

into law a bill changing Armistice Day to Veterans Day. President Eisenhower stated, "On that day let us solemnly remember the sacrifices of all those who fought so valiantly, on the seas, in the air, and on foreign shores, to preserve our heritage of freedom, and let us reconsecrate ourselves to the task of promoting an enduring peace so that their efforts shall not have been in vain."

With the soon-to-be return of our service men and women from the war in Iraq, Veterans Day takes on a new meaning. These men and women who serve in Iraq today, join the other millions that have come before them. I am proud that President Eisenhower, Representative Rees, and Alvin King, all from the great state of Kansas, took the idea for the celebration of Veterans Day from conception to fruition.

Emporia, KS, organized and celebrated Veterans Day in 1953, one year before the rest of the United States. Alvin J. King, the man behind the idea, was a shoe cobbler in Emporia. Mr. KING befriended many veterans, thus realizing that we needed a national holiday to commemorate all veterans of all wars, not just those of World War I. With support from the community of Emporia, Mr. KING took his idea to Washington. There, he found a close ally in Representative Ed Rees, who introduced a bill to change the holiday. Mr. Rees said, "The United States has now been involved in many great military efforts, and each has produced its number of veterans. We all realize that it would not be feasible to establish a national holiday to commemorate the closing of each war. This legislation does not establish a new holiday. Rather it expands an existing holiday so that we may honor all veterans at the same time."

On November 11 of each year, we pay tribute to our veterans. Americans, as in all wars have rallied behind the men and women who went off to defend the American way of life. And, as some of those soldiers returned, we embraced and thanked them for their sacrifice. And for those that did not come home we remembered them in somber ceremonies, silent prayers, and grieving moments. On November 11 we pay reverence to anyone that has worn the uniform. We should, also, recognize the shoe cobbler from Emporia, who had a vision for a national holiday; a representative, who listened to his hometown; and a President, who a veteran himself, saw the completion of this idea.

I urge my colleagues to pass this resolution.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the concurrent resolution be printed in the RECORD.

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

The concurrent resolution (H. Con. Res. 159) was agreed to.

The preamble was agreed to.

VETERANS' BENEFITS ENHANCEMENTS ACT OF 2003

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of calendar item No. 316, S. 1132.

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

The legislative clerk read as follows:

A bill (S. 1132) to amend title 38, United States Code, to improve and enhance certain benefits for survivors of veterans, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Veterans' Affairs, with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

(Strike the part shown in black brackets and insert the part shown in italic.)

S. 1132

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

SECTION 1. SHORT TITLE.

[This Act may be cited as the "Veterans' Survivors Benefits Enhancements Act of 2003".

ISEC. 2. INCREASE IN RATES OF SURVIVORS' AND DEPENDENTS' EDUCATIONAL ASSISTANCE.

[(a) SURVIVORS' AND DEPENDENTS' EDUCATIONAL ASSISTANCE.—Section 3532 of title 38, United States Code, is amended—

[(1) in subsection (a)—

[(A) in paragraph (1), by striking "at the monthly rate of" and all that follows and inserting "at the monthly rate of \$985 for full-time, \$740 for three-quarter-time, or \$492 for half-time pursuit."; and

[(B) in paragraph (2), by striking "at the rate of" and all that follows and inserting "at the rate of the lesser of—

[(A) the established charges for tuition and fees that the educational institution involved requires similarly circumstanced non-veterans enrolled in the same program to pay; or

[(B) \$985 per month for a full-time course.";

[(2) in subsection (b), by striking "\$670" and inserting "\$985"; and

[(3) in subsection (c)(2), by striking "shall be" and all that follows and inserting "shall be \$795 for full-time, \$596 for three-quarter-time, or \$398 for half-time pursuit.".

[(b) CORRESPONDENCE COURSES.—Section 3534(b) of that title is amended by striking "\$670" and inserting "\$985".

[(c) SPECIAL RESTORATIVE TRAINING.—Section 3542(a) of that title is amended—

[(1) by striking "\$670" and inserting "\$985"; and

[(2) by striking "\$210" each place it appears and inserting "\$307".

[(d) APPRENTICESHIP TRAINING.—Section 3687(b)(2) of that title is amended by striking "shall be \$488 for the first six months" and all that follows and inserting "shall be \$717 for the first six months, \$536 for the second six months, \$356 for the third six months, and \$179 for the fourth and any succeeding six-month period of training.".

[(e) EFFECTIVE DATE.—(1) The amendments made by this section shall take effect on October 1, 2003, and shall apply with respect to

educational assistance allowances payable under chapter 35 and section 3687(b)(2) of title 38, United States Code, for months beginning on or after that date.

[(2) No adjustment in rates of monthly training allowances shall be made under section 3687(d) of title 38, United States Code, for fiscal year 2004.

ISEC. 3. MODIFICATION OF DURATION OF EDUCATIONAL ASSISTANCE.

[Section 3511(a)(1) of title 38, United States Code, is amended by striking "45 months" and all that follows and inserting "45 months, or 36 months in the case of a person who first files a claim for educational assistance under this chapter after the date of the enactment of the Veterans' Survivors Benefits Enhancements Act of 2003, or the equivalent thereof in part-time training.".

ISEC. 4. ADDITIONAL DEPENDENCY AND INDEMNITY COMPENSATION FOR SURVIVING SPOUSES WITH DEPENDENT CHILDREN.

[(a) ADDITIONAL DEPENDENCY AND INDEMNITY COMPENSATION.—Section 1311 of title 38, United States Code, is amended by adding at the end the following new subsection:

[(e)(1) Subject to paragraphs (2) and (3), if there is a surviving spouse with one or more children below the age of eighteen, the dependency and indemnity compensation paid monthly to the surviving spouse shall be increased by \$250, regardless of the number of such children.

[(2) Dependency and indemnity compensation shall be increased for a month under this subsection only for months occurring during the five-year period beginning on the date of death of the veteran on which such dependency and indemnity compensation is based.

[(3) The increase in dependency and indemnity compensation of a surviving spouse under this subsection shall cease beginning with the first month commencing after the month in which all children of the surviving spouse have attained the age of eighteen.

[(4) Dependency and indemnity compensation under this subsection is in addition to any other dependency and indemnity compensation payable by law.".

[(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act.

ISEC. 5. ELIGIBILITY OF SURVIVING SPOUSES WHO REMARRY FOR BURIAL IN NATIONAL CEMETERIES.

[(a) IN GENERAL.—Section 2402(5) of title 38, United States Code, is amended by striking "(which for purposes of this chapter includes an unremarried surviving spouse who had a subsequent remarriage which was terminated by death or divorce)" and inserting "(which for purposes of this chapter includes a surviving spouse who had a subsequent remarriage)".

[(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to deaths occurring on or after January 1, 2000.

ISEC. 6. BENEFIT FOR CHILDREN WITH SPINA BIFIDA OF VETERANS OF CERTAIN SERVICE IN KOREA.

