

tempore (Mr. LAHOOD) at 5 o'clock and 1 minute p.m.

# REPORT ON RESOLUTION WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Mr. REYNOLDS, from the Committee on Rules, submitted a privileged report (Rept. No. 107-80) on the resolution (H. Res. 149) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

# REPORT ON RESOLUTION WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Mr. REYNOLDS, from the Committee on Rules, submitted a privileged report (Rept. No. 107-81) on the resolution (H. Res. 150) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

## LEGISLATIVE PROGRAM

(Mr. ARMEY asked and was given permission to address the House for 1 minute.)

Mr. ARMEY. Mr. Speaker, let me say, first of all, the discussions on the very important tax reduction bill that the Nation is so excited about are continuing.

Members should be advised, Mr. Speaker, that we would expect no votes on the floor of the House before 4 p.m. tomorrow. Members should be here ready to vote by 4 p.m. in the afternoon tomorrow.

Members should be prepared, when they present themselves here at 4 p.m., to remain here in town available for votes throughout the evening and throughout Saturday. Hopefully, it will not be necessary beyond that, but Members should return for those votes and be prepared to stay here in town to complete the work through the remainder of the day, the evening and through Saturday.

Mr. Speaker, I would encourage Members if they are planning on traveling at all, if they are planning on taking a short jaunt back home, and I hope they can, that they check with the Whip's office or with the cloakroom so that we are able to notify you.

In any event, we will be on the floor. We will be doing business at 4 p.m. tomorrow, and it is the intention of the House and the other body for us to then continue the work until it is completed in both bodies throughout whatever pe-

riod of time after 4 p.m. tomorrow it takes to complete the work.

Mr. Speaker, I want to thank Members for their cooperation and, I might add, their good humor. These are difficult times. We all have important things we would like to do back home that we have been planning to do at home. We have, of course, time with our family that is so important to all of us.

The Members on this occasion are being called upon to do, as it were, extra, difficult work, extra, difficult hours, the reward being, of course, to all the tax-paying constituents in their district.

Mr. Speaker, I, for one, would like to just appreciate everybody for their good humor and their good work.

## HOUR OF MEETING ON TOMORROW

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow.

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

There was no objection.

## COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, May 24, 2001.

Hon. J. DENNIS HASTERT,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted to Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 24, 2001 at 2:58 p.m.

That the Senate passed with amendments H.R. 8801.

With best wishes, I am

Sincerely,

JEFF TRANDAH, L,  
Clerk of the House.

## VETERANS OPPORTUNITIES ACT OF 2001

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 801) to amend title 38, United States Code, to improve programs of educational assistance, to expand programs of transition assistance and outreach to departing servicemembers, veterans, and dependents, to increase burial benefits, to provide for family coverage under Servicemembers' Group Life Insurance, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Senate amendments:

Strike out all after the enacting clause and insert:

### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) *SHORT TITLE*.—This Act may be cited as the "Veterans' Survivor Benefits Improvements Act of 2001".

(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*.

Sec. 3. *Eligibility for benefits under CHAMPVA for veterans' survivors who are eligible for hospital insurance benefits under the medicare program*.

Sec. 4. *Family coverage under Servicemembers' Group Life Insurance*.

Sec. 5. *Retroactive applicability of increase in maximum SGLI benefit for members dying in performance of duty on or after October 1, 2000*.

Sec. 6. *Expansion of outreach efforts to eligible dependents*.

Sec. 7. *Technical amendments to the Montgomery GI Bill statute*.

Sec. 8. *Miscellaneous technical amendments*.

### 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.

### SEC. 3. ELIGIBILITY FOR BENEFITS UNDER CHAMPVA FOR VETERANS' SURVIVORS WHO ARE ELIGIBLE FOR HOSPITAL INSURANCE BENEFITS UNDER THE MEDICARE PROGRAM.

Subsection (d) of section 1713 is amended to read as follows:

"(d)(1)(A) An individual otherwise eligible for medical care under this section who is also entitled to hospital insurance benefits under part A of the medicare program is eligible for medical care under this section only if the individual is also enrolled in the supplementary medical insurance program under part B of the medicare program.

"(B) The limitation in subparagraph (A) does not apply to an individual who—

"(i) has attained 65 years of age as of the date of the enactment of the Veterans' Survivor Benefits Improvements Act of 2001; and

"(ii) is not enrolled in the supplementary medical insurance program under part B of the medicare program as of that date.

"(2) Subject to paragraph (3), if an individual described in paragraph (1) receives medical care for which payment may be made under both this section and the medicare program, the amount payable for such medical care under this section shall be the amount by which (A) the costs for such medical care exceed (B) the sum of—

"(i) the amount payable for such medical care under the medicare program; and

"(ii) the total amount paid or payable for such medical care by third party payers other than the medicare program.

"(3) The amount payable under this subsection for medical care may not exceed the total amount that would be paid under subsection (b) if payment for such medical care were made solely under subsection (b).

"(4) In this paragraph:

"(A) The term 'medicare program' means the program of health insurance administered by the Secretary of Health and Human Services under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.).

"(B) The term 'third party' has the meaning given that term in section 1729(i)(3) of this title."

### SEC. 4. FAMILY COVERAGE UNDER SERVICEMEMBERS' GROUP LIFE INSURANCE.

(a) *INSURABLE DEPENDENTS*.—(1) Section 1965 is amended by adding at the end the following new paragraph:

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

“(A) The member’s spouse.

“(B) The member’s child, as defined in the first sentence of section 101(4)(A) of this title.”.

