORLD WAR II.

(a) ELIGIBILITY OF CERTAIN COMMONWEALTH ARMY VETERANS.—Section 2402 is amended by adding at the end the following new paragraph:

“(B) Any individual whose service is described in section 107(a) of this title if such individual at the time of death—

“(A) was a naturalized citizen of the United States; and

“(B) resided in the United States.”

(b) CONFORMING AMENDMENT.—Section 107(a)(3) is amended by striking the period at the end and inserting the following: “, and chapter 24 of this title to the extent provided for in section 2402(8) of this title.”

(c) APPLICABILITY.—The amendments made by this section shall take effect on the date of the enactment of this Act, and shall apply with respect to deaths occurring on or after that date.

Subtitle F—Employment Matters

SEC. 151. VETERANS EMPLOYMENT EMPHASIS UNDER FEDERAL CONTRACTS FOR RECENTLY SEPARATED VETERANS.

(a) EMPLOYMENT EMPHASIS.—Subsection (a) of section 4212 is amended in the first sentence by inserting “recently separated veterans,” after “veterans of the Vietnam era.”

(b) CONFORMING AMENDMENTS.—Subsection (d)(1) of that section is amended by inserting “recently separated veterans,” after “veterans of the Vietnam era,” each place it appears in subparagraphs (A) and (B).

(c) RECENTLY SEPARATED VETERAN DEFINED.—Section 4211 is amended by adding at the end the following new paragraph:

“(6) The term ‘recently separated veteran’ means any veteran during the one-year period beginning on the date of such veteran's discharge or release from active duty.”

SEC. 152. COMPTROLLER GENERAL AUDIT OF VETERANS EMPLOYMENT AND TRAINING SERVICE OF THE DEPARTMENT OF LABOR.

(a) REQUIREMENT.—The Comptroller General of the United States shall carry out a comprehensive audit of the Veterans Employment and Training Service of the Department of Labor. The purpose of the audit is to provide a basis for future evaluations of the effectiveness of the Service is meeting its mission.

(b) COMMENCEMENT DATE.—The audit required by subsection (a) shall commence not earlier than January 1, 2001.

(c) ELEMENTS.—In carrying out the audit of the Veterans Employment and Training Service required by subsection (a), the Comptroller General shall—

(1) review the requirements applicable to the Service under law, including requirements under title 38, United States Code, and the regulations thereunder;

(2) evaluate the organizational structure of the Service; and

(3) evaluate or assess any other matter relating to the Service that the Comptroller General considers appropriate for the purpose specified in subsection (a).

(d) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the Committees

on Veterans' Affairs of the Senate and House of Representatives a report on the audit carried out under subsection (a). The report shall include—

- (1) the results of the audit; and
- (2) any recommendations that the Comptroller General considers appropriate regarding the organization or functions of the Veterans Employment and Training Service of the Department of Labor.

Subtitle G—Benefits for Children of Female Vietnam Veterans

SEC. 161. SHORT TITLE.

This subtitle may be cited as the "Children of Women Vietnam Veterans' Benefits Act of 2000".

SEC. 162. BENEFITS FOR THE CHILDREN OF FEMALE VIETNAM VETERANS WHO SUFFER FROM CERTAIN BIRTH DEFECTS.

(a) IN GENERAL.—Chapter 18 is amended by adding at the end the following new subchapter:

"SUBCHAPTER II—CHILDREN OF FEMALE VIETNAM VETERANS BORN WITH CERTAIN BIRTH DEFECTS

"§ 1811. Definitions

"In this subchapter:

"(1) The term 'child', with respect to a female Vietnam veteran, means a natural child of the female Vietnam veteran, regardless of age or marital status, who was conceived after the date on which the female Vietnam veteran first entered the Republic of Vietnam during the Vietnam era (as specified in section 101(29)(A) of this title).

"(2) The term 'covered birth defect' means each birth defect identified by the Secretary under section 1812 of this title.

"(3) The term 'female Vietnam veteran' means any female individual who performed active military, naval, or air service in the Republic of Vietnam during the Vietnam era (as so specified), without regard to the characterization of the individual's service.