[(a) IN GENERAL.—Chapter 18 of title 38, United States Code, is amended—

[(1) by redesignating subchapter III, and sections 1821, 1822, 1823, and 1824, as subchapter IV, and sections 1831, 1832, 1833, and 1834, respectively; and

[(2) by inserting after subchapter II the following new subchapter III:

["SUBCHAPTER III—CHILDREN OF CERTAIN KOREA SERVICE VETERANS BORN WITH SPINA BIFIDA

["§1821. Benefits for children of certain Korea service veterans born with spina bifida

[(a) BENEFITS AUTHORIZED.—The Secretary may provide to any child of a veteran

of covered service in Korea who is suffering from spina bifida the health care, vocational training and rehabilitation, and monetary allowance required to be paid to a child of a Vietnam veteran who is suffering from spina bifida under subchapter I of this chapter as if such child of a veteran of covered service in Korea were a child of a Vietnam veteran who is suffering from spina bifida under such subchapter I.

["(b) SPINA BIFIDA CONDITIONS COVERED.—This section applies with respect to all forms and manifestations of spina bifida, except spina bifida occulta.

["(c) VETERAN OF COVERED SERVICE IN KOREA.—For purposes of this section, a veteran of covered service in Korea is any individual, without regard to the characterization of that individual's service, who—

["(1) served in the active military, naval, or air service in or near the Korean demilitarized zone (DMZ), as determined by the Secretary in consultation with the Secretary of Defense, during the period beginning on January 1, 1967, and ending on December 31, 1969; and

["(2) is determined by the Secretary, in consultation with the Secretary of Defense, to have been exposed to a herbicide agent during such service in or near the Korean demilitarized zone.

["(d) HERBICIDE AGENT.—For purposes of this section, the term 'herbicide agent' means a chemical in a herbicide used in support of United States and allied military operations in or near the Korean demilitarized zone, as determined by the Secretary in consultation with the Secretary of Defense, during the period beginning on January 1, 1967, and ending on December 31, 1969."

["(b) CHILD DEFINED.—Section 1831 of that title, as redesignated by subsection (a), is further amended by striking paragraph (1) and inserting the following new paragraph (1):

["(1) The term 'child' means the following:

["(A) For purposes of subchapters I and II of this chapter, an individual, regardless of age or marital status, who—

["(i) is the natural child of a Vietnam veteran; and

["(ii) was conceived after the date on which that veteran first entered the Republic of Vietnam during the Vietnam era.

["(B) For purposes of subchapter III of this chapter, an individual, regardless of age or marital status, who—

["(i) is the natural child of a veteran of covered service in Korea (as determined for purposes of section 1821 of this title); and

["(ii) was conceived after the date on which that veteran first entered service described in subsection (c) of that section."

["(c) NONDUPLICATION OF BENEFITS.—Section 1834(a) of that title, as redesignated by subsection (a), is further amended by adding at the end the following new sentence: "In the case of a child eligible for benefits under subchapter I or II of this chapter who is also eligible for benefits under subchapter III of this chapter, a monetary allowance shall be paid under the subchapter of this chapter elected by the child."

["(d) CONFORMING AMENDMENT.—(1) Section 1811(1)(A) of that title is amended by striking "section 1821(1)" and inserting "section 1831(1)".

["(2) The heading for chapter 18 of that title is amended to read as follows:

"CHAPTER 18—BENEFITS FOR CHILDREN OF VIETNAM VETERANS AND CERTAIN OTHER VETERANS".

["(e) CLERICAL AMENDMENTS.—(1) The table of sections at the beginning of chapter 18 of that title is amended by striking the items relating to subchapter III and inserting the following new items:

["SUBCHAPTER III—CHILDREN OF CERTAIN KOREA SERVICE VETERANS BORN WITH SPINA BIFIDA

["1821. Benefits for children of certain Korea service veterans born with spina bifida.

["SUBCHAPTER IV—GENERAL PROVISIONS

["1831. Definitions.

["1832. Applicability of certain administrative provisions.

["1833. Treatment of receipt of monetary allowance and other benefits.

["1834. Nonduplication of benefits."

["(2) The table of chapters at the beginning of title 38, United States Code, and at the beginning of part II of such title, are each amended by striking the item relating to chapter 18 and inserting the following new item:

["18. Chapter 18—Benefits for Children of Vietnam Veterans and Certain Other Veterans 1802".]

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) *SHORT TITLE.*—This Act may be cited as the "Veterans' Benefits Enhancements Act of 2003".

(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—SURVIVOR BENEFITS

Sec. 101. Benefits for children with spina bifida of veterans of certain service in Korea.

Sec. 102. Alternative beneficiaries for National Service Life Insurance and United States Government Life Insurance.

Sec. 103. Applicability to certain members of the National Guard of authority for extension of eligibility for survivors' and dependents' educational assistance.

Sec. 104. Increase in rates of survivors' and dependents' educational assistance.

Sec. 105. Repeal of two-year limitation on payment of accrued benefits at death.

TITLE II—BURIAL BENEFITS

Sec. 201. Burial plot allowance.

Sec. 202. Eligibility of surviving spouses who remarry for burial in national cemeteries.

Sec. 203. Permanent authority for State cemetery grants program.

Sec. 204. Provision of markers for privately marked graves.

TITLE III—OTHER MATTERS

Subtitle A—Miscellaneous Benefits Matters

Sec. 301. Two-year extension of round-down requirement for compensation cost-of-living adjustments.

Sec. 302. Presumptions of service-connection relating to diseases and disabilities of former prisoners of war.

Sec. 303. Repeal of requirement for minimum period of internment of prisoners of war for dental care.

Sec. 304. Rounding down of certain cost-of-living adjustments on education assistance.

Sec. 305. Termination of education loan program.

Sec. 306. Termination of authority to guarantee loans to purchase manufactured homes and lots.

Sec. 307. Increase in loan fee for subsequent loans closed before October 1, 2011.

Sec. 308. Reinstatement of minimum requirements for sale of vendee loans.

Sec. 309. Operation of Native American Veteran Housing Loan Program.

Sec. 310. Time limitations on receipt of claim information pursuant to requests of Department of Veterans Affairs.

Sec. 311. Clarification of applicability of prohibition on assignment of veterans benefits to agreements requiring payment of future receipt of benefits.

Sec. 312. Three-year extension of income verification authority.

Sec. 313. Forfeiture of benefits for subversive activities.

Sec. 314. Clarification of notice of disagreement for appellate review of Department of Veterans Affairs activities.

Subtitle B—Benefits for Philippine Veterans

Sec. 321. Rate of payment of benefits for certain Filipino veterans and their survivors residing in the United States.

Sec. 322. Burial benefits for new Philippine Scouts residing in the United States.

Sec. 323. Extension of authority to operate regional office in the Philippines.

Subtitle C—Exposure to Hazardous Substances

Sec. 331. Radiation Dose Reconstruction Program of Department of Defense.

Sec. 332. Study on disposition of Air Force Health Study.

Sec. 333. Funding of Medical Follow-Up Agency of Institute of Medicine of National Academy of Sciences for epidemiological research on members of the Armed Forces and veterans.

Subtitle D—Other Matters

Sec. 341. Four-year extension of Advisory Committee on Minority Veterans.

Sec. 342. Veterans' Advisory Committee on Education.

Sec. 343. Temporary authority for performance of medical disabilities examinations by contract physicians.

