

Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2290), including electronic data files and biological specimens on all participants in the study (including control subjects).

(c) **MAINTENANCE AND MANAGEMENT OF TRANSFERRED ASSETS.**—The Medical Follow-Up Agency shall maintain and manage the assets transferred to the Agency from the Air Force Health Study.

(d) **ADDITIONAL NEAR-TERM RESEARCH.**—

(1) **IN GENERAL.**—The Medical Follow-Up Agency may, during the period beginning on October 1, 2007, and ending on September 30, 2011, conduct such additional research on the assets transferred to the Agency from the Air Force Health Study as the Agency considers appropriate toward the goal of understanding the determinants of health, and promoting wellness, in veterans.

(2) **RESEARCH.**—In carrying out research authorized by this subsection, the Medical Follow-Up Agency may, utilizing amounts available under subsection (f)(1)(B), make grants for such pilot studies for or in connection with such research as the Agency considers appropriate.

(e) **ADDITIONAL MEDIUM-TERM RESEARCH.**—

(1) **REPORT.**—Not later than March 31, 2011, the Medical Follow-Up Agency shall submit to Congress a report assessing the feasibility and advisability of conducting additional research on the assets transferred to the Agency from the Air Force Health Study after September 30, 2011.

(2) **DISPOSITION OF ASSETS.**—If the report required by paragraph (1) includes an assessment that the research described in that paragraph would be feasible and advisable, the Agency shall, utilizing amounts available under subsection (f)(2), make any disposition of the assets transferred to the Agency from the Air Force Health Study as the Agency considers appropriate in preparation for such research.

(f) **FUNDING.**—

(1) **IN GENERAL.**—From amounts available for each of fiscal years 2008 through 2011 for the Department of Veterans Affairs for Medical and Prosthetic Research, amounts shall be available as follows:

(A) \$1,200,000 shall be available in each such fiscal year for maintenance, management, and operation (including maintenance of biological specimens) of the assets transferred to the Medical Follow-Up Agency from the Air Force Health Study.

(B) \$250,000 shall be available in each such fiscal year for the conduct of additional research authorized by subsection (d), including the funding of pilot studies authorized by paragraph (2) of that subsection.

(2) **MEDIUM-TERM RESEARCH.**—From amounts available for fiscal year 2011 for the Department of Veterans Affairs for Medical and Prosthetic Research, \$200,000 shall be available for the preparation of the report required by subsection (e)(1) and for the disposition, if any, of assets authorized by subsection (e)(2).

**SEC. 806. NATIONAL ACADEMIES STUDY ON RISK OF DEVELOPING MULTIPLE SCLEROSIS AS A RESULT OF CERTAIN SERVICE IN THE PERSIAN GULF WAR AND POST 9/11 GLOBAL OPERATIONS THEATERS.**

(a) **IN GENERAL.**—The Secretary of Veterans Affairs shall enter into a contract with the Institute of Medicine of the National Academies to conduct a comprehensive epidemiological study for purposes of identifying any increased risk of developing multiple sclerosis as a result of service in the Armed Forces during the Persian Gulf War in the Southwest Asia theater of operations or in the Post 9/11 Global Operations theaters.

(b) **ELEMENTS.**—In conducting the study required under subsection (a), the Institute of Medicine shall do the following:

(1) Determine whether service in the Armed Forces during the Persian Gulf War in the Southwest Asia theater of operations, or in the Post 9/11 Global Operations theaters, increased the risk of developing multiple sclerosis.

(2) Identify the incidence and prevalence of diagnosed neurological diseases, including multiple sclerosis, Parkinson's disease, amyotrophic lateral sclerosis, and brain cancers, as well as central nervous system abnormalities that are difficult to precisely diagnose, in each group as follows:

(A) Members of the Armed Forces who served during the Persian Gulf War in the Southwest Asia theater of operations.

(B) Members of the Armed Forces who served in the Post 9/11 Global Operations theaters.

(C) A non-deployed comparison group for those who served in the Persian Gulf War in the Southwest Asia theater of operations and the Post 9/11 Global Operations theaters.