(2) Section 101(4)(A) is amended in the matter preceding clause (i) by inserting “(other than with respect to a child who is an insurable dependent under section 1965(10)(B) of such chapter)” after “except for purposes of chapter 19 of this title”.

(b) **INSURANCE COVERAGE.**—(1) Subsection (a) of section 1967 is amended to read as follows:

“(a)(1) Subject to an election under paragraph (2), any policy of insurance purchased by the Secretary under section 1966 of this title shall automatically insure the following persons against death:

“(A) In the case of any member of a uniformed service on active duty (other than active duty for training)—

“(i) the member; and

“(ii) each insurable dependent of the member.

“(B) Any member of a uniformed service on active duty for training or inactive duty training scheduled in advance by competent authority.

“(C) In the case of any member of the Ready Reserve of a uniformed service who meets the qualifications set forth in section 1965(5)(B) of this title—

“(i) the member; and

“(ii) each insurable dependent of the member.

“(2)(A) A member may elect in writing not to be insured under this subchapter.

“(B) A member may elect in writing not to insure the member’s spouse under this subchapter.

“(3)(A) Subject to subparagraphs (B) and (C), the amount for which a person is insured under this subchapter is as follows:

“(i) In the case of a member, \$250,000.

“(ii) In the case of a member’s spouse, \$100,000.

“(iii) In the case of a member’s child, \$10,000.

“(B) A member may elect in writing to be insured or to insure the member’s spouse in an amount less than the amount provided for under subparagraph (A). The member may not elect to insure the member’s child in an amount less than \$10,000. The amount of insurance so elected shall, in the case of a member or spouse, be evenly divisible by \$10,000.

“(C) In no case may the amount of insurance coverage under this subsection of a member’s spouse exceed the amount of insurance coverage of the member.

“(4)(A) An insurable dependent of a member is not insured under this chapter unless the member is insured under this subchapter.

“(B) An insurable dependent who is a child may not be insured at any time by the insurance coverage under this chapter of more than one member. If an insurable dependent who is a child is otherwise eligible to be insured by the coverage of more than one member under this chapter, the child shall be insured by the coverage of the member whose eligibility for insurance under this subchapter occurred first, except that if that member does not have legal custody of the child, the child shall be insured by the coverage of the member who has legal custody of the child.

“(5) The insurance shall be effective with respect to a member and the insurable dependents of the member on the latest of the following dates:

“(A) The first day of active duty or active duty for training.

“(B) The beginning of a period of inactive duty training scheduled in advance by competent authority.

“(C) The first day a member of the Ready Reserve meets the qualifications set forth in section 1965(5)(B) of this title.

“(D) The date certified by the Secretary to the Secretary concerned as the date Servicemembers’ Group Life Insurance under this subchapter for the class or group concerned takes effect.

“(E) In the case of an insurable dependent who is a spouse, the date of marriage of the spouse to the member.

“(F) In the case of an insurable dependent who is a child, the date of birth of such child or, if the child is not the natural child of the member, the date on which the child acquires status as an insurable dependent of the member.”.

(2) Subsection (c) of such section is amended by striking the first sentence and inserting the following: “If a person eligible for insurance under this subchapter is not so insured, or is insured for less than the maximum amount provided for the person under subparagraph (A) of subsection (a)(3), by reason of an election made by a member under subparagraph (B) of that subsection, the person may thereafter be insured under this subchapter in the maximum amount or any lesser amount elected as provided in such subparagraph (B) upon written application by the member, proof of good health of each person (other than a child) to be so insured, and compliance with such other terms and conditions as may be prescribed by the Secretary.”.

(c) **TERMINATION OF COVERAGE.**—(1) Subsection (a) of section 1968 is amended—

(A) in the matter preceding paragraph (1), by inserting “and any insurance thereunder on any insurable dependent of such a member,” after “any insurance thereunder on any member of the uniformed services,”; and

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

“(5) With respect to an insurable dependent of the member, insurance under this subchapter shall cease—

“(A) 120 days after the date of an election made in writing by the member to terminate the coverage; or

“(B) on the earliest of—

“(i) 120 days after the date of the member’s death;

“(ii) 120 days after the date of termination of the insurance on the member’s life under this subchapter; or

“(iii) 120 days after the termination of the dependent’s status as an insurable dependent of the member.”.

(2) Such subsection is further amended—

(A) in the matter preceding paragraph (1), by striking “, and such insurance shall cease—” and inserting “and such insurance shall cease as follows:”;

(B) by striking “with” after the paragraph designation in each of paragraphs (1), (2), (3), and (4) and inserting “With”;

(C) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking “thirty-one days—” and inserting “31 days, insurance under this subchapter shall cease—”;

(ii) in subparagraph (A)—

(I) by striking “one hundred and twenty days” after “(A)” and inserting “120 days”; and

(II) by striking “prior to the expiration of one hundred and twenty days” and inserting “before the end of 120 days”; and

(iii) by striking the semicolon at the end of subparagraph (B) and inserting a period;

(D) in paragraph (2)—

(i) by striking “thirty-one days” and inserting “31 days,”;

(ii) by striking “one hundred and twenty days” both places it appears and inserting “120 days”; and

(iii) by striking the semicolon at the end and inserting a period;

(E) in paragraph (3)—

(i) by inserting a comma after “competent authority”;

(ii) by striking “one hundred and twenty days” both places it appears and inserting “120 days”; and

(iii) by striking “; and” at the end and inserting a period; and

(F) in paragraph (4), by inserting “insurance under this subchapter shall cease” before “120 days after” the first place it appears.