Sec. 344. Technical amendment.

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—SURVIVOR BENEFITS

SEC. 101. BENEFITS FOR CHILDREN WITH SPINA BIFIDA OF VETERANS OF CERTAIN SERVICE IN KOREA.

(a) *IN GENERAL.*—Chapter 18 is amended—

(1) by redesignating subchapter III, and sections 1821, 1822, 1823, and 1824, as subchapter IV, and sections 1831, 1832, 1833, and 1834, respectively; and

(2) by inserting after subchapter II the following new subchapter III:

"SUBCHAPTER III—CHILDREN OF CERTAIN KOREA SERVICE VETERANS BORN WITH SPINA BIFIDA

"§ 1821. Benefits for children of certain Korea service veterans born with spina bifida

"(a) BENEFITS AUTHORIZED.—The Secretary may provide to any child of a veteran of covered service in Korea who is suffering from spina bifida the health care, vocational training and rehabilitation, and monetary allowance required to be paid to a child of a Vietnam veteran who is suffering from spina bifida under subchapter I of this chapter as if such child of a veteran of covered service in Korea were a child of a Vietnam veteran who is suffering from spina bifida under such subchapter.

"(b) SPINA BIFIDA CONDITIONS COVERED.—This section applies with respect to all forms and manifestations of spina bifida, except spina bifida occulta.

"(c) VETERAN OF COVERED SERVICE IN KOREA.—For purposes of this section, a veteran

of covered service in Korea is any individual, without regard to the characterization of that individual's service, who—

“(1) served in the active military, naval, or air service in or near the Korean demilitarized zone (DMZ), as determined by the Secretary in consultation with the Secretary of Defense, during the period beginning on January 1, 1967, and ending on December 31, 1969; and

“(2) is determined by the Secretary, in consultation with the Secretary of Defense, to have been exposed to a herbicide agent during such service in or near the Korean demilitarized zone.

“(d) HERBICIDE AGENT.—For purposes of this section, the term ‘herbicide agent’ means a chemical in a herbicide used in support of United States and allied military operations in or near the Korean demilitarized zone, as determined by the Secretary in consultation with the Secretary of Defense, during the period beginning on January 1, 1967, and ending on December 31, 1969.”

(b) CHILD DEFINED.—Section 1831, as redesignated by subsection (a) of this section, is further amended by striking paragraph (1) and inserting the following new paragraph (1):

“(1) The term ‘child’ means the following: “(A) For purposes of subchapters I and II of this chapter, an individual, regardless of age or marital status, who—

“(i) is the natural child of a Vietnam veteran; and

“(ii) was conceived after the date on which that veteran first entered the Republic of Vietnam during the Vietnam era.

“(B) For purposes of subchapter III of this chapter, an individual, regardless of age or marital status, who—

“(i) is the natural child of a veteran of covered service in Korea (as determined for purposes of section 1821 of this title); and

“(ii) was conceived after the date on which that veteran first entered service described in subsection (c) of that section.”

(c) NONDUPLICATION OF BENEFITS.—Section 1834(a), as redesignated by subsection (a) of this section, is further amended by adding at the end the following new sentence: ‘In the case of a child eligible for benefits under subchapter I or II of this chapter who is also eligible for benefits under subchapter III of this chapter, a monetary allowance shall be paid under the subchapter of this chapter elected by the child.’

(d) CONFORMING AMENDMENTS.—(1) Section 1811(1)(A) is amended by striking ‘section 1821(1)’ and inserting ‘section 1831(1)’.

(2) The heading for chapter 18 is amended to read as follows:

“CHAPTER 18—BENEFITS FOR CHILDREN OF VIETNAM VETERANS AND CERTAIN OTHER VETERANS”.

(e) CLERICAL AMENDMENTS.—(1) The table of sections at the beginning of chapter 18 is amended by striking the items relating to subchapter III and inserting the following new items:

“SUBCHAPTER III—CHILDREN OF CERTAIN KOREA SERVICE VETERANS BORN WITH SPINA BIFIDA

“1821. Benefits for children of certain Korea service veterans born with spina bifida.

“SUBCHAPTER IV—GENERAL PROVISIONS

“1831. Definitions.
“1832. Applicability of certain administrative provisions.

“1833. Treatment of receipt of monetary allowance and other benefits.
“1834. Nonduplication of benefits.”

(2) The table of chapters at the beginning of title 38, United States Code, 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. Chapter 18—Benefits for Children of Vietnam Veterans and Certain Other Veterans 1802”.

SEC. 102. ALTERNATIVE BENEFICIARIES FOR NATIONAL SERVICE LIFE INSURANCE AND UNITED STATES GOVERNMENT LIFE INSURANCE.

(a) NATIONAL SERVICE LIFE INSURANCE.—Section 1917 is amended by adding at the end the following new subsection:

“(f)(1) Following the death of the insured and in a case not covered by subsection (d)—

“(A) if the first beneficiary otherwise entitled to payment of the insurance does not make a claim for such payment within two years after the death of the insured, payment may be made to another beneficiary designated by the insured, in the order of precedence as designated by the insured, as if the first beneficiary had predeceased the insured; and

“(B) if, within four years after the death of the insured, no claim has been filed by a person designated by the insured as a beneficiary and the Secretary has not received any notice in writing that any such claim will be made, payment may (notwithstanding any other provision of law) be made to such person as may in the judgment of the Secretary be equitably entitled thereto.

“(2) Payment of insurance under paragraph (1) shall be a bar to recovery by any other person.”

(b) UNITED STATES GOVERNMENT LIFE INSURANCE.—Section 1952 is amended by adding at the end the following new subsection:

“(c)(1) Following the death of the insured and in a case not covered by section 1950 of this title—

“(A) if the first beneficiary otherwise entitled to payment of the insurance does not make a claim for such payment within two years after the death of the insured, payment may be made to another beneficiary designated by the insured, in the order of precedence as designated by the insured, as if the first beneficiary had predeceased the insured; and

“(B) if, within four years after the death of the insured, no claim has been filed by a person designated by the insured as a beneficiary and the Secretary has not received any notice in writing that any such claim will be made, payment may (notwithstanding any other provision of law) be made to such person as may in the judgment of the Secretary be equitably entitled thereto.

“(2) Payment of insurance under paragraph (1) shall be a bar to recovery by any other person.”

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on October 1, 2004.

(d) TRANSITION PROVISION.—In the case of a person insured under subchapter I or II of chapter 19 of title 38, United States Code, who dies before the effective date of the amendments made by subsections (a) and (b), as specified by subsection (c), the two-year and four-year periods specified in subsection (f)(1) of section 1917 of title 38, United States Code, as added by subsection (a), and subsection (c)(1) of section 1952 of such title, as added by subsection (b), as applicable, shall for purposes of the applicable subsection be treated as being the two-year and four-year periods, respectively, beginning on the effective date of such amendments, as so specified.

SEC. 103. APPLICABILITY TO CERTAIN MEMBERS OF THE NATIONAL GUARD OF AUTHORITY FOR EXTENSION OF ELIGIBILITY FOR SURVIVORS' AND DEPENDENTS' EDUCATIONAL ASSISTANCE.

