

him to Washington or what they sent him here to do. To a newspaper back home in 1987, he said, "I have come to learn that leadership does not mean two hoots in hell to most folks back home if it tends to distract you in any way from your primary concern for them." I think most Americans would agree today.

In a speech before the Illinois State Convention of AMVETS in 1956, this veteran who served with the 39th Infantry Regiment as a combat infantryman in England, France, Belgium and Germany for nearly 10 years was wounded by machine gun fire and subsequently awarded two Bronze Stars, the Purple Heart and four Battle Stars, said this, "As veterans of World War II and Korea, the awful imprint of those conflicts is still fresh on our minds, and no one appreciates more than we that we are at peace today. Just as the fate of our country and the freedom-loving nations rested on our shoulders in time of war, so are we obliged to shoulder the responsibilities of establishing and preserving a lasting peace."

Madam Speaker, I commend my colleague, the gentleman from Illinois (Mr. LAHOOD), for introducing this measure. It is my hope that upon its passage, the Senate will act swiftly so we can get on with providing this tribute to the service and life of a man who has done so much, not only for the Land of Lincoln, but for the man whose valiant military service, conservative leadership and steadfast commitment to traditional American values have helped reshape this Nation; and I urge my colleagues to support this measure, a befitting recognition of the legacy of this man who has borne the fate of this country and freedom-loving nations upon his shoulders.

Madam Speaker, it is very richly deserved.

Mr. SMITH of New Jersey. Madam Speaker, I yield such time as he may consume to the gentleman from California (Mr. LEWIS).

Mr. LEWIS of California. Madam Speaker, I thank very much my colleague for yielding me time.

I come to the floor to express my deep appreciation for the House's recognition of our colleague, former Member of the House and Republican Leader, Robert Michel, as the House goes about naming a veterans medical clinic after Robert H. Michel, a fabulous Member of the House who reflects much of that which is the best of this place.

He was a Member of the House who for many years served as the minority leader during much of the time that I was a member of that caucus. As he carried forward that responsibility, he also carried forward some of the most important qualities of leadership in this House. He absolutely recognized that beyond the policy work that we do, that friendship on both sides of the aisle was fundamental to our success. And Bob Michel understood that as we walked away from the Chamber, we

could be friends. And time and time again, he demonstrated the value of that because he was able to accomplish things as minority leader that all too often these days we find not getting accomplished.

But, indeed, more important than all of that, Bob Michel represented his people in Illinois in a way like few ever have. He is a fabulous person and to have a medical clinic named after him is very, very appropriate, but particularly appropriate in this sense. It is a part of the past history, but at one time I had the privilege as serving as chairman of the subcommittee that handles veterans affairs and medical care problems. We all know that we are all very proud of the amount of money that we are, from time to time, able to get appropriated for veterans services. All too seldom, however, are the people who work here in an organized sense on behalf of veterans, all too seldom are they willing to go down to the communities where those services are actually delivered.

We have known for a long, long time that the big hospitals too often are too far away from where the services are needed, and too often the VSOs do not worry too much about whether the veterans are getting the service they need at home.

These medical clinics are designed to recognize that the huge hospital of the past is not necessarily the best way to deliver service in a local community either today or in the future. So this medical clinic as a part of the VA system appropriately reflects the changing demands and needs for medical services for our veterans; but most importantly in this instance, we recognize the fabulous service and the understanding of veterans' needs exhibited by our colleague, Bob Michel.

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

Mr. SMITH of New Jersey. Madam Speaker, we have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 4608.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. LAHOOD. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### GENERAL LEAVE

Mr. LAHOOD. Madam Speaker, I ask unanimous consent that all Members

have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 4608.

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

There was no objection.