"§ 1812. Birth defects covered

"(a) IDENTIFICATION.—Subject to subsection (b), the Secretary shall identify the birth defects of children of female Vietnam veterans that—

"(1) are associated with the service of female Vietnam veterans in the Republic of Vietnam during the Vietnam era (as specified in section 101(29)(A) of this title); and

"(2) result in the permanent physical or mental disability of such children.

"(b) LIMITATIONS.—(1) The birth defects identified under subsection (a) may not include birth defects resulting from the following:

"(A) A familial disorder.

"(B) A birth-related injury.

"(C) A fetal or neonatal infirmity with well-established causes.

"(2) The birth defects identified under subsection (a) may not include spina bifida.

"(c) LIST.—The Secretary shall prescribe in regulations a list of the birth defects identified under subsection (a).

"§ 1813. Benefits and assistance

"(a) HEALTH CARE.—(1) The Secretary shall provide a child of a female Vietnam veteran who was born with a covered birth defect such health care as the Secretary determines is needed by the child for such birth defect or any disability that is associated with such birth defect.

"(2) The Secretary may provide health care under this subsection directly or by contract or other arrangement with a health care provider.

"(3) For purposes of this subsection, the definitions in section 1803(c) of this title shall apply with respect to the provision of health care under this subsection, except that for such purposes—

"(A) the reference to 'specialized spina bifida clinic' in paragraph (2) of such section 1803(c) shall be treated as a reference to a specialized clinic treating the birth defect concerned under this subsection; and

"(B) the reference to 'vocational training under section 1804 of this title' in paragraph (8)

of such section 1803(c) shall be treated as a reference to vocational training under subsection (b).

"(b) VOCATIONAL TRAINING.—(1) The Secretary may provide a program of vocational training to a child of a female Vietnam veteran who was born with a covered birth defect if the Secretary determines that the achievement of a vocational goal by the child is reasonably feasible.

"(2) Subsections (b) through (e) of section 1804 of this title shall apply with respect to any program of vocational training provided under paragraph (1).

"(c) MONETARY ALLOWANCE.—(1) The Secretary shall pay a monthly allowance to any child of a female Vietnam veteran who was born with a covered birth defect for any disability resulting from such birth defect.

"(2) The amount of the monthly allowance paid under this subsection shall be based on the degree of disability suffered by the child concerned, as determined in accordance with a schedule for rating disabilities resulting from covered birth defects that is prescribed by the Secretary.

"(3) In prescribing a schedule for rating disabilities under paragraph (2), the Secretary shall establish four levels of disability upon which the amount of the monthly allowance under this subsection shall be based.

"(4) The amount of the monthly allowance paid under this subsection shall be as follows:

"(A) In the case of a child suffering from the lowest level of disability prescribed in the schedule for rating disabilities under this subsection, \$100.

"(B) In the case of a child suffering from the lower intermediate level of disability prescribed in the schedule for rating disabilities under this subsection, the greater of—

"(i) \$214; or

"(ii) the monthly amount payable under section 1805(b)(3) of this title for the lowest level of disability prescribed for purposes of that section.

"(C) In the case of a child suffering from the higher intermediate level of disability prescribed in the schedule for rating disabilities under this subsection, the greater of—

"(i) \$743; or

"(ii) the monthly amount payable under section 1805(b)(3) of this title for the intermediate level of disability prescribed for purposes of that section.

"(D) In the case of a child suffering from the highest level of disability prescribed in the schedule for rating disabilities under this subsection, the greater of—

"(i) \$1,272; or

"(ii) the monthly amount payable under section 1805(b)(3) of this title for the highest level of disability prescribed for purposes of that section.

"(5) Amounts under subparagraphs (A), (B)(i), (C)(i), and (D)(i) of paragraph (4) shall be subject to adjustment from time to time under section 5312 of this title.

"(6) Subsections (c) and (d) of section 1805 of this title shall apply with respect to any monthly allowance paid under this subsection.

"(d) GENERAL LIMITATIONS ON AVAILABILITY OF BENEFITS AND ASSISTANCE.—(1) No individual receiving benefits or assistance under this section may receive any benefits or assistance under subchapter I of this chapter.