(a) IN GENERAL.—Section 3512(h) is amended by inserting “or is involuntarily ordered to full-time National Guard duty under section 502(f) of title 32,” after “title 10,”

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as of September 11, 2001.

SEC. 104. INCREASE IN RATES OF SURVIVORS' AND DEPENDENTS' EDUCATIONAL ASSISTANCE.

(a) SURVIVORS' AND DEPENDENTS' EDUCATIONAL ASSISTANCE.—Section 3532 is amended—

(1) in subsection (a)—
“(A) in paragraph (1), by striking “at the monthly rate of” and all that follows and inserting “at the monthly rate of \$788 for full-time, \$592 for three-quarter-time, or \$394 for half-time pursuit.”; and

“(B) in paragraph (2), by striking “at the rate of” and all that follows and inserting “at the rate of the lesser of—

“(A) the established charges for tuition and fees that the educational institution involved requires similarly circumstanced nonveterans enrolled in the same program to pay; or

“(B) \$788 per month for a full-time course.”; and

(2) in subsection (b), by striking “\$670” and inserting “\$788”; and

(3) in subsection (c)(2), by striking “shall be” and all that follows and inserting “shall be \$636 for full-time, \$477 for three-quarter-time, or \$319 for half-time pursuit.”

(b) CORRESPONDENCE COURSES.—Section 3534(b) is amended by striking “\$670” and inserting “\$788”.

(c) SPECIAL RESTORATIVE TRAINING.—Section 3542(a) is amended—

(1) by striking “\$670” and inserting “\$788”; and

(2) by striking “\$210” each place it appears and inserting “\$247”.

(d) APPRENTICESHIP TRAINING.—Section 3687(b)(2) is amended by striking “shall be \$488 for the first six months” and all that follows and inserting “shall be \$574 for the first six months, \$429 for the second six months, \$285 for the third six months, and \$144 for the fourth and any succeeding six-month period of training.”

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on July 1, 2004, and shall apply with respect to educational assistance allowances payable under chapter 35 and section 3687(b)(2) of title 38, United States Code, for months beginning on or after that date.

SEC. 105. REPEAL OF TWO-YEAR LIMITATION ON PAYMENT OF ACCRUED BENEFITS AT DEATH.

(a) REPEAL.—Section 5121(a) is amended—
(1) in the matter preceding paragraph (1), by striking “for a period not to exceed two years”;
(2) in paragraph (4), by striking “and” at the end;

(3) by redesignating paragraph (5) as paragraph (6); and
(4) by inserting after paragraph (4) the following new paragraph (5):

“(5) Upon the death of a child claiming benefits under chapter 18 of this title, to the surviving parents; and”.

(b) TECHNICAL AMENDMENT.—That section is further amended in the matter preceding paragraph (1) by striking “or decisions,” and inserting “or decisions”.

TITLE II—BURIAL BENEFITS

SEC. 201. BURIAL PLOT ALLOWANCE.

(a) IN GENERAL.—Section 2303(b) is amended—
(1) in the matter preceding paragraph (1), by striking “a burial allowance under such section 2302, or under such subsection, who was discharged from the active military, naval, or air service for a disability incurred or aggravated in line of duty, or who is a veteran of any war” and inserting “burial in a national cemetery under section 2402 of this title”; and

(2) in paragraph (2), by striking “(other than a veteran whose eligibility for benefits under this subsection is based on being a veteran of any war)” and inserting “is eligible for a burial allowance under section 2302 of this title or under subsection (a) of this section, or was discharged from the active military, naval, or air

service for a disability incurred or aggravated in line of duty, and such veteran”.

(b) CONFORMING AMENDMENT.—Section 2307 is amended in the last sentence by striking “and (b)” and inserting “and (b)(2)”.

SEC. 202. ELIGIBILITY OF SURVIVING SPOUSES WHO REMARRY FOR BURIAL IN NATIONAL CEMETERIES.

(a) IN GENERAL.—Section 2402(5) is amended by striking “(which for purposes of this chapter includes an unmarried surviving spouse who had a subsequent remarriage which was terminated by death or divorce)” and inserting “(which for purposes of this chapter includes a surviving spouse who had a subsequent remarriage)”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to deaths occurring on or after the date of the enactment of this Act.

SEC. 203. PERMANENT AUTHORITY FOR STATE CEMETERY GRANTS PROGRAM.

(a) PERMANENT AUTHORITY.—Subsection (a) of section 2408 is amended—

(1) by striking “(1)”; and

(2) by striking paragraph (2).

(b) CONFORMING AMENDMENT.—Subsection (e) of such section is amended by striking “Sums appropriated under subsection (a) of this section” and inserting “Amounts appropriated to carry out this section”.

SEC. 204. PROVISION OF MARKERS FOR PRIVATELY MARKED GRAVES.

(a) IN GENERAL.—Section 502(d) of the Veterans Education and Benefits Expansion Act of 2001 (Public Law 107-103; 38 U.S.C. 2306 note) is amended by striking “September 11, 2001” and inserting “November 1, 1990”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if included in the enactment of section 502 of the Veterans Education and Benefits Expansion Act of 2001.

TITLE III—OTHER MATTERS

Subtitle A—Miscellaneous Benefits Matters

SEC. 301. TWO-YEAR EXTENSION OF ROUND-DOWN REQUIREMENT FOR COMPENSATION COST-OF-LIVING ADJUSTMENTS.

Sections 1104(a) and 1303(a) are each amended by striking “2011” and inserting “2013”.

SEC. 302. PRESUMPTIONS OF SERVICE-CONNECTION RELATING TO DISEASES AND DISABILITIES OF FORMER PRISONERS OF WAR.

Subsection (b) of section 1112 is amended to read as follows:

“(b)(1) For the purposes of section 1110 of this title and subject to the provisions of section 1113 of this title, in the case of a veteran who is a former prisoner of war—

“(A) a disease specified in paragraph (2) which became manifest to a degree of 10 percent or more after active military, naval, or air service shall be considered to have been incurred in or aggravated by such service, notwithstanding that there is no record of such disease during the period of service; and

“(B) if the veteran was detained or interned as a prisoner of war for not less than thirty days, a disease specified in paragraph (3) which became manifest to a degree of 10 percent or more after active military, naval, or air service shall be considered to have been incurred in or aggravated by such service, notwithstanding that there is no record of such disease during the period of service.

“(2) The diseases specified in this paragraph are the following:

“(A) Psychosis.

“(B) Any of the anxiety states.

“(C) Dysthymic disorder (or depressive neurosis).

“(D) Organic residuals of frostbite, if the Secretary determines that the veteran was detained or interned in climatic conditions consistent with the occurrence of frostbite.

“(E) Post-traumatic osteoarthritis.

“(3) The diseases specified in this paragraph are the following:

“(A) Avitaminosis.

“(B) Beriberi (including beriberi heart disease).

“(C) Chronic dysentery.

“(D) Helminthiasis.

“(E) Malnutrition (including optic atrophy associated with malnutrition).

“(F) Pellagra.

“(G) Any other nutritional deficiency.

“(H) Cirrhosis of the liver.

“(I) Peripheral neuropathy except where directly related to infectious causes.

“(J) Irritable bowel syndrome.