#### PRINCIPAL OFFICE OF UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS AND SENSE OF CONGRESS REGARDING NEW VETERANS COURTHOUSE AND JUSTICE CENTER

Mr. SMITH of New Jersey. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3936) to amend title 38, United States Code, to authorize the principal office of the United States Court of Appeals for Veterans Claims to be at any location in the Washington, D.C., metropolitan area, rather than only in the District of Columbia, and expressing the sense of Congress that a dedicated Veterans Courthouse and Justice Center should be provided for that Court and those it serves and should be located, if feasible, at a site owned by the United States that is part of or proximate to the Pentagon Reservation, and for other purposes.

The Clerk read as follows:

H.R. 3936

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

#### SECTION 1. PRINCIPAL OFFICE OF UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS.

Section 7255 of title 38, United States Code, is amended by striking "District of Columbia" and inserting "Washington, D.C., metropolitan area".

#### SEC. 2. FINDINGS AND SENSE OF CONGRESS REGARDING NEW VETERANS COURTHOUSE AND JUSTICE CENTER.

(a) FINDINGS.—Congress makes the following findings:

(1) Every Article I court of the United States other than the United States Court of Appeals for Veterans Claims is located in a dedicated courthouse.

(2) The United States Court of Appeals for Veterans Claims has since its creation in 1988 been located in a commercial office building in the District of Columbia.

(3) That court should be housed in a dedicated courthouse, as are all other Article I courts.

(4) A dedicated courthouse for that court constituting a Veterans Courthouse and Justice Center would express the gratitude and respect of the Nation for the sacrifices of those serving and those who have served in the Armed Forces, and their families.

(5) Location of such a courthouse and judicial center in an area proximate to the Pentagon, Arlington National Cemetery, and the Air Force Memorial (as planned) in Arlington, Virginia would be symbolically significant of the high esteem that the Nation holds for its veterans.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) a dedicated Veterans Courthouse and Justice Center should be provided for the United States Court of Appeals for Veterans Claims; and

(2) the Secretary of Defense, in cooperation with the United States Court of Appeals for Veterans Claims, the Secretary of Veterans

Affairs, and the Administrator of General Services, should determine the feasibility of locating such a Veterans Courthouse and Justice Center at an appropriate site owned by the United States that is part of or proximate to the Pentagon Reservation in Arlington, Virginia.

(c) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, the Secretary of Veterans Affairs, and the Administrator of General Services shall submit to the Committees on Veterans' Affairs and the Committees on Armed Services of the Senate and House of Representatives a joint report on the feasibility of locating a new Veterans Courthouse and Justice Center at an appropriate site owned by the United States that is part of or proximate to the Pentagon Reservation in Arlington, Virginia.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SMITH) and the gentleman from Maine (Mr. MICHAUD) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. SMITH).

□ 1730

Mr. SMITH of New Jersey. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in strong support of H.R. 3936, a bill to authorize the U.S. Court of Appeals for Veterans Claims, now located in commercial office space in the District of Columbia, to seek a new location in the greater national capital region. This bill would also express the sense of Congress that a dedicated Veterans Courthouse and Justice Center should be provided for the court and the veterans it serves. It should be located, or would be located, if feasible, next to Interstate Highway 395 on one of three small parking lots that are part of the Pentagon Reservation in Arlington, Virginia.

The Court of Appeals for Veterans Claims was created by statute in 1988 as an independent article I judicial tribunal that for the first time gave our Nation's veterans the right to judicial review of benefits decisions on their disability, pension, education and other claims. It should, like all other article I courts, have a permanent courthouse.

In addition to the court, occupants of the new courthouse would be representatives of veterans that regularly practice before the court, for example, the Veterans Consortium Pro Bono Program, the National Veterans Legal Services Program, and the appellate attorneys of veterans service organizations. The court and the offices of its constituents pay over \$3.7 million per year for their rent. The General Services Administration anticipates that the court's rental costs will increase substantially in the not-too-distant future. Therefore, the committee believes that it would be desirable to relocate the court on a government-owned site if possible.

H.R. 3936 would also require the Secretary of Defense and the Secretary of Veterans Affairs and the Administrator of General Services to submit a joint

report to the House and Senate Committees on Armed Services and Veterans' Affairs on the feasibility of locating a new Veterans Courthouse and Justice Center at an appropriate site owned by the U.S. that is part of or near the Pentagon Reservation.