(3) Subsection (b)(1)(A) of such section is amended by inserting “(to insure against death of the member only)” after “converted to Veterans’ Group Life Insurance”.

(d) **PREMIUMS.**—Section 1969 is amended by adding at the end the following new subsections:

“(g)(1)(A) During any period in which a spouse of a member is insured under this subchapter and the member is on active duty, there shall be deducted each month from the member’s basic or other pay until separation or release from active duty an amount determined by the Secretary as the premium allocable to the pay period for providing that insurance coverage. No premium may be charged for providing insurance coverage for a child.

“(B) During any month in which a member is assigned to the Ready Reserve of a uniformed service under conditions which meet the qualifications set forth in section 1965(5)(B) of this title and the spouse of the member is insured under a policy of insurance purchased by the Secretary under section 1966 of this title, there shall be contributed from the appropriation made for active duty pay of the uniformed service concerned an amount determined by the Secretary (which shall be the same for all such members) as the share of the cost attributable to insuring the spouse of such member under this policy, less any costs traceable to the extra hazards of such duty in the uniformed services. Any amounts so contributed on behalf of any individual shall be collected by the Secretary concerned from such individual (by deduction from pay or otherwise) and shall be credited to the appropriation from which such contribution was made.

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

“(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.

“(h) Any overpayment of a premium for insurance coverage for an insurable dependent of a member that is terminated under section 1968(a)(5) of this title shall be refunded to the member.”.

(e) **PAYMENTS OF INSURANCE PROCEEDS.**—Section 1970 is amended by adding at the end the following new subsection:

“(i) Any amount of insurance in force on an insurable dependent of a member under this subchapter 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 this subchapter.”.

(f) **CONVERSION OF SGLI TO PRIVATE LIFE INSURANCE.**—Section 1968(b) is amended by adding at the end the following new paragraph:

“(3)(A) In the case of a policy purchased under this subchapter for an insurable dependent who is a spouse, upon election of the spouse, the policy may be converted to an individual policy of insurance under the same conditions as described in section 1977(e) of this title (with respect to conversion of a Veterans’ Group Life Insurance policy to such an individual policy) upon written application for conversion made to the participating company selected by the spouse and payment of the required premiums. Conversion of such policy to Veterans’ Group Life Insurance is prohibited.

“(B) In the case of a policy purchased under this subchapter for an insurable dependent who

is a child, such policy may not be converted under this subsection.”.

(g) **EFFECTIVE DATE AND INITIAL IMPLEMENTATION.**—(1) 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.

(2) Each Secretary concerned, acting in consultation with the Secretary of Veterans Affairs, shall take such action as is necessary to ensure that during the period between the date of the enactment of this Act and the effective date determined under paragraph (1) each eligible member—

(A) is furnished an explanation of the insurance benefits available for dependents under the amendments made by this section; and

(B) is afforded an opportunity before such effective date to make elections that are authorized under those amendments to be made with respect to dependents.

(3) For purposes of paragraph (2):

(A) The term “Secretary concerned” has the meaning given that term in section 101 of title 38, United States Code.

(B) The term “eligible member” means a member of the uniformed services described in subparagraph (A) or (C) of section 1967(a)(1) of title 38, United States Code, as amended by subsection (b)(1).

**SEC. 5. RETROACTIVE APPLICABILITY OF INCREASE IN MAXIMUM SGLI BENEFIT FOR MEMBERS DYING IN PERFORMANCE OF DUTY ON OR AFTER OCTOBER 1, 2000.**

(a) **APPLICABILITY OF INCREASE IN BENEFIT.**—Notwithstanding subsection (c) of section 312 of the Veterans Benefits and Health Care Improvement Act of 2000 (Public Law 106-419; 114 Stat. 1854), the amendments made by subsection (a) of that section shall take effect on October 1, 2000, with respect to any member of the uniformed services who died in the performance of duty (as determined by the Secretary concerned) during the period beginning on October 1, 2000, and ending at the close of March 31, 2001, and who on the date of death was insured under the Servicemembers’ Group Life Insurance program under subchapter III of chapter 19 of title 38, United States Code, for the maximum coverage available under that program.

(b) **DEFINITIONS.**—In this section:

(1) The term “Secretary concerned” has the meaning given that term in section 101(25) of title 38, United States Code.

(2) The term “uniformed services” has the meaning given that term in section 1965(6) of title 38, United States Code.

**SEC. 6. EXPANSION OF OUTREACH EFFORTS TO ELIGIBLE DEPENDENTS.**

(a) **AVAILABILITY OF OUTREACH SERVICES FOR CHILDREN, SPOUSES, SURVIVING SPOUSES, AND DEPENDENT PARENTS.**—Paragraph (2) of section 7721(b) is amended to read as follows:

“(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.”.

(b) **IMPROVED OUTREACH PROGRAM.**—(1) Subchapter II of chapter 77 is amended by adding at the end the following new section:

**“§ 7727. Outreach for eligible dependents**

“(a) In carrying out this subchapter, the Secretary shall ensure that the needs of eligible dependents are fully addressed.

“(b) The Secretary shall ensure that the availability of outreach services and assistance for eligible dependents under this subchapter is made known through a variety of means, including the Internet, announcements in veterans publications, and announcements to the media.”.

(2) The table of sections at the beginning of that chapter is amended by inserting after the item relating to section 7726 the following new item:

“7727. Outreach for eligible dependents.”.