“(K) Peptic ulcer disease.”.

SEC. 303. REPEAL OF REQUIREMENT FOR MINIMUM PERIOD OF INTERNMENT OF PRISONERS OF WAR FOR DENTAL CARE.

Section 1712(a)(1)(F) is amended by striking “and who was detained or interned for a period of not less than 90 days”.

SEC. 304. ROUNDING DOWN OF CERTAIN COST-OF-LIVING ADJUSTMENTS ON EDUCATION ASSISTANCE.

(a) BASIC EDUCATIONAL ASSISTANCE UNDER MONTGOMERY GI BILL.—Section 3015(h) is amended by inserting “down” after “rounded”.

(b) SURVIVORS’ AND DEPENDENTS’ EDUCATIONAL ASSISTANCE.—Section 3564 is amended by inserting “down” after “rounded”.

SEC. 305. TERMINATION OF EDUCATION LOAN PROGRAM.

(a) TERMINATION OF EDUCATION LOAN PROGRAM.—No loans shall be made under subchapter III of chapter 36 of title 38, United States Code, after the date of the enactment of this Act.

(b) DISCHARGE OF LIABILITIES.—Effective as of the date of the transfer of funds under subsection (c)—

(1) any liability on an education loan under subchapter III of chapter 36 of title 38, United States Code, that is outstanding as of such date shall be deemed discharged; and

(2) the right of the United States to recover an overpayment declared under section 3698(e)(1) of such title that is outstanding as of such date shall be deemed waived.

(c) TERMINATION OF LOAN FUND.—(1) Effective as of the day before the date of the repeal under this section of subchapter III of chapter 36 of title 38, United States Code, all monies in the revolving fund of the Treasury known as the “Department of Veterans Affairs Education Loan Fund” shall be transferred to the Department of Veterans Affairs Readjustment Benefits Account, and the revolving fund shall be closed.

(2) Any monies transferred to the Department of Veterans Affairs Readjustment Benefits Account under paragraph (1) shall be merged with amounts in that account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in that account.

(d) USE OF ENTITLEMENT TO VETERANS EDUCATIONAL ASSISTANCE FOR EDUCATION LOAN PROGRAM.—Section 3462(a) is amended—

(1) by striking paragraph (2); and

(2) by redesignating paragraph (4) as paragraph (2).

(e) REPEAL OF EDUCATION LOAN PROGRAM.—Subchapter III of chapter 36 is repealed.

(f) CONFORMING AMENDMENTS.—(1) Section 3485(e)(1) is amended by striking “(other than an education loan under subchapter III)”.

(2) Section 3512 is amended by striking subsection (f).

(g) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 36 is amended by striking the items relating to subchapter III.

(h) EFFECTIVE DATES.—(1) The amendments made by subsection (d) shall take effect on the date of the enactment of this Act.

(2) The amendments made by subsections (e), (f), and (g) shall take effect 90 days after the date of the enactment of this Act.

SEC. 306. TERMINATION OF AUTHORITY TO GUARANTEE LOANS TO PURCHASE MANUFACTURED HOMES AND LOTS.

Section 3712 is amended by adding at the end the following new subsection:

“(m) The authority of the Secretary to guarantee loans under this section shall expire on December 31, 2003.”.

SEC. 307. INCREASE IN LOAN FEE FOR SUBSEQUENT LOANS CLOSED BEFORE OCTOBER 1, 2011.

(a) INCREASE IN LOAN FEE.—The loan fee table in section 3729(b)(2) is amended in subparagraph (B)(i), relating to subsequent loans described in section 3701(a) of title 38, United States Code, to purchase or construct a dwelling with 0-down, or any other subsequent loan described in such section (closed on or before October 1, 2011), by striking “3.00” both places it appears and inserting “3.50”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 2004.

SEC. 308. REINSTATEMENT OF MINIMUM REQUIREMENTS FOR SALE OF VENDEE LOANS.

(a) IN GENERAL.—Section 3733(a) is amended—

(1) by striking paragraph (2) and redesignating paragraphs (3), (4), (5), and (6) as paragraphs (2), (3), (4), and (5), respectively; and

(2) in subparagraph (B)(i) of paragraph (3), as so redesignated, by striking “paragraph (5) of this subsection” and inserting “paragraph (4)”.

(b) INCREASE IN MAXIMUM PERCENTAGE.—Section 3733(a)(1) is amended—

(1) by striking “65 percent” in the first sentence and inserting “85 percent”; and

(2) by striking the second sentence.

(c) STYLISTIC AMENDMENTS.—Section 3733 is further amended by striking “paragraph (1) of this subsection” each place it appears and inserting “paragraph (1)”.

SEC. 309. OPERATION OF NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM.

(a) RESTORATION FOR FISCAL YEAR 2003 TO FISCAL YEAR 2002 LEVEL.—In carrying out the pilot program provided by subchapter V of chapter 37 of title 38, United States Code, under which the Secretary of Veterans Affairs is authorized to make direct housing loans to Native American veterans, the Secretary shall during fiscal year 2003 carry out that program without regard to the proviso under the heading “Native American Veteran Housing Loan Program Account” in title I of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2003 (division K of Public Law 108-7; 117 Stat. 476), and such proviso shall be treated as being of no force or effect.

(b) SAVINGS PROVISION.—Any action taken by the Secretary of Veterans Affairs before the enactment of this Act that is inconsistent with the proviso referred to in subsection (a) is hereby ratified with respect to such inconsistency.

SEC. 310. TIME LIMITATIONS ON RECEIPT OF CLAIM INFORMATION PURSUANT TO REQUESTS OF DEPARTMENT OF VETERANS AFFAIRS.

(a) INFORMATION TO COMPLETE CLAIMS APPLICATIONS.—Section 5102 is amended by adding at the end the following new subsection:

“(c) TIME LIMITATION.—(1) If information that a claimant and the claimant’s representative, if any, are notified under subsection (b) is necessary to complete an application is not received by the Secretary within one year from the date of such notification, no benefit may be paid or furnished by reason of the claimant’s application.

“(2) This subsection shall not apply to any application or claim for Government life insurance benefits.”.

(b) CONSTRUCTION OF LIMITATION ON INFORMATION TO SUBSTANTIATE CLAIMS.—Section 5103(b) is amended by adding at the end the following new paragraph:

“(3) The limitation in paragraph (1) shall not be construed to prohibit the Secretary from making a decision on a claim before the expiration of the period referred to in that subsection.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if enacted on November 9, 2000, immediately after the enactment of the Veterans Claims Assistance Act of 2000 (Public Law 106-475; 114 Stat. 2096).

SEC. 311. CLARIFICATION OF APPLICABILITY OF PROHIBITION ON ASSIGNMENT OF VETERANS BENEFITS TO AGREEMENTS REQUIRING PAYMENT OF FUTURE RECEIPT OF BENEFITS.

