

S 1132

Veterans' Benefits Enhancements Act of 2003

**Congress:** 108 (2003–2005, Ended)

**Chamber:** Senate

**Policy Area:** Armed Forces and National Security

**Introduced:** May 22, 2003

**Current Status:** Referred to the Subcommittee on Total Force.

**Latest Action:** Referred to the Subcommittee on Total Force. (Dec 17, 2003)

**Official Text:** <https://www.congress.gov/bill/108th-congress/senate-bill/1132>

Sponsor

**Name:** Sen. Specter, Arlen [R-PA]

**Party:** Republican • **State:** PA • **Chamber:** Senate

Cosponsors (2 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Bunning, Jim [R-KY]	R · KY		May 22, 2003
Sen. Graham, Lindsey [R-SC]	R · SC		May 22, 2003

Committee Activity

Committee	Chamber	Activity	Date
Armed Services Committee	House	Referred to	Dec 17, 2003
Veterans' Affairs Committee	Senate	Reported By	Oct 21, 2003
Veterans' Affairs Committee	House	Referred To	Nov 5, 2003

Subjects & Policy Tags

Policy Area:

Armed Forces and National Security

Related Bills

Bill	Relationship	Last Action
108 HR 2297	Related bill	<b>Dec 16, 2003:</b> Became Public Law No: 108-183.

Veterans' Benefits Enhancements Act of 2003 - **Title I: Survivor Benefits** - (Sec. 101) Authorizes the Secretary of Veterans Affairs to provide to any child of a veteran of covered service in Korea (active military duty within a specified period during which the veteran was exposed to a herbicide agent) who is suffering from spina bifida the health care, vocational training and rehabilitation, and monetary allowance currently required to be paid to a child of a Vietnam veteran who is suffering from spina bifida.

(Sec. 102) Authorizes the payment of proceeds following the death of the insured under the National Life Insurance Program and the United States Government Life Insurance Program: (1) to another beneficiary designated by the insured, if the first beneficiary does not make a claim for such insurance within two years; or (2) to any person designated by the Secretary to be equitably entitled to such proceeds, if no claim has been filed by any designated beneficiary within four years.

(Sec. 103) Makes the delimiting period of eligibility for military survivors' and dependents' education assistance, with respect to a member who is involuntarily ordered to full-time National Guard duty, the same period that exists for survivors and dependents of regular military personnel called or ordered to active duty.

(Sec. 104) Increases as of July 1, 2004, the rates of: (1) survivors' and dependents' educational assistance; and (2) assistance for correspondence courses, special restorative training, and apprenticeship training.

(Sec. 105) Repeals the limitation (benefits due and unpaid for not to exceed two years) on the accrued benefits required to be paid by the Secretary upon the death of a veteran or other beneficiary. Provides that, upon the death of a child claiming benefits as a child of a Vietnam veteran, such benefits shall be paid to the surviving parents.

**Title II: Burial Benefits** - Allows States to receive the veterans' burial plot allowance of \$300 for the interment of a veteran who: (1) did not serve during a wartime period; or (2) was discharged as a result of service-connected disabilities.

(Sec. 202) Makes eligible for burial in national cemeteries a surviving spouse who had a subsequent remarriage (currently, a surviving spouse who had a subsequent remarriage which was terminated by death or divorce).

(Sec. 203) Makes permanent (currently terminates at the end of FY 2004) the authority of the Secretary to make grants to States for establishing, expanding, or improving veterans' cemeteries.

(Sec. 204) Amends the Veterans Education and Benefits Expansion Act of 2001 to authorize the Department of Veterans Affairs to furnish a headstone or marker for the grave of an eligible veteran buried in a private cemetery for deaths occurring on or after November 1, 1990 (currently September 11, 2001).

**Title III: Other Matters - Subtitle A: Miscellaneous Benefits Matters** - (Sec. 301) Extends through FY 2013 the requirement that yearly cost-of-living adjustments made to rates of veterans' disability compensation and dependency and indemnity compensation (DIC) be rounded down to the nearest whole dollar.

(Sec. 302) Divides the current list of diseases presumed to be service-connected, and therefore compensable, when suffered by former prisoners of war who were detained for no less than 30 days into two lists: the first requiring no internment period and the second maintaining such 30-day minimum.

(Sec. 303) Repeals the required 90-day minimum period of internment prior to eligibility of former prisoners of war to Department-furnished dental care.

(Sec. 304) Requires cost-of-living adjustments to payments made under active-duty and veterans' educational assistance programs to be rounded down (currently, rounded) to the nearest dollar.

(Sec. 305) Repeals the Department of Veterans Affairs Education Loan Program. Terminates an associated Fund.

(Sec. 306) Terminates on December 31, 2003, the authority of the Secretary to guarantee loans made to veterans to purchase manufactured homes and lots.

(Sec. 307) Increases as of October 1, 2004, the funding fee charged to a veteran for a subsequent loan (after the first) made and guaranteed by the Department in connection with the purchase or refinance of homes and lots.

(Sec. 308) Reinstates certain minimum requirements with respect to the Department's vendee loan program (the authority to finance the purchase of properties it has acquired, as guarantor, as a result of foreclosure). Requires the Department to dispose of between 50 and 85 (currently 65) percent of such acquired properties using vendee loans.