**SEC. 7. TECHNICAL AMENDMENTS TO THE MONTGOMERY GI BILL STATUTE.**

(a) **CLARIFICATION OF ELIGIBILITY REQUIREMENT FOR BENEFITS.**—

(1) **IN GENERAL.**—Clause (i) of section 3011(a)(1)(A), as amended by section 103(a)(1)(A) of the Veterans Benefits and Health Care Improvement Act of 2000 (Public Law 106-419; 114 Stat. 1825), is amended by striking “serves an obligated period of active duty of” and inserting “(I) in the case of an individual whose obligated period of active duty is three years or more, serves at least three years of continuous active duty in the Armed Forces, or (II) in the case of an individual whose obligated period of active duty is less than three years, serves”.

(2) **EFFECTIVE DATE.**—The amendment made by paragraph (1) shall take effect as if enacted on November 1, 2000, immediately after the enactment of the Veterans Benefits and Health Care Improvement Act of 2000 (Public Law 106-419).

(b) **ENTITLEMENT CHARGE FOR OFF-DUTY TRAINING AND EDUCATION.**—

(1) **IN GENERAL.**—Section 3014(b)(2) is amended—

(A) in subparagraph (A), by striking “(without regard to)” and all that follows through “this subsection”; and

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

“(C) The number of months of entitlement charged under this chapter in the case of an individual who has been paid a basic educational assistance allowance under this subsection shall be equal to the number (including any fraction) determined by dividing the total amount of such educational assistance allowance paid the individual by the full-time monthly institutional rate of educational assistance which such individual would otherwise be paid under subsection (a)(1), (b)(1), (c)(1), (d)(1), or (e)(1) of section 3015 of this title, as the case may be.”.

(2) **CONFORMING AMENDMENTS.**—(A) Section 3015 is amended—

(i) in subsections (a)(1) and (b)(1), by inserting “subsection (h)” after “from time to time under”; and

(ii) by striking the subsection that was inserted as subsection (g) by section 1602(b)(3)(C) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted by Public Law 106-398; 114 Stat. 1654A-359) and redesignated as subsection (h) by 105(b)(2) of the Veterans Benefits and Health Care Improvement Act of 2000 (Public Law 106-419; 114 Stat. 1829).

(B) Section 3032(b) is amended—

(i) by striking “the lesser of” and inserting “the least of the following”;

(ii) by striking “or” after “chapter,”; and

(iii) by inserting before the period at the end the following: “, or (3) the amount of the charges of the educational institution elected by the individual under section 3014(b)(1) of this title”.

(3) **EFFECTIVE DATE.**—The amendments made by this subsection shall take effect as if enacted on November 1, 2000, immediately after the enactment of the Veterans Benefits and Health Care Improvement Act of 2000 (Public Law 106-419).

(c) **INCREMENTAL INCREASES FOR CONTRIBUTING ACTIVE DUTY MEMBERS.**—

(1) **ACTIVE DUTY PROGRAM.**—Section 3011(e), as added by section 105(a)(1) of the Veterans Benefits and Health Care Improvement Act of 2000 (Public Law 106-419; 114 Stat. 1828), is amended—

(A) in paragraph (2), by inserting “, but not more frequently than monthly” before the period;

(B) in paragraph (3), by striking “\$4” and inserting “\$20”; and

(C) in paragraph (4)—

(i) by striking “Secretary. The” and inserting “Secretary of the military department concerned. That”; and

(ii) by striking “by the Secretary”.

(2) **SELECTED RESERVE PROGRAM.**—Section 3012(f), as added by section 105(a)(2) of such Act, is amended—

(A) in paragraph (2), by inserting “, but not more frequently than monthly” before the period;

(B) in paragraph (3), by striking “\$4” and inserting “\$20”; and

(C) in paragraph (4)—

(i) by striking “Secretary. The” and inserting “Secretary of the military department concerned. That”; and

(ii) by striking “by the Secretary”.

(3) **INCREASED ASSISTANCE AMOUNT.**—Section 3015(g), as added by section 105(b)(3) of such Act, is amended—

(A) in the matter preceding paragraph (1), by inserting “effective as of the first day of the enrollment period following receipt of such contributions from such individual by the Secretary concerned,” after “by section 3011(e) or 3012(f) of this title,”; and

(B) in paragraph (1)—

(i) by striking “\$1” and inserting “\$5”;

(ii) by striking “\$4” and inserting “\$20”; and

(iii) by inserting “of this title” after “section 3011(e) or 3012(f)”.

(4) **EFFECTIVE DATE.**—The amendments made by this subsection shall take effect as if included in the enactment of section 105 of the Veterans Benefits and Health Care Improvement Act of 2000 (Public Law 106-419; 114 Stat. 1828).

(d) **DEATH BENEFITS.**—

(1) **IN GENERAL.**—Paragraph (1) of section 3017(b) is amended to read as follows:

“(1) the total of—

“(A) the amount reduced from the individual’s basic pay under section 3011(b), 3012(c), 3018(c), 3018A(b), 3018B(b), 3018C(b), or 3018C(e) of this title;

“(B) the amount reduced from the individual’s retired pay under section 3018C(e) of this title;

“(C) the amount collected from the individual by the Secretary under section 3018B(b), 3018C(b), or 3018C(e) of this title; and

“(D) the amount of any contributions made by the individual under section 3011(c) or 3012(f) of this title, less”.

(2) **EFFECTIVE DATE.**—The amendment made by paragraph (1) shall take effect as of May 1, 2001.

(e) **CLARIFICATION OF CONTRIBUTIONS REQUIRED BY VEAP PARTICIPANTS WHO ENROLL IN BASIC EDUCATIONAL ASSISTANCE.**—

(1) **CLARIFICATION.**—Section 3018C(b), as amended by section 104(b) of the Veterans Benefits and Health Care Improvement Act of 2000 (Public Law 106-419; 114 Stat. 1828), is amended by striking “or (e)”.