(a) IN GENERAL.—Section 5301(a) is amended—

(1) by inserting “(1)” after “(a)”; and

(2) by designating the last sentence as paragraph (2) and indenting such paragraph, as so designated, two ems from the left margin; and

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

“(3)(A) This subsection is intended to clarify that, in any case where a beneficiary entitled to compensation, pension, or dependency and indemnity compensation enters into an agreement with another person under which agreement such other person acquires for consideration the right to receive payment of such compensation, pension, or dependency and indemnity compensation, as the case may be, whether by payment from the beneficiary to such other person, deposit into an account from which such other person may make withdrawals, or otherwise, such agreement shall be deemed to be an assignment and is prohibited.

“(B) Notwithstanding subparagraph (A), nothing in this subsection is intended to prohibit a loan to a beneficiary under the terms of which the beneficiary may use some of the benefits to repay the loan, so long as each of the periodic payments made to repay the loan is separately and voluntarily executed by the beneficiary at the time such periodic payment is made.

“(C) Any agreement or arrangement for collateral for security for an agreement that is prohibited under subparagraph (A) is also prohibited and is void ab initio.”.

(b) EFFECTIVE DATE.—Paragraph (3) of section 5301(a) of title 38, United States Code (as added by subsection (a) of this section), shall apply with respect to any agreement or arrangement described in that paragraph that is entered into on or after the date of the enactment of this Act.

SEC. 312. THREE-YEAR EXTENSION OF INCOME VERIFICATION AUTHORITY.

(a) IN GENERAL.—Section 5317(g) is amended by striking “September 30, 2008” and inserting “September 30, 2011”.

(b) CONFORMING AMENDMENT.—Section 6103(l)(7)(D) of the Internal Revenue Code of 1986 is amended by striking “September 30, 2008” and inserting “September 30, 2011”.

SEC. 313. FORFEITURE OF BENEFITS FOR SUBVERSIVE ACTIVITIES.

(a) ADDITION OF CERTAIN OFFENSES.—Section 6105(b)(2) is amended by striking “sections 792, 793, 794, 798, 2381, 2382, 2383, 2384, 2385, 2387, 2388, 2389, 2390, and chapter 105 of title 18” and inserting “sections 175, 229, 792, 793, 794, 798, 831, 1091, 2332a, 2332b, 2381, 2382, 2383, 2384, 2385, 2387, 2388, 2389, 2390, and chapter 105 of title 18”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to claims filed after the date of the enactment of this Act.

SEC. 314. CLARIFICATION OF NOTICE OF DISAGREEMENT FOR APPELLATE REVIEW OF DEPARTMENT OF VETERANS AFFAIRS ACTIVITIES.

(a) CLARIFICATION.—Section 7105(b) is amended by adding at the end the following new paragraph:

“(3) A document that meets the requirements of the second sentence of paragraph (1) and the first sentence of paragraph (2) shall be recognized as a notice of disagreement for purposes of

this section unless the Secretary finds that the claimant has disavowed a desire for appellate review.”.

(b) EFFECTIVE DATE.—(1) Except as specifically provided otherwise, paragraph (3) of section 7105(b) of title 38, United States Code (as added by subsection (a) of this section), shall apply to any document—

(A) filed under section 7105 of such title on or after the date of the enactment of this Act; or

(B) filed under section 7105 of such title before the date of the enactment of this Act and not treated by the Secretary of Veterans Affairs as a notice of disagreement pursuant to section 20.201 of title 38, Code of Federal Regulations, as of that date.

(2) In the case of a document described in paragraph (3) of this subsection, the Secretary shall, upon the request of the claimant or the Secretary's own motion, order the document treated as a notice of disagreement under section 7105 of such title as if the document had not been rejected by the Secretary as a notice of disagreement pursuant to section 20.201 of title 38, Code of Federal Regulations.

(3) A document described in this paragraph is a document that—

(A) was filed as a notice of disagreement under section 7105 of such title during the period beginning on March 15, 2002, and ending on the date of the enactment of this Act; and

(B) was rejected by the Secretary as a notice of disagreement pursuant to section 20.201 of title 38, Code of Federal Regulations.

(4) A document may not be treated as a notice of disagreement under paragraph (2) unless a request for such treatment is filed by the claimant, or a motion is made by the Secretary, not later than one year after the date of the enactment of this Act.

Subtitle B—Benefits for Philippine Veterans

SEC. 321. RATE OF PAYMENT OF BENEFITS FOR CERTAIN FILIPINO VETERANS AND THEIR SURVIVORS RESIDING IN THE UNITED STATES.

(a) RATE OF PAYMENT.—Section 107 is amended—

(1) in the second sentence of subsection (b), by striking “Payments” and inserting “Except as provided in subsection (c), payments”; and

(2) in subsection (c)—

(A) by inserting “and subchapter II of chapter 13 (except section 1312(a)) of this title” after “chapter 11 of this title”; and

(B) by striking “in subsection (a)” and inserting “in subsection (a) or (b)”; and

(C) by striking “of subsection (a)” and inserting “of the applicable subsection”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to benefits paid for months beginning after that date.

SEC. 322. BURIAL BENEFITS FOR NEW PHILIPPINE SCOUTS RESIDING IN THE UNITED STATES.

(a) BENEFIT ELIGIBILITY.—Section 107 is amended—

(1) in subsection (b)(2)—

(A) by striking “and” and inserting a comma; and

(B) by inserting “, 23, and 24 (to the extent provided for in section 2402(8))” after “(except section 1312(a))”;

(2) in the second sentence of subsection (b), as amended by section 321 of this Act, by inserting “or (d)” after “subsection (c)”; and

(3) in subsection (d)(1), by inserting “or (b), as applicable,” after “subsection (a)”; and

(4) in section (d)(2), by inserting “or whose service is described in subsection (b) and who dies after the date of enactment of the Veterans Benefits Enhancements Act of 2003,” after “November 1, 2000.”.

(b) NATIONAL CEMETERY INTERMENT.—Section 2402(8) is amended by inserting “or (b)” after “section 107(a)”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to deaths occurring on or after the date of the enactment of this Act.

SEC. 323. EXTENSION OF AUTHORITY TO OPERATE REGIONAL OFFICE IN THE PHILIPPINES.

Section 315(b) is amended by striking “December 31, 2003” and inserting “December 31, 2008”.

Subtitle C—Exposure to Hazardous Substances

SEC. 331. RADIATION DOSE RECONSTRUCTION PROGRAM OF DEPARTMENT OF DEFENSE.

(a) REVIEW OF MISSION, PROCEDURES, AND ADMINISTRATION.—(1) The Secretary of Veterans Affairs and the Secretary of Defense shall jointly conduct a review of the mission, procedures, and administration of the Radiation Dose Reconstruction Program of the Department of Defense.

(2) In conducting the review under paragraph (1), the Secretaries shall—

(A) determine whether any additional actions are required to ensure that the quality assurance and quality control mechanisms of the Radiation Dose Reconstruction Program are adequate and sufficient for purposes of the program; and

(B) determine the actions that are required to ensure that the mechanisms of the Radiation Dose Reconstruction Program for communication and interaction with veterans are adequate and sufficient for purposes of the program, including mechanisms to permit veterans to review the assumptions utilized in their dose reconstructions.

(3) Not later than 90 days after the date of the enactment of this Act, the Secretaries shall jointly submit to Congress a report on the review under paragraph (1). The report shall set forth—

(A) the results of the review;

(B) a plan for any actions determined to be required under paragraph (2); and

(C) such other recommendations for the improvement of the mission, procedures, and administration of the Radiation Dose Reconstruction Program as the Secretaries jointly consider appropriate.