(3) Compare the incidence and prevalence of the named diagnosed neurological diseases and undiagnosed central nervous system abnormalities among veterans who served during the Persian Gulf War in the Southwest Asia theater of operations, or in the Post 9/11 Global Operations theaters, in various locations during such periods, as determined by the Institute of Medicine.

(4) Collect information on risk factors, such as pesticide and other toxic exposures, to which veterans were exposed while serving during the Persian Gulf War in the Southwest Asia theater of operations or the Post 9/11 Global Operations theaters, or thereafter.

(c) **REPORTS.**—

(1) **INTERIM REPORT.**—The contract required by subsection (a) shall require the Institute of Medicine to submit to the Secretary, and to appropriate committees of Congress, interim progress reports on the study required under subsection (a). Such reports shall not be required to include a description of interim results on the work under the study.

(2) **FINAL REPORT.**—The contract shall require the Institute of Medicine to submit to the Secretary, and to appropriate committees of Congress, a final report on the study by not later than December 31, 2010. The final report shall include such recommendations for legislative or administrative action as the Institute considers appropriate in light of the results of the study.

(d) **FUNDING.**—The Secretary shall provide the Institute of Medicine with such funds as are necessary to ensure the timely completion of the study required under subsection (a).

(e) **DEFINITIONS.**—In this section:

(1) The term "appropriate committees of Congress" means—

(A) the Committee on Veterans' Affairs of the Senate; and

(B) the Committee on Veterans' Affairs of the House of Representatives.

(2) The term "Persian Gulf War" has the meaning given that term in section 101(33) of title 38, United States Code.

(3) The term "Post 9/11 Global Operations theaters" means Afghanistan, Iraq, or any other theater in which the Global War on Terrorism Expeditionary Medal is awarded for service.

**SEC. 807. COMPTROLLER GENERAL REPORT ON ADEQUACY OF DEPENDENCY AND INDEMNITY COMPENSATION TO MAINTAIN SURVIVORS OF VETERANS WHO DIE FROM SERVICE-CONNECTED DISABILITIES.**

(a) **REPORT REQUIRED.**—Not later than 10 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committees on Veterans' Affairs and Appropriations of the Senate and the Committees on Veterans' Affairs and Appropriations of the House of Representatives a report on the adequacy of dependency and indemnity compensation payable under chapter 13 of title 38, United States Code, to surviving spouses and dependents of veterans who die as a result of a service-connected disability in replacing the deceased veteran's income.

(b) **ELEMENTS.**—The report required by subsection (a) shall include—

(1) a description of the current system for the payment of dependency and indemnity com-

pensation to surviving spouses and dependents described in subsection (a), including a statement of the rates of such compensation so payable;

(2) an assessment of the adequacy of such payments in replacing the deceased veteran's income; and

(3) such recommendations as the Comptroller General considers appropriate in order to improve or enhance the effects of such payments in replacing the deceased veteran's income.

Amend the title so as to read: "To amend title 38, United States Code, to enhance veterans' insurance and housing benefits, to improve benefits and services for transitioning servicemembers, and for other purposes."

The PRESIDING OFFICER. The majority leader is recognized.

**UNANIMOUS-CONSENT AGREEMENT—H.R. 493**

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 125, H.R. 493, the Genetic Nondiscrimination Act, on tomorrow, Thursday, April 24, and that when the bill is considered, the only amendment in order be a substitute amendment offered by Senators SNOWE, KENNEDY, and ENZI; that there be a total of 2 hours for debate on the bill and substitute amendment, with the time equally divided and controlled between the leaders or their designees; that upon the use or yielding back of all time, the substitute amendment be agreed to, the bill, as amended, be read a third time, and the Senate proceed to vote on passage of the bill.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Madam President, it has taken a long time to get where we are now. I express my appreciation to Senator KENNEDY and Senator ENZI and others who worked very hard on this. We have said it before, but you can't say it enough: Senator KENNEDY and Senator ENZI have different political philosophies, but there are no two Senators who work better together on the committee than they do. They always act as gentlemen. They work very hard. But for their good work, we would not be where we are on this issue. I extend my appreciation to them and others who worked hard, but especially those two fine Senators.