(2) **TREATMENT OF CERTAIN CONTRIBUTIONS.**—Any amount collected under section 3018C(b) of title 38, United States Code (whether by reduction in basic pay under paragraph (1) of that section, collection under paragraph (2) of that section, or both), with respect to an individual who enrolled in basic educational assistance under section 3018C(e) of that title, during the period beginning on November 1, 2000, and ending on the date of the enactment of this Act, shall be treated as an amount collected with respect to the individual under section 3018C(e)(3)(A) of that title (whether as a reduction in basic pay under clause (i) of that section, a collection under clause (ii) of that section, or both) for basic educational assistance under section 3018C of that title.

(f) **CLARIFICATION OF TIME PERIOD FOR ELECTION OF BEGINNING OF CHAPTER 35 ELIGIBILITY FOR DEPENDENTS.**—

(1) **IN GENERAL.**—(A) Section 3512(a)(3)(B), as amended by section 112 of the Veterans Benefits and Health Care Improvement Act of 2000 (Public Law 106-419; 114 Stat. 1831), is amended to read as follows:

“(B) the eligible person elects that beginning date by not later than the end of the 60-day period beginning on the date on which the Secretary provides written notice to that person of

that person's opportunity to make such election, such notice including a statement of the deadline for the election imposed under this subparagraph; and".

(B) Section 3512(a)(3)(C), as so amended, is amended by striking "between the dates described in" and inserting "the date determined pursuant to".

(2) **EFFECTIVE DATE.**—The amendments made by paragraph (1) shall take effect as if enacted on November 1, 2000, immediately after the enactment of the Veterans Benefits and Health Care Improvement Act of 2000.

#### SEC. 8. MISCELLANEOUS TECHNICAL AMENDMENTS.

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

(1) Effective as of November 1, 2000, section 107 is amended—

(A) in the second sentence of subsection (a), by inserting "or (d)" after "subsection (c)";

(B) by redesignating the second subsection (c) (added by section 332(a)(2) of the Veterans Benefits and Health Care Improvement Act of 2000 (Public Law 106-419)) as subsection (d); and

(C) in subsection (d), as so redesignated, by striking "In" in paragraph (1) and inserting "With respect to benefits under chapter 23 of this title, in".

(2) Section 1710B(c)(2)(B) is amended by striking "on the date of the enactment of the Veterans Millennium Health Care and Benefits Act" and inserting "November 30, 1999".

(3) Section 2301(f) is amended—

(A) in the matter in paragraph (1) preceding subparagraph (A), by striking "(as)" and all that follows through "in section" and inserting "(as described in section)"; and

(B) in paragraph (2), by striking "subparagraphs" and inserting "subparagraph".

(4) Section 3452 is amended—

(A) in subsection (a)(1)—

(i) by striking "or" at the end of subparagraph (A); and

(ii) by striking "clause (B) of this paragraph" in subparagraph (C) and inserting "subparagraph (B)";

(B) in subsection (a)(2)—

(i) by striking "paragraph (1)(A) or (B)" and inserting "subparagraph (A) or (B) of paragraph (1)"; and

(ii) by striking "one hundred and eighty days" and inserting "180 days";

(C) in subsection (a)(3), by striking "section 511(d) of title 10" and inserting "section 12103(d) of title 10"; and

(D) in subsection (e), by striking "chapter 4C of title 29," and inserting "the Act of August 16, 1937, popularly known as the 'National Apprenticeship Act' (29 U.S.C. 50 et seq.)."

(5) Section 3462(a) is amended by striking paragraph (3).

(6) Section 3512 is amended—

(A) in subsection (a)(5), by striking "clause (4) of this subsection" and inserting "paragraph (4)"; and

(B) in subsection (b)(2), by striking "willfull" and inserting "willful".

(7) Section 3674 is amended—

(A) in subsection (a)(2)—

(i) in subparagraph (A)—

(I) by striking ", effective at the beginning of fiscal year 1988,"; and

(II) by striking "section 3674A(a)(4)" and inserting "section 3674A(a)(3)";

(ii) in subparagraph (B), by striking "paragraph (3)(A)" and inserting "paragraph (3)"; and

(iii) in subparagraph (C), by striking "section 3674A(a)(4)" and inserting "section 3674A(a)(3)"; and

(B) in subsection (c)—

(i) by striking "on September 30, 1978, and"; and

(ii) by striking "thereafter,".

(8) Section 3674A(a)(2) is amended by striking "clause (1)" and inserting "paragraph (1)".

(9) Section 3734(a) is amended—

(A) by striking "United States Code," in the matter preceding paragraph (1); and

(B) by striking "appropriations in" in paragraph (2) and inserting "appropriations for".

(10) Section 4104 is amended—

(A) in subsection (a)(1)—

(i) by striking "Beginning with fiscal year 1988," and inserting "For any fiscal year,";

(ii) by striking "clause" in subparagraph (B) and inserting "subparagraph"; and

(iii) by striking "clauses" in subparagraph (C) and inserting "subparagraphs";

(B) in subsection (a)(4), by striking "on or after July 1, 1988"; and

(C) in subsection (b)—

(i) by striking "shall—" in the matter preceding paragraph (1) and inserting "shall perform the following functions:"

(ii) by capitalizing the initial letter of the first word of each of paragraphs (1) through (12);

(iii) by striking the semicolon at the end of each of paragraphs (1) through (10) and inserting a period; and

(iv) by striking "and" at the end of paragraph (11) and inserting a period.