(b) ON-GOING REVIEW AND OVERSIGHT.—The Secretaries shall jointly take appropriate actions to ensure the on-going independent review and oversight of the Radiation Dose Reconstruction Program, including the establishment of the advisory board required by subsection (c).

(c) ADVISORY BOARD.—(1) In taking actions under subsection (b), the Secretaries shall jointly appoint an advisory board to provide review and oversight of the Radiation Dose Reconstruction Program.

(2) The advisory board under paragraph (1) shall be composed of the following:

(A) At least one expert in historical dose reconstruction of the type conducted under the Radiation Dose Reconstruction Program.

(B) At least one expert in radiation health matters.

(C) At least one expert in risk communications matters.

(D) A representative of the Department of Veterans Affairs.

(E) A representative of the Defense Threat Reduction Agency.

(F) At least three veterans, including at least one veteran who is a member of an atomic veterans group.

(3) The advisory board under paragraph (1) shall—

(A) conduct periodic, random audits of dose reconstructions under the Radiation Dose Reconstruction Program and of decisions by the Department of Veterans Affairs on claims for service connection of radiogenic diseases;

(B) assist the Department of Veterans Affairs and the Defense Threat Reduction Agency in communicating to veterans information on the

mission, procedures, and evidentiary requirements of the Radiation Dose Reconstruction Program; and

(C) carry out such other activities with respect to the review and oversight of the Radiation Dose Reconstruction Program as the Secretaries shall jointly specify.

(4) The advisory board under paragraph (1) may make such recommendations on modifications in the mission or procedures of the Radiation Dose Reconstruction Program as the advisory board considers appropriate as a result of the audits conducted under paragraph (3)(A).

SEC. 332. STUDY ON DISPOSITION OF AIR FORCE HEALTH STUDY.

(a) *IN GENERAL.*—The Secretary of Veterans Affairs shall, in accordance with this section, carry out a study to determine the appropriate disposition of the Air Force Health Study, an epidemiologic study of Air Force personnel who were responsible for conducting aerial spray missions of herbicides during the Vietnam era.

(b) *STUDY THROUGH NATIONAL ACADEMY OF SCIENCES.*—Not later than sixty days after the date of the enactment of this Act, the Secretary shall seek to enter into an agreement with the National Academy of Sciences, or another appropriate scientific organization, to carry out the study required by subsection (a).

(c) *ELEMENTS.*—Under the study under subsection (a), the National Academy of Sciences, or other appropriate scientific organization, shall address the following:

(1) The scientific merit of retaining and maintaining the medical records, other study data, and laboratory specimens collected in the course of the Air Force Health Study after the currently-scheduled termination date of the study in 2006.

(2) Whether or not any obstacles exist to retaining and maintaining the medical records, other study data, and laboratory specimens referred to in paragraph (1), including privacy concerns.

(3) The advisability of providing independent oversight of the medical records, other study data, and laboratory specimens referred to in paragraph (1), and of any further study of such records, data, and specimens, and, if so, the mechanism for providing such oversight.

(4) The advisability of extending the Air Force Health Study, including the potential value and relevance of extending the study, the potential cost of extending the study, and the Federal or non-Federal entity best suited to continue the study if extended.

(5) The advisability of making the laboratory specimens of the Air Force Health Study available for independent research, including the potential value and relevance of such research, and the potential cost of such research.

(d) *REPORT.*—Not later than 60 days after entering into an agreement under subsection (b), the National Academy of Sciences, or other appropriate scientific organization, shall submit to the Secretary and Congress a report on the results of the study under subsection (a). The report shall include the results of the study, including the matters addressed under subsection (c), and such other recommendations as the Academy, or other appropriate scientific organization, considers appropriate as a result of the study.

SEC. 333. FUNDING OF MEDICAL FOLLOW-UP AGENCY OF INSTITUTE OF MEDICINE OF NATIONAL ACADEMY OF SCIENCES FOR EPIDEMIOLOGICAL RESEARCH ON MEMBERS OF THE ARMED FORCES AND VETERANS.

(a) *FUNDING BY DEPARTMENT OF VETERANS AFFAIRS.*—(1) The Secretary of Veterans Affairs shall make available to the National Academy of Sciences in each of fiscal years 2004 through 2013, \$250,000 for the Medical Follow-Up Agency of the Institute of Medicine of the Academy for purposes of epidemiological research on members of the Armed Forces and veterans.

(2) The Secretary of Veterans Affairs shall make available amounts under paragraph (1) for

a fiscal year from amounts available for the Department of Veterans Affairs for that fiscal year.

(b) *FUNDING BY DEPARTMENT OF DEFENSE.*—(1) The Secretary of Defense shall make available to the National Academy of Sciences in each of fiscal years 2004 through 2013, \$250,000 for the Medical Follow-Up Agency for purposes of epidemiological research on members of the Armed Forces and veterans.

(2) The Secretary of Defense shall make available amounts under paragraph (1) for a fiscal year from amounts available for the Department of Defense for that fiscal year.

(c) *USE OF FUNDS.*—The Medical Follow-Up Agency shall use funds made available under subsections (a) and (b) for epidemiological research on members of the Armed Forces and veterans.

(d) *SUPPLEMENT NOT SUPPLANT.*—Amounts made available to the Medical Follow-Up Agency under this section for a fiscal year for the purposes referred to in subsection (c) are in addition to any other amounts made available to the Agency for that fiscal year for those purposes.

Subtitle D—Other Matters

SEC. 341. FOUR-YEAR EXTENSION OF ADVISORY COMMITTEE ON MINORITY VETERANS.

Section 544(e) is amended by striking “December 31, 2003” and inserting “December 31, 2007”.

SEC. 342. VETERANS’ ADVISORY COMMITTEE ON EDUCATION.

(a) *MEMBERSHIP.*—Subsection (a) of section 3692 is amended in the second sentence by inserting “, to the maximum extent practicable,” after “The committee shall also”.

(b) *EXTENSION.*—Subsection (c) of that section is amended by striking “December 31, 2003” and inserting “December 31, 2013”.

(c) *TECHNICAL AMENDMENTS.*—That section is further amended—

(1) in subsections (a) and (b), by striking “chapter 106” each place it appears and inserting “chapter 1606”; and

(2) in subsection (b), by striking “chapter 30” and inserting “chapters 30”.

SEC. 343. TEMPORARY AUTHORITY FOR PERFORMANCE OF MEDICAL DISABILITIES EXAMINATIONS BY CONTRACT PHYSICIANS.

(a) *IN GENERAL.*—Notwithstanding the limitation in section 504(b) the Veterans’ Benefits Improvements Act of 1996 (Public Law 104-275; 110 Stat. 3341; 38 U.S.C. 5101 note) and using funds subject to appropriation (other than funds available for compensation and pension), the Secretary of Veterans Affairs may provide for the conduct of examinations with respect to the medical disabilities of applicants for benefits under laws administered by the Secretary by persons other than Department of Veterans Affairs employees.