"(2) In any case where affirmative evidence establishes that the covered birth defect of a child results from a cause other than the active military, naval, or air service in the Republic of Vietnam of the female Vietnam veteran who is the mother of the child, no benefits or assistance may be provided the child under this section.

"(e) REGULATIONS.—The Secretary shall prescribe regulations for purposes of the administration of the provisions of this section."

(b) ADMINISTRATIVE PROVISIONS.—Chapter 18 is further amended by inserting after subchapter II, as added by subsection (a) of this section, the following new subchapter:

"SUBCHAPTER III—ADMINISTRATIVE MATTERS

"§ 1821. Applicability of certain administrative provisions

"The provisions of sections 5101(c), 5110(a), (b)(2), (g), and (i), 5111, and 5112(a), (b)(1), (b)(6), (b)(9), and (b)(10) of this title shall apply with respect to benefits and assistance under this chapter in the same manner as such provisions apply to veterans' disability compensation.

"§ 1822. Treatment of receipt of monetary allowance on other benefits

"(a) Notwithstanding any other provision of law, receipt by an individual of a monetary allowance under this chapter shall not impair, infringe, or otherwise affect the right of the individual to receive any other benefit to which the individual is otherwise entitled under any law administered by the Secretary.

"(b) Notwithstanding any other provision of law, receipt by an individual of a monetary allowance under this chapter shall not impair, infringe, or otherwise affect the right of any other individual to receive any benefit to which such other individual is entitled under any law administered by the Secretary based on the relationship of such other individual to the individual who receives such monetary allowance.

"(c) Notwithstanding any other provision of law, a monetary allowance paid an individual under this chapter shall not be considered as income or resources in determining eligibility for or the amount of benefits under any Federal or Federally-assisted program."

(c) REPEAL OF SUPERSEDED MATTER.—(1) Subsections (c) and (d) of section 1805 are repealed.

(2) Section 1806 is repealed.

(d) REDESIGNATION OF EXISTING MATTER.—Chapter 18 is further amended by inserting before section 1801 the following:

"SUBCHAPTER I—CHILDREN OF VIETNAM VETERANS BORN WITH SPINA BIFIDA".

(e) CONFORMING AMENDMENTS.—(1) Sections 1801 and 1802 are each amended by striking "this chapter" and inserting "this subchapter".

(2) Section 1805(a) is amended by striking "this chapter" and inserting "this section".

(f) CLERICAL AMENDMENTS.—(1)(A) The chapter heading of chapter 18 is amended to read as follows:

"CHAPTER 18—BENEFITS FOR CHILDREN OF VIETNAM VETERANS".

(1) The tables of chapters at beginning, and at the beginning of part II, are each amended by striking the item relating to chapter 18 and inserting the following new item:

"18. Benefits for Children of Vietnam Veterans 1801".

(2) The table of sections at the beginning of chapter 18 is amended—

(A) by inserting after the chapter heading the following:

"SUBCHAPTER I—CHILDREN OF VIETNAM VETERANS BORN WITH SPINA BIFIDA";

(B) by striking the item relating to section 1806; and

(C) by adding at the end the following:

"SUBCHAPTER II—CHILDREN OF FEMALE VIETNAM VETERANS BORN WITH CERTAIN BIRTH DEFECTS

"1811. Definitions.

"1812. Birth defects covered.

"1813. Benefits and assistance.

"SUBCHAPTER III—ADMINISTRATIVE MATTERS

"1821. Applicability of certain administrative provisions.

"1822. Treatment of receipt of monetary allowance on other benefits."

(g) APPLICABILITY.—(1) Except as provided in paragraph (2), the amendments made by this section shall take effect on the first day of the first month beginning more than one year after the date of the enactment of this Act.

(2) The Secretary of Veterans Affairs shall identify birth defects under section 1822 of title 38, United States Code (as added by subsection (a) of this section), and shall prescribe the regulations required by subchapter II of that title (as so added), not later than the effective date specified in paragraph (1).

(3) No benefit or assistance may be provided under subchapter II of chapter 18 of title 38, United States Code (as so added), for any period before the effective date specified in paragraph (1) by reason of the amendments made by this section.