(11) Section 4303(13) is amended by striking the second period at the end.

(12) Section 5103(b)(1) is amended by striking "1 year" and inserting "one year".

(13) Section 5701(g) is amended by striking "clause" in paragraphs (2)(B) and (3) and inserting "subparagraph".

(14) Section 7367 is repealed.

(B) The table of sections at the beginning of chapter 73 is amended by striking the item relating to section 7367.

(15) Section 8125(d) is amended—

(A) in paragraph (1), by striking "(beginning in 1992)";

(B) in paragraph (2), by striking "(beginning in 1993)"; and

(C) by striking paragraph (3).

(16) The following provisions are each amended by striking "hereafter" and inserting "hereinafter": sections 545(a)(1), 1710B(e)(1), 3485(a)(1), 3537(a), 3722(a), 3763(a), 5121(a), 7101(a), 7105(b)(1), 7671, 7672(e)(1)(B), 7681(a)(1), 7801, and 8520(a).

(b) **PUBLIC LAW 106-419.**—Effective as of November 1, 2000, and as if included therein as originally enacted, the Veterans Benefits and Health Care Improvement Act of 2000 (Public Law 106-419) is amended as follows:

(1) Section 111(f)(3) (114 Stat. 1831) is amended by striking "3654" and inserting "3564".

(2) Section 323(a)(1) (114 Stat. 1855) is amended by inserting a comma in the second quoted matter therein after "duty".

(3) Section 401(e)(1) (114 Stat. 1860) is amended by striking "this" both places it appears in quoted matter and inserting "This".

(4) Section 402(b) (114 Stat. 1861) is amended by striking the close quotation marks and period at the end of the table in paragraph (2) of the matter inserted by the amendment made that section.

(c) **PUBLIC LAW 102-590.**—Section 3(a)(1) of the Homeless Veterans Comprehensive Service Programs Act of 1992 (38 U.S.C. 7721 note) is amended by striking "during,".

Amend the title so as to read: "An Act to amend title 38, United States Code, to expand eligibility for CHAMPVA, to provide for family coverage and retroactive expansion of the increase in maximum benefits under Servicemembers' Group Life Insurance, to make technical amendments, and for other purposes.".

Mr. SMITH of New Jersey (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendments be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. Is there objection to the original request of the gentleman from New Jersey?

Mr. EVANS. Mr. Speaker, reserving the right to object, I do not plan to object, but reserve my right to object.

Mr. Speaker, I rise in strong support of H.R. 1801, the Veterans' Survival Benefits Improvements Act of 2001, and I encourage all Members of the House to support this measure.

The measure now before the House is derived from legislation approved by this body earlier this year. This legislation contains several important provisions contained in the House-passed bill, an important healthcare provision proposed by the other body, and several technical amendments.

Mr. Speaker, I would prefer that all the provisions contained in H.R. 801 as approved by the House earlier this year were included in the measure before us now, but that is not the case. Mr. Speaker, I am committed, as I know the gentleman from New Jersey (Mr. SMITH) is, to pursuing the enactment of all the provisions contained in the bill as originally approved by the House.

The legislation includes a number of important provisions which deserve the support of this House. These include increasing from \$200,000 to \$250,000, effective October 1, 2000, the maximum Servicemembers' Group Life Insurance Benefit for survivors of servicemen who died in the performance of duty and who were previously insured for the maximum benefits.

Mr. Speaker, I thank the gentleman from Texas (Mr. REYES) for his determined leadership on this important issue requiring the VA to ensure that eligible dependents are made aware of VA services through media and veterans' publications. This provision is derived from the legislation authored by the gentleman from Pennsylvania (Mr. DOYLE), a committed advocate for veterans and their dependents and survivors; and I want to salute the gentleman for his successful leadership for VA outreach to the dependents.

It also includes coverage under the Servicemembers' Group Life Insurance and provides for benefits under CHAMPVA for veterans' survivors and those eligible for hospital insurance benefits under Medicare.

Mr. Speaker, I thank everyone who has contributed to this measure. This is a good piece of legislation. Mr. Speaker, I encourage all of my Members to support it.

Mr. Speaker, under my reservation of objection, I yield to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Speaker, I thank the gentleman from Illinois (Mr. EVANS), my good friend, for yielding to me.

Mr. Speaker, as chairman of the Committee on Veterans' Affairs, I am very proud to bring to the floor today H.R. 801, as amended, the Veterans' Survivor Benefits Improvements Act of 2001.

It is fitting that we consider this legislation shortly before the Memorial Day period, a day on which we remember all of those who died while serving in our Nation's Armed Forces.

This bill is a reminder of what we have owed to the survivors of our servicemen and women. And although much remains to be done by this Congress, it is the harbinger of what we can accomplish to keep our commitment to veterans and to their families.

Mr. Speaker, those who have been following this particular bill may be a little bit surprised that it does not contain all of the provisions that were in the bill when we originally passed it in the House late March. Mr. Speaker, I want to ensure my colleagues that those provisions that were stricken by the Senate amendment remain the subject of a very active conversation between our colleagues over on the Senate side. We expect that the Senate will hold hearings on most, if not all, of those provisions later this year and we will be reintroducing them as well.

Virtually all of those who have testified before our Subcommittee on Benefits earlier this year expressed support for the provision of H.R. 801; and I anticipate that when the Senate holds its hearings, they will have the input from the VSOs and will be supportive of those provisions.