(b) *PERFORMANCE BY CONTRACT.*—Examinations under the authority in subsection (a) shall be conducted pursuant to contracts entered into and administered by the Under Secretary for Benefits.

(c) *EXPIRATION.*—The authority in subsection (a) shall expire on December 31, 2009. No examination may be carried out under the authority in that subsection after that date.

(d) *REPORT.*—Not later than four years after the date of enactment of this Act, the Secretary shall submit to Congress a report on the utilization of the authority in subsection (a), including an assessment of the effect of examinations under that authority on the cost, timeliness, and thoroughness of examinations with respect to the medical disabilities of applicants for benefits under laws administered by the Secretary.

SEC. 344. TECHNICAL AMENDMENT.

Section 1974(a)(5) is amended by striking “Secretary of Transportation” and inserting “Secretary of Homeland Security”.

BENEFITS BUY-OUT SCHEMES

Mr. NELSON of Florida. Mr. President, would the Senator from Florida be willing to engage me in a colloquy?

Mr. GRAHAM of Florida. I would be pleased to engage in a colloquy with my friend from Florida.

Mr. NELSON of Florida. Mr. President, I have come to the floor today to speak about important language included in this year’s veterans benefits bill that must be included in the final conference report. This language addresses a situation that I feel demands our immediate attention—the protection of our veterans and their benefits from the predatory lending practices of some unscrupulous businesses.

Mr. President, over a year ago, a group of disabled veterans in Florida brought to my attention the issue of benefits buy-out schemes that target our most vulnerable disabled veterans. These scams offer to advance to a veteran a lump-sum amount of money for access to the veterans’ future disability compensation often at outrageous interest rates of 30 percent or more.

I thank the Veterans Affairs Committee and the distinguished chairman, ARLEN SPECTER, and the ranking member, Senator BOB GRAHAM, for their leadership in support of this effort. These Senators and their staffs have worked tirelessly to craft this language in a manner that will stop these scams without adversely affecting a veterans’ ability to use credit.

I respectfully request that the distinguished ranking member continue this effort and support this language during conference in the interest of our veterans and the protection of their benefits and pensions.

Mr. GRAHAM of Florida. I would like to add my voice of support and commitment to this important language. I will work to ensure the final conference report includes this language. We can no longer wait to institute these important policies that will serve to protect our veterans from benefits buy-out schemes.

Mr. NELSON of Florida. I would like to thank the distinguished ranking member for his efforts and I look forward to the final conference report on the veterans benefits bill.

Mr. President, I wish to speak about important language included in this year’s veterans benefits bill that must be included in the final conference report. This language addresses a situation that I feel demands our immediate attention—the protection of our veterans and their benefits from the predatory lending practices of some unscrupulous businesses.

Over a year ago, a group of disabled veterans in Florida brought to my attention the issue of benefits buy-out schemes that target our most vulnerable disabled veterans. These scams offer to advance to a veteran a lump sum amount of money for access to the veterans’ future disability compensation, often at outrageous interest rates of 30 percent or more.

In order to avoid Federal laws prohibiting veterans from assigning their benefits to another party, these scams require the veteran to open a joint account from which the lending company automatically withdraws the veterans benefits.

We can all agree that a law preventing veterans from assigning their benefits to another individual should also bar this type of an arrangement—where money is directly withdrawn before the veteran can access their benefits or pension.

Last May the National Consumer Law Center, NCLC, released a report about financial and commercial scams directed at our military, veterans and their families—this report included an examination of these veterans benefits buy-out schemes.

The NCLC concluded that lump sum pension schemes are illegal under a variety of Federal and State truth in lending, usury or consumer laws, and that remedies exist, but require burdensome and costly court action on the part of the veteran.

I was not surprised to see that they agree with my findings that the assignment of veterans benefits is indeed illegal under current law.

But they also agree that due to a lack of clarity in the law and, therefore, the absence of any enforcement efforts, veterans are left open to unscrupulous exploitation and the loss of their benefits.

The analysis and conclusion in the report by the National Consumer Law Center have removed any doubt about the risk to our disabled veterans and the need for congressional action.

I want to make it abundantly clear that we are not trying to deny veterans access to normal credit systems: credit cards, personal loans, or home loans. We are trying to ensure that loans made to veterans are not out of the reach of State usury laws, which protect all types of consumers.

Greater protection is needed for our most vulnerable veterans—the disabled and the elderly. They are among the most needy and, once ensnared by these schemes, intimidated and threatened with lawsuits.

As you know, I introduced similar legislation last year, cosponsored by Senator MCCAIN and others that would tighten our laws and better protect our

veterans from these schemes. Although we adopted this legislation in the Senate as part of last year's veterans benefits bill, the House conferees would not agree to include it in the conference report.

This year, we must ensure that the conference report includes this language and that we are doing all we can to protect veterans from these unscrupulous and predatory practices.

I thank the Veterans Affairs Committee and for Senator SPECTER's and Senator GRAHAM's leadership in support of this effort. I respectfully request that they continue this effort and fight for this language during conference in the interest of our veterans and their benefits.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the committee-reported substitute be agreed to, the bill, as amended, be read a third time and passed, the motion to reconsider be laid upon the table, and that 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. 1132), as amended, was read the third time and passed.

ORDERS FOR MONDAY, NOVEMBER 3, 2003

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 11 a.m., Monday, November 3. I further ask consent that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate then proceed to the consideration of the conference report to accompany H.R. 3289, the Iraq-Afghanistan supplemental appropriations bill, as provided under the previous order; provided that following the disposition of the conference report, the Senate proceed to the consideration of the conference report to accompany H.R. 2691, the Interior appropriations bill, as provided under the previous order.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

PROGRAM

Mr. MCCONNELL. Mr. President, for the information of all Senators, on Monday, the Senate will begin consideration of the conference report to accompany the Iraq-Afghanistan supplemental appropriations bill. There will be 6 hours of debate prior to adopting the conference report; however, that conference report will not require a rollcall vote. Following the disposition of the conference report, the Senate will take up the conference report to accompany H.R. 2691, the Interior appropriations bill. There will be 1 hour of debate prior to a vote on the adoption of the conference report. The vote on the interior appropriations conference report will occur between 5:30 and 6 on Monday, and that vote will be the first vote of Monday's session.

ADJOURNMENT UNTIL MONDAY, NOVEMBER 3, 2003, AT 11 A.M.

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 12:34 p.m., adjourned until Monday, November 3, 2003, at 11 a.m.

NOMINATIONS

Executive nomination received by the Senate October 31, 2003:

THE JUDICIARY

WALTER D. KELLEY, JR., OF VIRGINIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF VIRGINIA, VICE HENRY C. MORGAN, JR., RETIRING.

CONFIRMATIONS

Executive nominations confirmed by the Senate October 31, 2003:

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

NAOMI CHURCHILL EARP, OF VIRGINIA, TO BE A MEMBER OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION FOR A TERM EXPIRING JULY 1, 2005.

LESLIE SILVERMAN, OF VIRGINIA, TO BE A MEMBER OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION FOR A TERM EXPIRING JULY 1, 2008.

STUART ISHIMARU, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION FOR A TERM EXPIRING JULY 1, 2007.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.