Subtitle H—Other Benefits Matters

SEC. 171. REVIEW OF DOSE RECONSTRUCTION PROGRAM OF THE DEFENSE THREAT REDUCTION AGENCY.

(a) REVIEW BY NATIONAL ACADEMY OF SCIENCES.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall enter into a contract with the National Academy of Sciences to carry out periodic reviews of the dose reconstruction program of the Defense Threat Reduction Agency.

(b) REVIEW ACTIVITIES.—The periodic reviews of the dose reconstruction program under the contract under subsection (a) shall consist of the periodic selection of random samples of doses reconstructed by the Defense Threat Reduction Agency in order to determine—

(1) whether or not the reconstruction of the sampled doses is accurate;

(2) whether or not the reconstructed dosage number is accurately reported;

(3) whether or not the assumptions made regarding radiation exposure based upon the sampled doses are credible; and

(4) whether or not the data from nuclear tests used by the Defense Threat Reduction Agency as part of the reconstruction of the sampled doses is accurate.

(c) DURATION OF REVIEW.—The periodic reviews under the contract under subsection (a) shall occur over a period of 24 months.

(d) REPORT.—(1) Not later than 60 days after the conclusion of the period referred to in subsection (c) the National Academy of Sciences shall submit to Congress a report on its activities under the contract under this section.

(2) The report shall include the following:

(A) A detailed description of the activities of the National Academy of Sciences under the contract.

(B) Any recommendations that the National Academy of Sciences considers appropriate regarding a permanent system of review of the dose reconstruction program of the Defense Threat Reduction Agency.

TITLE II—HEALTH CARE MATTERS

SEC. 201. VETERANS NOT SUBJECT TO COPAYMENTS FOR MEDICATIONS.

Subparagraph (B) of section 1722A(a)(3) is amended to read as follows:

“(B) to a veteran who is considered by the Secretary to be unable to defray the expenses of necessary care under section 1722 of this title.”.

SEC. 202. ESTABLISHMENT OF POSITION OF ADVISOR ON PHYSICIAN ASSISTANTS WITHIN OFFICE OF UNDERSECRETARY FOR HEALTH.

(a) ESTABLISHMENT.—Subsection (a) of section 7306 is amended—

(1) by redesignating paragraph (9) as paragraph (10); and

(2) by inserting after paragraph (8) the following new paragraph (9):

“(9) The Advisor on Physician Assistants, who shall carry out the responsibilities set forth in subsection (f).”.

(b) RESPONSIBILITIES.—That section is further amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following new subsection (f):

“(f) The Advisor on Physician Assistants under subsection (a)(9) shall—

“(1) advise the Under Secretary for Health on matters regarding the optimal utilization of physician assistants by the Veterans Health Administration;

“(2) advise the Under Secretary for Health on the feasibility and desirability of establishing clinical privileges and practice areas for physician assistants in the Administration;

“(3) develop initiatives to facilitate the utilization of the full range of clinical capabilities of the physician assistants employed by the Administration;

“(4) provide advice on policies affecting the employment of physician assistants by the Administration, including policies on educational requirements, national certification, recruitment and retention, staff development, and the availability of educational assistance (including scholarship, tuition reimbursement, and loan repayment assistance); and

“(5) carry out such other responsibilities as the Under Secretary for Health shall specify.”.

SEC. 203. TEMPORARY FULL-TIME APPOINTMENTS OF CERTAIN MEDICAL PERSONNEL.

(a) PHYSICIAN ASSISTANTS AWAITING CERTIFICATION OR LICENSURE.—Paragraph (2) of section 7405(c) is amended—

(1) by striking “nursing,” and inserting “nursing”; and

(2) by inserting “who have successfully completed a full course of training as a physician assistant in a recognized school approved by the Secretary,” before “or who”.

(b) MEDICAL SUPPORT PERSONNEL.—That section is further amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following new paragraph (3):

“(3)(A) Temporary full-time appointments of persons in positions referred to in subsection (a)(1)(D) shall not exceed three years.

“(B) Temporary full-time appointments under this paragraph may be renewed for one or more additional periods not in excess of three years each.”.