Mr. Speaker, I also want to encourage the Senate to give favorable consideration to H.R. 811, the Veterans Hospital Emergency Repair Act; and I just remind my colleagues that we passed that last March as well.

Mr. Speaker, at this time I would like to provide a very brief explanation of the provisions being considered today. When Congress created the Civilian Health and Medical Program, Veterans Affairs program nearly 30 years ago, it intended CHAMPVA to provide services for certain severely disabled veterans' families that were similar to the benefits furnished to retired families under CHAMPUS.

Over the years, however, CHAMPUS changed from a simple fee-basis reimbursement program to a managed care activity now known as TRICARE. Last year, TRICARE became entwined with Medicare as a secondary payer for military retired families under the "TRICARE for Life" extension approved by the Floyd Spence National Defense Authorization Act for Fiscal Year 2001.

What we are doing today with H.R. 801 is an effort to make the two programs comparable once again by authorizing benefits similar to those under the TRICARE for Life.

H.R. 801 also directs VA to improve outreach services of spouses, surviving spouses, children and dependent parents of veterans and requires the VA to ensure that eligible dependents are made aware of veterans' services through the media and veterans' publications.

As amended, H.R. 801 retains the House provision to expand the

Servicemembers' Group Life Insurance program to provide coverage for the spouse and children of a servicemember enrolled in the insurance program. This is a very family-friendly provision, and I am glad it survived over on the Senate side.

Finally, Mr. Speaker, within the last few years, we have lost a number of servicemembers to plane crashes, training accidents, and, of course, to acts of terrorism at sea. Last year, the Congress approved legislation to increase the maximum amount of the Servicemembers' Group Life Insurance from \$200,000 to \$250,000. Even though the bill was signed into law on November 1 of 2000, this particular provision did not go into effect until April of this year. The Senate amendment to H.R. 801 leaves unchanged the House proposal to provide an increase retroactive to October 1, 2000 for survivors of servicemembers who died during the performance of their duty and had previously elected maximum insurance amount.

Mr. Speaker, I want to thank the gentleman from Texas (Mr. REYES), the gentlewoman from Virginia (Mrs. JO ANN DAVIS), along with Senator JOHN WARNER, for working with the full committee and for working so very hard on this provision.

Mr. Speaker, I want to thank the gentleman from Illinois (Mr. EVANS) for the gentleman's steadfast leadership, not just for this provision, but for all of the contents of this bill and for working in a very bipartisan way on so many of these issues that we have and will continue to bring to the floor.

Mr. EVANS. Mr. Speaker, further reserving the right to object, I yield to the gentleman from Texas (Mr. REYES).

Mr. REYES. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, as an original cosponsor and strong supporter of H.R. 801, the Veterans' Survivor Benefits Improvements Act of 2001, I am pleased that we will have an opportunity to address some of its provisions before this Memorial Day. It is our deeds, as well as our words, that should be used to measure the respect that we pay our departed servicemembers.

Mr. Speaker, I want to acknowledge the cooperation of the gentleman from New Jersey (Chairman SMITH) and the gentleman from Illinois (Mr. EVANS), the ranking member, as well as the gentleman from Arizona (Mr. HAYWORTH), in working with the other body to move this legislation forward. I hope that we will have an opportunity to address the provisions of H.R. 801 not included in the Senate amendment in the very near future.

Mr. Speaker, I particularly want to highlight the insurance provisions of this bill. I am very pleased that the bill retains the provision inserted at my request to make the beginning of fiscal year 2001 the effective date for the increase in the maximum amount of Servicemembers' Group Life Insurance from \$200,000 to \$250,000 for those who

have lost their lives during the performance of military duties.

□ 1715

As a Vietnam veteran, I know the dangers of combat. Since October 1, 2000, we have sadly lost a number of uniformed service members during the performance of military training exercises. As I emphasized during the subcommittee hearing on H.R. 801, I was particularly concerned that those who lost their lives in the terrorist attack on the U.S.S. *Cole* as well as those, such as Specialist Rafael Olvera Rodriguez, who was an El Paso native and died in the Black Hawk helicopter crash over Hawaii, would qualify for increased maximum benefits.

Since the *Cole* attack, others performing official duties have died in North Carolina, Georgia, and Kuwait. Two Coast Guardsmen died after an accident while on patrol; two pilots died when their Army plane crashed in Germany; and two Air Force planes disappeared from Scotland with the loss of life.

The effective date of October 1, 2000, is intended to provide the maximum benefit of \$250,000 for SGLI insured members, such as those who have lost their lives in the performance of their duty and who were insured for the maximum benefit at the time of their deaths. I know that the families of the SGLI members will certainly support this benefit.

I also support the provision allowing family members to be covered under the SGLI program. This is a needed improvement and will put our service members on par with other persons who have access to commercial insurance.

I strongly support the provisions for outreach to veterans' dependents suggested by the gentleman from Pennsylvania (Mr. DOYLE), a very strong advocate for our Nation's veterans. Those who are entitled to veterans' benefits must have appropriate information in order to access them.

Finally, the technical amendments in the bill clarify important provisions of law and will improve the administration of educational benefits.

I cannot think of a better way for us to send a clear message this Memorial Day than to support H.R. 801. I urge all Members to support this bill.

Mr. MORAN of Kansas. Mr. Speaker, I want to recognize Chairman SMITH, Ranking Member EVANS, Health Subcommittee Ranking Member FILNER, as well as Chairman SPECTER and Ranking Member ROCKEFELLER of the Senate Committee on Veterans' Affairs, for their leadership and support for this bill, H.R. 801, the "Veterans' Survivor Benefits Improvements Act of 2001."