**VETERANS' BENEFITS ENHANCEMENT ACT—Continued**

Mr. REID. Madam President, I ask unanimous consent that when the Senate begins consideration of S. 1315 today, the Burr amendment relating to a striking provision be the only amendment in order, other than the committee-reported substitute, the title amendment, and a managers' technical amendment that has been cleared by the managers and leaders; that there be a time limit of 60 minutes for debate with respect to the Burr amendment on tomorrow, Thursday, with the time equally divided and controlled in the

usual form; that upon the use or yielding back of time, the Senate proceed to vote in relation to the Burr amendment; that upon disposition of the Burr amendment and a managers' technical amendment, if cleared, the substitute amendment, as amended, if amended, be agreed to; the bill, as amended, be read a third time, and without further intervening action or debate, the Senate proceed to vote on passage of the bill; that upon passage, the title amendment be agreed to and the motion to reconsider laid upon the table; that upon passage of S. 1315, the Senate then proceed to Calendar No. 125, H.R. 493, and consider it under the parameters of a previous order which was entered a few minutes ago.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Maryland is recognized.

Ms. MIKULSKI. Madam President, I ask unanimous consent to speak for 5 minutes as in morning business.

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

Mr. REID. Madam President, reluctantly, I ask the Senator to withhold. We want to lay down the amendment pursuant to the order. The Senator can remain the floor.

Ms. MIKULSKI. I am happy to do that.

The PRESIDING OFFICER. The Senator from North Carolina is recognized.

#### AMENDMENT NO. 4572

Mr. BURR. Madam President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from North Carolina [Mr. BURR], for himself, Mr. VITTER, Mr. ISAKSON, and Mr. CRAIG, proposes an amendment numbered 4572.

Mr. BURR. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To increase benefits for disabled U.S. veterans and provide a fair benefit to World War II Filipino Veterans for their service to U.S.)

Strike section 401 and insert the following:  
**SEC. 401. EXPANSION OF ELIGIBILITY FOR BENEFITS PROVIDED BY DEPARTMENT OF VETERANS AFFAIRS FOR CERTAIN SERVICE IN THE ORGANIZED MILITARY FORCES OF THE COMMONWEALTH OF THE PHILIPPINES AND THE PHILIPPINE SCOUTS.**

(a) MODIFICATION OF STATUS OF CERTAIN SERVICE.—

(1) IN GENERAL.—Section 107 is amended to read as follows:

**“§ 107. Certain service with Philippine forces deemed to be active service**

“(a) IN GENERAL.—Service described in subsection (b) shall be deemed to have been active military, naval, or air service for purposes of any law of the United States conferring rights, privileges, or benefits upon any individual by reason of the service of such individual or the service of any other individual in the Armed Forces.

“(b) SERVICE DESCRIBED.—Service described in this subsection is service—

“(1) before July 1, 1946, in the organized military forces of the Government of the Commonwealth of the Philippines, while such forces were in the service of the Armed Forces of the United States pursuant to the military order of the President dated July 26, 1941, including among such military forces organized guerrilla forces under commanders appointed, designated, or subsequently recognized by the Commander in Chief, Southwest Pacific Area, or other competent authority in the Army of the United States; or

“(2) in the Philippine Scouts under section 14 of the Armed Forces Voluntary Recruitment Act of 1945 (59 Stat. 538).

“(c) DEPENDENCY AND INDEMNITY COMPENSATION FOR CERTAIN RECIPIENTS RESIDING OUTSIDE THE UNITED STATES.—(1) Dependency and indemnity compensation provided under chapter 13 of this title to an individual described in paragraph (2) shall be made at a rate of \$0.50 for each dollar authorized.

“(2) An individual described in this paragraph is an individual who resides outside the United States and is entitled to dependency and indemnity compensation under chapter 13 of this title based on service described in subsection (b).

“(d) EXCEPTION ON PENSION AND DEATH PENSION FOR INDIVIDUALS RESIDING OUTSIDE THE UNITED STATES.—An individual who resides outside the United States shall not, while so residing, be entitled to a pension under subchapter II or III of chapter 15 of this title based on service described in subsection (b).