Madam Speaker, we have veterans or their survivors from all of the wars in which our country fought in the 20th century, and we are now engaged in a global war on terrorism. I cannot imagine a better use for one of the present parking lots near the Pentagon than a stand-alone dedicated Veterans Courthouse and Justice Center to embody the gratitude and the respect this Nation has for these men and women who have served and are serving their country so well.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, first of all, I would like to thank the gentleman from New Jersey (Mr. SMITH), the chairman of the full committee, and the gentleman from Illinois (Mr. EVANS), our ranking member, as well as our chairman of the Subcommittee on Benefits, the gentleman from South Carolina (Mr. BROWN), for their work in bringing this bill before the House this afternoon.

H.R. 3936 will honor our veterans by supporting the establishment of a dedicated courthouse for the United States Courts of Appeal For Veterans Claims in the greater Washington, D.C. area. It is strongly supported by Members from both sides of the aisle.

H.R. 3936 shows support for our Nation's veterans, especially those who must avail themselves of a Federal court system in order to obtain the benefits that they have earned by military service. I hope that by establishing a separate, dedicated courthouse for veterans' claims, there will ease any confusion veterans may have about the role of this court as part of the Federal judicial system, and not part of the VA, and that this will streamline and facilitate the adjudication process.

The establishment of this courthouse will also improve the security of the court. The events of September 11, 2001, have made clear the need for appropriate security in government buildings. The Court of Appeals for Veterans Claims is currently located above a parking area which creates a serious security risk. This bill recommends a location for the court on land near the Pentagon. I believe this is an appropriate site.

H.R. 3936 is a bill which deserves the support of all Members of this House, and I urge them to do so.

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

Mr. SMITH of New Jersey. Madam Speaker, I ask unanimous consent to insert in the RECORD a letter from the Committee on Armed Services and an additional letter concerning H.R. 3936.

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

There was no objection.

COMMITTEE ON ARMED SERVICES,

U.S. HOUSE OF REPRESENTATIVES,

Washington, DC, June 21, 2004.

Hon. CHRISTOPHER SMITH,

Chairman, Committee on Veterans' Affairs, U.S. House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to you concerning the jurisdictional interest of the Committee on Armed Services in matters being considered in H.R. 3936, a bill to amend title 38, United States Code, to authorize the principal office of the United States Court of Appeals for Veterans Claims to be at any location in the Washington, DC, metropolitan area, rather than only in the District of Columbia, and expressing the sense of Congress that a dedicated Veterans Courthouse and Justice Center should be provided for that Court and those it serves and should be located, if feasible, at a site owned by the United States that is part of or proximate to the Pentagon Reservation, and for other purposes.

Our Committee recognizes the importance of H.R. 3936 and the need for the legislation to move expeditiously. Therefore, while we have a valid claim to jurisdiction over a number of provisions of the bill, I do not intend to request a sequential referral. This, of course, is conditional on our mutual understanding that nothing in this legislation or my decision to forego a sequential referral waives, reduces or otherwise affects the jurisdiction of the Committee on Armed Services.

Additionally, the Committee on Armed Services asks that you support our request to be conferees on the provisions over which we have jurisdiction during any House-Senate conference. The Committee also asks that this letter and the Committee on Veterans' Affairs response be included in the CONGRESSIONAL RECORD.

With best wishes.

Sincerely,

DUNCAN HUNTER,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON VETERANS' AFFAIRS,  
Washington, DC, June 25, 2004.

Hon. DUNCAN HUNTER,

Chairman, Committee on Armed Services, House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter of June 21, 2004, regarding the jurisdictional interest of the Committee on Armed Services in the bill H.R. 3936, to authorize the principal office of the U.S. Court of Appeals for Veterans Claims to be at any location in the Washington, D.C. metropolitan area, rather than only in the District of Columbia, and expressing the sense of Congress that a dedicated Veterans Courthouse and Justice Center should be provided for that Court and those it serves and should be located, if feasible, at a site owned by the United States that is part of or proximate to the Pentagon Reservation, and for other purposes. This bill was referred primarily to the Committee on Veterans' Affairs and additionally to the Committee on Armed Services.