Mr. Speaker, passage of this bill is a good reminder of why the Nation celebrates Memorial Day. There are many ways that people choose to honor our veterans. A number of veterans' organizations choose to honor the brave men and women who have given their lives for this country by observing a moment of silence. Others choose to visit one of the

many memorials built in honor of veterans, and touch the engraved names of their departed loved ones, to feel their presence once again. Those of us here today on the floor of the House have the rare opportunity to honor not only our veterans, but also their dependents and survivors as well, with the passage of this legislation before us today.

Often on this floor Members recognize Americans who gave of themselves because of love of country. Today I speak not only in praise of our Nation's veterans but also in praise of their families and their survivors. Throughout our history as a nation, the fight to protect and preserve our freedoms has not only been met on the battlefield. It has also been a struggle in the homes of our veterans—by mothers, fathers, sons, and daughters, who carried on despite facing the illness, injury, or loss of a loved one.

The "Veterans' Survivor Benefits Improvements Act of 2001," legislation that we are approving today and sending to the President, is a written acknowledgement of our debt. It establishes, in the CHAMPVA program, health coverage equal to that of "TRICARE for Life" for military families. Under H.R. 801, any beneficiary covered by CHAMPVA, who becomes eligible for Medicare, will automatically be covered by CHAMPVA for "out-of-pocket" costs not paid by Medicare or other insurance. In effect, CHAMPVA will become a secondary-payer for these Medicare beneficiaries.

While we can never expect to balance the scales to pay back the enormous debt we owe to our Nation's veterans and their families, we can ensure our veterans and their families will have a better tomorrow. As we approach another Memorial Day, let us pass this legislation to show our commitment to all Americans who, in President Lincoln's phrase, have "borne the battle" for this country.

Again, I thank the Chairman for his leadership, and urge my colleagues to support this important legislation.

Mr. EVANS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. SMITH of New Jersey. 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. 801.

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

There was no objection.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, May 24, 2001.

Hon. J. DENNIS HASTERT,  
*The Speaker, House of Representatives,*  
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on May 24, 2001 at 3:00 p.m. and said to contain a message from the President whereby he submits copies of a notice extending the Yugoslavia emergencies.

With best wishes, I am  
Sincerely,

JEFF TRANDAH, L.  
*Clerk of the House.*

#### CONTINUATION OF EMERGENCY WITH RESPECT TO FEDERAL REPUBLIC OF YUGOSLAVIA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 107-76)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

*To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. I have sent the enclosed notice to the *Federal Register* for publication, stating that the national emergencies declared with respect to the Federal Republic of Yugoslavia (Serbia and Montenegro) (the "FRY (S&M)") in 1992 and with respect to Kosovo in 1998, are to continue beyond May 30, 2001, and June 9, 2001, respectively. The most recent notice continuing these emergencies was published in the *Federal Register* on May 26, 2000.

With respect to the 1992 national emergency, on December 27, 1995, President Clinton issued Presidential Determination 96-7, directing the Secretary of the Treasury, *inter alia*, to suspend the application of sanctions imposed on the FRY (S&M) and to continue to block property previously blocked until provision of the other successor states of the former Yugoslavia. This sanctions relief, in conformity with United Nations Security Council Resolution 1022 of November 22, 1995 (hereinafter the "Resolution"), as an essential factor motivating Serbia and Montenegro's acceptance of the General Framework Agreement for Peace in Bosnia and Herzegovina initialed in Dayton on November 21, 1995, and signed in Paris on December 14, 1995 (hereinafter the "Peace Agreement").

Sanctions against both the FRY (S&M) and the Bosnian Serbs were sub-

sequently terminated by United Nations Security Council Resolution 1074 of October 1, 1996. This termination, however, did not end the requirement of the Resolution that those blocked funds and assets that are subject to claims and encumbrances remain blocked, until unblocked in accordance with applicable law.

Until the status of all remaining blocked property is resolved, the Peace Agreement implemented, and the terms of the Resolution met, this situation continues to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For these reasons, I have determined that the 1992 emergency, and the measures adopted pursuant thereto, must continue beyond May 30, 2001.

With respect to the 1998 national emergency regarding Kosovo, on January 17, 2001, President Clinton issued Executive Order 13192 in view of the peaceful democratic transition begun in the FRY (S&M); the continuing need to promote full implementation of the United Nations Security Council Resolution 827 of May 25, 1993, and subsequent resolutions calling for all states to cooperate fully with the International Criminal Tribunal for the former Yugoslavia (ICTY); the illegitimate control over FRY (S&M) political institutions and economic resources or enterprises exercised by former President Slobodan Milosevic, his close associates and other persons, and those individuals' capacity to repress democracy or perpetrate or promote further human rights abuses; and the continuing threat to regional stability and implementation of the Peace Agreement. The order lifts and modifies, with respect to future transactions, most of the economic sanctions imposed against the FRY (S&M) in 1998 and 1999 with regard to the situation in Kosovo. At the same time, the order imposes restrictions on transactions with certain persons described in section 1(a) of the order, namely Slobodan Milosevic, his close associates and supporters and persons under open indictment for war crimes by ICTY. The order also provides for the continued blocking of property or interests in property blocked prior to the order's effective date due to the need to address claims or encumbrances involving such property.

Because the crisis with respect to the situation in Kosovo and with respect to Slobodan Milosevic, his close associates and supporters and persons under open indictment for war crimes by ICTY has not been resolved, and because the status of all previously blocked property has yet to be resolved, this situation continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For these reasons, I have determined that the emergency declared with respect to Kosovo, and the measures adopted pursuant