TITLE III—CONSTRUCTION AND FACILITIES MATTERS

Subtitle A—Construction Matters

SEC. 301. AUTHORIZATION OF MAJOR MEDICAL FACILITY PROJECTS FOR FISCAL YEAR 2001.

The Secretary of Veterans Affairs may carry out the following major medical projects, with each project to be carried out in the amount specified for that project:

(1) Construction of a 120-bed gero-psychiatric facility at the Department of Veterans Affairs Palo Alto Health Care System, Menlo Park Division, California, \$26,600,000.

(2) Construction of a nursing home at the Department of Veterans Affairs Medical Center, Beckley, West Virginia, \$9,500,000.

SEC. 302. AUTHORIZATION OF ADDITIONAL MAJOR MEDICAL FACILITY PROJECT FOR FISCAL YEAR 2000.

Section 401 of the Veterans Millennium Health Care and Benefits Act (Public Law 106-117; 113 Stat. 1572) is amended by adding at the end the following:

“(7) Renovation of psychiatric nursing units at the Department of Veterans Affairs Medical Center, Murfreesboro, Tennessee, in an amount not to exceed \$14,000,000.”.

SEC. 303. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 2001 PROJECTS.—There are authorized to be appropriated to the Secretary of Veterans Affairs for fiscal year 2001 and for fiscal year 2002, \$36,100,000 for the Construction, Major Projects, account for the projects authorized in section 301.

(b) AUTHORIZATION OF APPROPRIATIONS FOR ADDITIONAL FISCAL YEAR 2000 PROJECT.—Section 403 of the Veterans Millennium Health Care and Benefits Act (Public Law 106-117; 113 Stat. 1573) is amended—

(1) in subsection (a)(1), by striking “\$57,500,000 for the projects authorized in paragraphs (1) through (5)” and inserting “\$71,500,000 for the projects authorized in paragraphs (1) through (5) and (7)”;

(2) in subsection (b), by inserting “and (7)” after “through (5)” in the matter preceding paragraph (1).

(c) LIMITATION.—The projects authorized in section 301 may only be carried out using—

(1) funds appropriated for fiscal year 2001 or fiscal year 2002 pursuant to the authorization of appropriations in subsection (a);

(2) funds appropriated for Construction, Major Projects for a fiscal year before fiscal year 2001 that remain available for obligation; and

(3) funds appropriated for Construction, Major Projects for fiscal year 2001 for a category of activity not specific to a project.

Subtitle B—Other Matters

SEC. 311. MAXIMUM TERM OF LEASE OF DEPARTMENT OF VETERANS AFFAIRS PROPERTY FOR HOMELESS PURPOSES.

Section 3735(a)(4) is amended by striking “three years” and inserting “20 years”.

SEC. 312. LAND CONVEYANCE, MILES CITY VETERANS ADMINISTRATION MEDICAL COMPLEX, MILES CITY, MONTANA.

(a) CONVEYANCE REQUIRED.—The Secretary of Veterans Affairs shall convey, without consideration, to Custer County, Montana (in this section referred to as the “County”), all right, title, and interest of the United States in and to the parcels of real property consisting of the Miles City Veterans Administration Medical Center complex, which has served as a medical and support complex for the Department of Veterans Affairs in Miles City, Montana.

(b) TIMING OF CONVEYANCE.—The conveyance required by subsection (a) shall be made as soon as practicable after the date of the enactment of this Act.

(c) CONDITIONS OF CONVEYANCE.—The conveyance required by subsection (a) shall be subject to the condition that the County—

(1) use the parcels conveyed, whether directly or through an agreement with a public or private entity, for veterans activities, community and economic development, or such other public purposes as the County considers appropriate; or

(2) convey the parcels to an appropriate public or private entity for use for the purposes specified in paragraph (1).

(d) CONVEYANCE OF IMPROVEMENTS.—(1) As part of the conveyance required by subsection (a), the Secretary may also convey to the County any improvements, equipment, fixtures, and other personal property located on the parcels conveyed under that subsection that are not required by the Secretary.

(2) Any conveyance under this subsection shall be without consideration.