Your willingness to forego a sequential referral to expedite House consideration of H.R. 3936 is most appreciated. I recognize that the Committee on Armed Services has a valid claim to jurisdiction over certain provisions of the bill, and this decision to forego sequential referral is not construed by the Committee on Veterans' Affairs as affecting

the jurisdiction of the Committee on Armed Services over the bill or as a precedent for other bills. In addition, if a conference on H.R. 3936 should become necessary, I will support any request by you for the Committee on Armed Services to be represented on the conference. Finally, because the bill report was submitted on June 9, 2004, I will include your letter and this reply in the Congressional Record during House consideration of H.R. 3936.

Thank you for your cooperation on this matter of interest to both of our committees, and I look forward to working with you again on other matters.

Sincerely,

CHRISTOPHER H. SMITH,  
Chairman.

GENERAL LEAVE

Mr. SMITH of New Jersey. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 3936.

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

There was no objection.

Mr. SMITH of New Jersey. Madam Speaker, I yield myself such time as I may consume.

I want to thank the gentleman from South Carolina (Mr. BROWN) and the ranking member, the gentleman from Maine (Mr. MICHAUD), of the Subcommittee on Benefits for their strong support and work in crafting this legislation; and to my good friend, the gentleman from Illinois (Mr. EVANS), the ranking member on the full committee.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 3936.

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

A motion to reconsider was laid on the table.

## VETERANS' COMPENSATION COST-OF-LIVING ADJUSTMENT ACT OF 2004

Mr. SMITH of New Jersey. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4175) to increase, effective as of December 1, 2004, the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans, and for other purposes, as amended.

The Clerk read as follows:

H.R. 4175

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 "Veterans' Compensation Cost-of-Living Adjustment Act of 2004".

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

(a) RATE ADJUSTMENT.—The Secretary of Veterans Affairs shall, effective on December 1, 2004, increase the dollar amounts in effect for the payment of disability compensation and dependency and indemnity compensation by the Secretary, as specified in subsection (b).

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

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

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

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

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

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

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

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

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

(c) DETERMINATION OF INCREASE.—(1) The increase under subsection (a) shall be made in the dollar amounts specified in subsection (b) as in effect on November 30, 2004.

(2) Except as provided in paragraph (3), each such amount shall be increased by the same percentage as the percentage by which benefit amounts payable under title 11 of the Social Security Act (42 U.S.C. 401 et seq.) are increased effective December 1, 2004, as a result of a determination under section 215(i) of such Act (42 U.S.C. 415(i)).

(3) Each dollar amount increased pursuant to paragraph (2) shall, if not a whole dollar amount, be rounded down to the next lower whole dollar amount.

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

### SEC. 3. PUBLICATION OF ADJUSTED RATES.

At the same time as the matters specified in section 215(i)(2)(D) of the Social Security Act (42 U.S.C. 415(i)(2)(D)) are required to be published by reason of a determination made under section 215(i) of such Act during fiscal year 2005, the Secretary of Veterans Affairs shall publish in the Federal Register the amounts specified in subsection (b) of section 2, as increased pursuant to that section.

### SEC. 4. IMPROVED BENEFITS FOR FORMER PRISONERS OF WAR.

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

"(L) Osteoporosis."