(Sec. 309) Directs the Secretary, during FY 2003, to carry out the Native American Veteran Housing Loan program without regard to a proviso under the Department of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2003 which places a \$5 million limit on new loans made during FY 2003.

(Sec. 310) Requires veterans' benefit claimants who have submitted an incomplete claim application and who have been notified by the Department that additional application information is required to submit the additional information within one year after such notification (but allows the Department to decide such a claim before the expiration of the one-year period).

(Sec. 311) Deems to be a prohibited assignment of veterans' benefits any agreement under which a beneficiary attempts to transfer to another person or entity the right to receive direct or indirect payments of veteran's disability compensation, pension, or DIC benefits.

(Sec. 312) Extends through FY 2011 the authority of the Department to obtain, and the Internal Revenue Service to share, income-related information with respect to benefit applicants.

(Sec. 313) Adds certain criminal subversive activities offenses to those which will cause a veteran to lose the right to certain gratuitous benefits (including national cemetery burial) provided through the Department.

(Sec. 314) Deems a veteran claimant's filing of a notice of disagreement (a notice of the belief that a veteran's claim decision by the Department is incorrect, together with a request for its appeal) that meets minimum statutory requirements to be a notice of disagreement with full rights of appeal through the Board of Veterans' Appeals and the U.S. Court of Appeals for Veterans Claims, unless the Secretary finds that the claimant has disavowed a desire for appellate review. Allows for the reevaluation of notices which were found to be defective during the period beginning on March 15, 2002, and ending on the date of enactment of this Act.

**Subtitle B: Benefits for Philippine Veterans** - (Sec. 321) Provides a rate of payment equal to the rate provided for active-service veterans and their survivors for: (1) DIC for Commonwealth Army veteran survivors legally residing in the United States; and (2) veterans' disability compensation and DIC for new Philippine Scout veterans and their survivors legally residing in the United States.

(Sec. 322) Grants eligibility for national cemetery burial to former new Philippine Scouts who are residents of the United States at death. Grants eligibility for cash burial benefits at the full rate provided for active-service veterans to such

Scouts who legally reside in the United States.

(Sec. 323) Extends through 2008 the authority to operate a Department regional office in the Republic of the Philippines.

**Subtitle C: Exposure to Hazardous Substances** - (Sec. 331) Directs the Secretaries of Veterans Affairs and Defense to jointly: (1) conduct a review of the mission, procedures, and administration of the Radiation Dose Reconstruction Program of the Department of Defense (a program that attempts to estimate amounts of radiation dosage suffered by military personnel during certain testings or conflicts); (2) report review results to Congress; and (3) take appropriate action to ensure the ongoing independent review and oversight of the Program, including the establishment of an advisory board. Authorizes the advisory board to make recommendations on modifications in the missions or procedures of the Program.

(Sec. 332) Directs the Secretary, through the National Academy of Sciences or another appropriate scientific organization, to conduct a study to determine the appropriate disposition of the Air Force Health Study, an epidemiologic study of Air Force personnel responsible for conducting aerial spray missions of herbicides during the Vietnam era.

(Sec. 333) Directs the Secretaries of Veterans Affairs and Defense to provide funding for FY 2004 through 2013 for the Medical Follow-Up Agency of the Institute of Medicine of the Academy for purposes of epidemiological research on military personnel and veterans.

**Subtitle D: Other Matters** - (Sec. 341) Extends through: (1) 2007 the Advisory Committee on Minority Veterans; and (2) 2013 the Veterans' Advisory Committee on Education.

(Sec. 343) Authorizes the Secretary, through 2009, to provide for the conduct by non-Department personnel of examinations with respect to the medical disabilities of benefit applicants. Requires a report from the Secretary to Congress on the utilization of such authority.

## Actions Timeline

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- **Dec 17, 2003:** Referred to the Subcommittee on Total Force.
- **Nov 5, 2003:** Referred to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
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- **Nov 5, 2003:** Executive Comment Requested from DOD.
- **Nov 4, 2003:** Received in the House.
- **Nov 4, 2003:** Message on Senate action sent to the House.
- **Nov 4, 2003:** Held at the desk.
- **Oct 31, 2003:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.(consideration: CR S13743-13749; text of measure as reported in Senate: CR S13743-13748)
- **Oct 31, 2003:** Passed Senate with an amendment by Unanimous Consent. (consideration: CR S13743-13749; text of measure as reported in Senate: CR S13743-13748)
- **Oct 21, 2003:** Committee on Veterans' Affairs. Reported by Senator Specter with an amendment in the nature of a substitute. With written report No. 108-169.
- **Oct 21, 2003:** Committee on Veterans' Affairs. Reported by Senator Specter with an amendment in the nature of a substitute. With written report No. 108-169.
- **Oct 21, 2003:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 316.
- **Sep 30, 2003:** Committee on Veterans' Affairs. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Jul 10, 2003:** Committee on Veterans' Affairs. Hearings held.
- **May 22, 2003:** Introduced in Senate
- **May 22, 2003:** Sponsor introductory remarks on measure. (CR S7029-7030)
- **May 22, 2003:** Read twice and referred to the Committee on Veterans' Affairs. (text of measure as introduced: CR S7030-7031)