(e) USE PENDING CONVEYANCE.—Until such time as the real property to be conveyed under subsection (a) is conveyed by deed under this section, the Secretary may continue to lease the real property, together with any improvements thereon, under the terms and conditions of the current lease of the real property.

(f) MAINTENANCE PENDING CONVEYANCE.—The Secretary shall be responsible for maintaining the real property to be conveyed under subsection (a), and any improvements, equipment, fixtures, and other personal property to be conveyed under subsection (d), in its condition as of the date of the enactment of this Act until such time as the real property, and such improvements, equipment, fixtures, and other personal property are conveyed by deed under this section.

(g) LEGAL DESCRIPTION.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(h) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms

and conditions in connection with the conveyance under this section as the Secretary determines appropriate to protect the interests of the United States.

SEC. 313. CONVEYANCE OF FT. LYON DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER, COLORADO, TO THE STATE OF COLORADO.

(a) **CONVEYANCE AUTHORIZED.**—Notwithstanding any other provision of law and subject to the provisions of this section, the Secretary of Veterans Affairs may convey, without consideration, to the State of Colorado all right, title, and interest of the United States in and to a parcel of real property, including improvements thereon, consisting of approximately 512 acres and comprising the location of the Ft. Lyon Department of Veterans Affairs Medical Center. The purpose of the conveyance is to permit the State of Colorado to utilize the property for purposes of a correctional facility.

(b) **PUBLIC ACCESS.**—(1) The Secretary may not make the conveyance of real property authorized by subsection (a) unless the State of Colorado agrees to provide appropriate public access to Kit Carson Chapel, which is located on the real property, and the cemetery located adjacent to the real property.

(2) The State of Colorado may satisfy the condition specified in paragraph (1) with respect to Kit Carson Chapel by relocating the chapel to Fort Lyon National Cemetery, Colorado, or another appropriate location approved by the Secretary.

(c) **PLAN REGARDING CONVEYANCE.**—(1) The Secretary may not make the conveyance authorized by subsection (a) before the date on which the Secretary implements a plan providing the following:

(A) Notwithstanding sections 1720(a)(3) and 1741 of title 38, United States Code, that veterans who are receiving inpatient or institutional long-term care at Ft. Lyon Department of Veterans Affairs Medical Center as of the date of the enactment of this Act are provided appropriate inpatient or institutional long-term care under the same terms and conditions as such veterans are receiving inpatient or institutional long-term care as of that date.

(B) That the conveyance of the Ft. Lyon Department of Veterans Affairs Medical Center does not result in a reduction of health care services available to veterans in the catchment area of the Medical Center.

(C) Improvements in veterans' overall access to health care in the catchment area through, for example, the opening of additional outpatient clinics.

(2) The Secretary shall prepare the plan referred to in paragraph (1) in consultation with appropriate representatives of veterans service organizations and other appropriate organizations.

(3) The Secretary shall publish a copy of the plan referred to in paragraph (1) before implementation of the plan.

(d) **ENVIRONMENTAL RESTORATION.**—The Secretary may not make the conveyance authorized by subsection (a) until the Secretary completes the evaluation and performance of any environmental restoration activities required by the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), and by any other provision of law.

(e) **PERSONAL PROPERTY.**—As part of the conveyance authorized by subsection (a), the Secretary may convey, without consideration, to the State of Colorado any furniture, fixtures, equipment, and other personal property associated with the property conveyed under that subsection that the Secretary determines is not required for purposes of the Department of Veterans Affairs health care facilities to be established by the Secretary in southern Colorado or for purposes of Fort Lyon National Cemetery.

(f) **LEGAL DESCRIPTION.**—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be deter-

mined by a survey satisfactory to the Secretary. Any costs associated with the survey shall be borne by the State of Colorado.

(g) **ADDITIONAL TERMS AND CONDITIONS.**—The Secretary may require such other terms and conditions in connection with the conveyances authorized by subsections (a) and (e) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 314. EFFECT OF CLOSURE OF FT. LYON DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER ON ADMINISTRATION OF HEALTH CARE FOR VETERANS.