### SEC. 5. CODIFICATION OF COST-OF-LIVING ADJUSTMENT PROVIDED IN PUBLIC LAW 108-47.

(a) VETERANS' DISABILITY COMPENSATION.—Section 1114 of title 38, United States Code, is amended—

(1) by striking "\$104" in subsection (a) and inserting "\$106";

(2) by striking "\$201" in subsection (b) and inserting "\$205";

(3) by striking "\$310" in subsection (c) and inserting "\$316";

(4) by striking "\$445" in subsection (d) and inserting "\$454";

(5) by striking "\$633" in subsection (e) and inserting "\$646";

(6) by striking "\$801" in subsection (f) and inserting "\$817";

(7) by striking "\$1,008" in subsection (g) and inserting "\$1,029";

(8) by striking "\$1,171" in subsection (h) and inserting "\$1,195";

(9) by striking "\$1,317" in subsection (i) and inserting "\$1,344";

(10) by striking "\$2,193" in subsection (j) and inserting "\$2,239";

(11) in subsection (k)—

(A) by striking "\$81" both places it appears and inserting "\$82"; and

(B) by striking "\$2,728" and "\$3,827" and inserting "\$2,785" and "\$3,907", respectively;

(12) by striking "\$2,728" in subsection (l) and inserting "\$2,785";

(13) by striking "\$3,010" in subsection (m) and inserting "\$3,073";

(14) by striking "\$3,425" in subsection (n) and inserting "\$3,496";

(15) by striking "\$3,827" each place it appears in subsections (o) and (p) and inserting "\$3,907";

(16) by striking "\$1,643" and "\$2,446" in subsection (r) and inserting "\$1,677" and "\$2,497", respectively; and

(17) by striking "\$2,455" in subsection (s) and inserting "\$2,506".

(b) ADDITIONAL COMPENSATION FOR DEPENDENTS.—Section 1115(1) of such title is amended—

(1) by striking "\$125" in subparagraph (A) and inserting "\$127";

(2) by striking "\$215" and "\$64" in subparagraph (B) and inserting "\$219" and "\$65", respectively;

(3) by striking "\$85" and "\$64" in subparagraph (C) and inserting "\$86" and "\$65", respectively;

(4) by striking "\$101" in subparagraph (D) and inserting "\$103";

(5) by striking "\$237" in subparagraph (E) and inserting "\$241"; and

(6) by striking "\$198" in subparagraph (F) and inserting "\$202".

(c) CLOTHING ALLOWANCE FOR CERTAIN DISABLED VETERANS.—Section 1162 of such title is amended by striking "\$588" and inserting "\$600".

(d) DEPENDENCY AND INDEMNITY COMPENSATION FOR SURVIVING SPOUSES.—(1) Section 1311(a) of such title is amended—

(A) by striking "\$948" in paragraph (1) and inserting "\$967"; and

(B) by striking "\$204" in paragraph (2) and inserting "\$208".

(2) The table in section 1311(a)(3) of such title is amended to read as follows:

"Pay grade	Month-ly rate	Pay grade	Month-ly rate
E-1 .....	\$967	W-4 .....	\$1,157
E-2 .....	\$967	O-1 .....	\$1,022
E-3 .....	\$967	O-2 .....	\$1,056
E-4 .....	\$967	O-3 .....	\$1,130
E-5 .....	\$967	O-4 .....	\$1,195
E-6 .....	\$967	O-5 .....	\$1,316
E-7 .....	\$1,000	O-6 .....	\$1,483
E-8 .....	\$1,056	O-7 .....	\$1,602
E-9 .....	\$1,102 <sup>1</sup>	O-8 .....	\$1,758
W-1 .....	\$1,022	O-9 .....	\$1,881
W-2 .....	\$1,063	O-10 .....	\$2,063 <sup>2</sup>
W-3 .....	\$1,094		

<sup>1</sup>"If the veteran served as sergeant major of the Army, senior enlisted advisor of the Navy, chief master sergeant of the Air Force, sergeant major of the Marine Corps, or master chief petty officer of the Coast Guard, at the applicable time designated by section 1302 of this title, the surviving spouse's rate shall be \$1,189.

<sup>2</sup>"If the veteran served as Chairman or Vice-Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, Commandant of the Marine Corps, or Commandant of the Coast Guard, at the applicable time designated by section 1302 of this title, the surviving spouse's rate shall be \$2,213."

(3) Section 1311(b) of such title is amended by striking "\$237" and inserting "\$241".