“(e) UNITED STATES DEFINED.—In this section, the term ‘United States’ means the States, the District of Columbia, Puerto Rico, Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, and any other possession or territory of the United States.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1 is amended by striking the item related to section 107 and inserting the following new item:

“107. Certain service with Philippine forces deemed to be active service.”.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply with respect to the payment or provision of benefits on or April 1, 2009. No benefits are payable or are required to be provided by reason of such amendment for any period before such date.

(b) PENSION AND DEATH PENSION BENEFIT PROTECTION.—Notwithstanding any other provision of law, a veteran with service described in section 107(b) of title 38, United States Code (as added by subsection (a)), who is receiving benefits under a Federal or federally assisted program as of April 1, 2009, or a survivor of such veteran who is receiving such benefits as that date, may not be required to apply for or receive benefits under chapter 15 of such title if the receipt of such benefits would—

(1) make such veteran or survivor ineligible for any Federal or federally assisted program for which such veteran or survivor qualifies; or

(2) reduce the amount of benefit such veteran or survivor would receive from any Federal or federally assisted program for which such veteran or survivor qualifies.

(c) INCREASE IN SPECIALLY ADAPTED HOUSING BENEFITS FOR DISABLED VETERANS.—

(1) IN GENERAL.—Section 2102 is amended—

(A) in subsection (b)(2), by striking “\$10,000” and inserting “\$11,000”;

(B) in subsection (d)—

(i) in paragraph (1), by striking “\$50,000” and inserting “\$55,000”; and

(ii) in paragraph (2), by striking “\$10,000” and inserting “\$11,000”; and

(C) by adding at the end the following new subsection:

“(e)(1) Effective on October 1 of each year (beginning in 2009), the Secretary shall increase the amounts described in subsection (b)(2) and paragraphs (1) and (2) of subsection (d) in accordance with this subsection.

“(2) The increase in amounts under paragraph (1) to take effect on October 1 of a year shall be by an amount of such amounts equal to the percentage by which—

“(A) the residential home cost-of-construction index for the preceding calendar year, exceeds

“(B) the residential home cost-of-construction index for the year preceding the year described in subparagraph (A).

“(3) The Secretary shall establish a residential home cost-of-construction index for the purposes of this subsection. The index shall reflect a uniform, national average change in the cost of residential home construction, determined on a calendar year basis. The Secretary may use an index developed in the private sector that the Secretary determines is appropriate for purposes of this subsection.”.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on April 1, 2009, and shall apply with respect to payments made in accordance with section 2102 of title 38, United States Code, on or after that date.

(d) ANNUAL ADJUSTMENT OF AMOUNT OF BURIAL AND FUNERAL EXPENSES FOR DEATHS FROM SERVICE-CONNECTED DISABILITY.—Section 2307 is amended—

(1) by inserting “(a)” before “In any case”; and

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

“(b) With respect to any fiscal year, the Secretary shall provide a percentage increase (rounded to the nearest dollar) in the amount authorized by subsection (a)(1) by the amount equal to the percentage of such amount by which—

“(1) the Consumer Price Index (all items, United States city average) for the 12-month period ending on the June 30 preceding the beginning of the fiscal year for which the increase is made, exceeds

“(2) the Consumer Price Index for the 12-month period preceding the 12-month period described in paragraph (1).”.

(e) INCREASE IN ASSISTANCE FOR PROVIDING AUTOMOBILES OR OTHER CONVEYANCES TO CERTAIN DISABLED VETERANS.—

(1) IN GENERAL.—Section 3902 is amended—

(A) in subsection (a), by striking “\$11,000” and inserting “\$15,000”; and

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

“(e) Effective on October 1 of each year (beginning in 2009), the Secretary shall increase the amount described in subsection (a) by a percentage of such amount equal to the percentage by which—

“(1) the Consumer Price Index (all items, United States city average) for the 12-month period ending on the June 30 preceding the beginning of the fiscal year for which the increase is made, exceeds

“(2) the Consumer Price Index for the 12-month period preceding the 12-month period described in paragraph (1).”.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on April 1, 2009, and shall apply with respect to payments made in accordance with section 3902 of title 38, United States Code, on or after that date.

Mr. BURR. Madam President, I will wait until tomorrow during the 1 hour of debate to take up the amendment.