(a) **PAYMENT FOR NURSING HOME CARE.**—Notwithstanding any limitation under section 1720 or 1741 of title 38, United States Code, the Secretary of Veterans Affairs may pay the State of Colorado, or any private nursing home care facility, for costs incurred in providing nursing home care to any veteran who is relocated from the Ft. Lyon Department of Veterans Affairs Medical Center, Colorado, to the State of Colorado or such private facility, as the case may be, as a result of the closure of the Ft. Lyon Department of Veterans Affairs Medical Center.

(b) **OBLIGATION TO PROVIDE EXTENDED CARE SERVICES.**—Nothing in section 313 of this Act or this section may be construed to alter or otherwise effect the obligation of the Secretary to meet the requirements of section 1710B(b) of title 38, United States Code, relating to staffing and levels of extended care services in fiscal years after fiscal year 1998.

(c) **EXTENSION OF VOLUNTARY EARLY RETIREMENT AUTHORITY.**—Notwithstanding section 1109(a) of the Department of Veterans Affairs Employment Reduction Assistance Act of 1999 (title XI of Public Law 106-117; 113 Stat. 1599; 5 U.S.C. 5597 note), the authority to pay voluntary separation incentive payments under that Act to employees of the Ft. Lyon Department of Veterans Affairs Medical Center shall apply to eligible employees (as defined by section 1110 of that Act) at the Ft. Lyon Department of Veterans Affairs Medical Center whose separation occurs before June 30, 2001.

(d) **REPORT ON VETERANS HEALTH CARE IN SOUTHERN COLORADO.**—Not later than one year after the conveyance, if any, authorized by section 313, the Under Secretary for Health of the Department of Veterans Affairs, acting through the Director of Veterans Integrated Service Network (VISN) 19, shall submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives a report on the status of the health care system for veterans under the Network in the Southern Colorado. The report shall describe any improvements to the system in Southern Colorado that have been put into effect in the period beginning on the date of the conveyance and ending on the date of the report.

Mr. SMITH of New Hampshire. I ask unanimous consent the committee substitute be agreed to, the bill be read a third time and passed, the motion to reconsider be laid upon the table, the amendment to the title be agreed to, and any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendment in the nature of a substitute was agreed to.

The bill (S. 1810) was read the third time and passed.

The title was amended so as to read: "A Bill to amend title 38, United States Code, to expand and improve compensation and pension, education, housing loan, insurance, and other benefits for veterans, and for other purposes."

NEXT GENERATION INTERNET 2000

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent the Senate proceed to the consideration of Calendar No. 607, S. 2046.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 2046) to reauthorize the Next Generation Internet Act, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, and Transportation with an amendment, as follows: (The parts to be stricken are shown in black brackets; the parts to be inserted are in italic.)

S. 2046

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 "Next Generation Internet 2000"."]

[SEC. 2. FINDINGS.]

["The Congress makes the following findings:

["(1) The United States investment in science and technology has yielded a scientific and engineering enterprise without peer. The Federal investment in research is critical to the maintenance of our international leadership.

["(2) The Internet is at a pivotal point in its history. While promising new applications in medicine, environmental science, and other disciplines are becoming a reality, they are still constrained by the Internet's capacity and capabilities. The current Internet cannot support an emerging set of activities, many of which are essential to mission-critical applications in government, national laboratories, academia and business.

["(3) Government-sponsored network research and development is critical to the success of the Next Generation Internet. Previous Federal investment in computer networking technology and related fields has resulted in the creation of new industries and new jobs in the United States.

["(4) Since its establishment in 1998, the Next Generation Internet Program has successfully funded peer-reviewed research to address the critical need for increased network performance and management.

[SEC. 3. PURPOSES.]

["The purposes of this Act are—

["(1) to authorize, through the Next Generation Internet Program and Large Scale Networking Program, research programs related to—

["(A) high-end computing and computation;

["(B) human-centered systems;

["(C) high confidence systems; and

["(D) education, training, and human resources; and

["(2) to provide, through the Next Generation Internet Program and Large Scale Networking Program, for the development and coordination of a comprehensive and integrated United States research program which will—

["(A) focus on research and development toward advancing network technologies to create a network infrastructure that can support greater speed, robustness, and flexibility;

["(B) promote connectivity and interoperability among advanced computer networks of Federal agencies and departments;