

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 3665

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IN THE SENATE OF THE UNITED STATES

NOVEMBER 10, 2005

Received; read twice and referred to the Committee on Veterans' Affairs

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## AN ACT

To provide adaptive housing assistance to disabled veterans residing temporarily in housing owned by a family member, to make certain improvements in veterans employment assistance programs, and for other purposes.

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*

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

2 (a) **SHORT TITLE.**—This Act may be cited as the  
 3 “Veterans Housing and Employment Improvement Act of  
 4 2005”.

5 (b) **TABLE OF CONTENTS.**—The table of contents for  
 6 this Act is as follows:

Sec. 1. Short title; table of contents.

**TITLE I—HOUSING ASSISTANCE**

- Sec. 101. Adaptive housing assistance for disabled veterans residing temporarily in housing owned by family member.
- Sec. 102. Permanent authority to make direct housing loans to Native American veterans.
- Sec. 103. Extension of eligibility for direct loans for Native American veterans to a veteran who is the spouse of a Native American.
- Sec. 104. Terminology amendments to revise references to certain veterans in provisions relating to eligibility for compensation or dependency and indemnity compensation.

**TITLE II—EMPLOYMENT ASSISTANCE PROGRAMS**

- Sec. 201. Extension of operation of the President’s National Hire Veterans Committee.
- Sec. 202. Additional duty for the Assistant Secretary of Labor for Veterans’ Employment and Training to raise awareness of skills of veterans and of the benefits of hiring veterans.
- Sec. 203. Modifications to the Advisory Committee on Veterans Employment and Training.

**TITLE III—HOMELESS VETERANS REINTEGRATION PROGRAM**

- Sec. 301. Reauthorization of appropriations for Homeless Veterans Reintegration Program.

**TITLE IV—TECHNICAL, CLARIFYING, AND CLERICAL AMENDMENTS**

- Sec. 401. Technical and clarifying amendments to new traumatic injury protection coverage under Servicemembers’ Group Life Insurance.
- Sec. 402. Technical and clerical amendments.

1 **TITLE I—HOUSING ASSISTANCE**

2 **SEC. 101. ADAPTIVE HOUSING ASSISTANCE FOR DISABLED**  
3 **VETERANS RESIDING TEMPORARILY IN**  
4 **HOUSING OWNED BY FAMILY MEMBER.**

5 (a) ASSISTANCE AUTHORIZED.—Chapter 21 of title  
6 38, United States Code, is amended by inserting after sec-  
7 tion 2102 the following new section:

8 **“§ 2102A. Assistance for veterans residing tempo-**  
9 **rarily in housing owned by family mem-**  
10 **ber**

11 “(a) In the case of a disabled veteran who is de-  
12 scribed in subsection (a)(2) or (b)(2) of section 2101 of  
13 this title and who is residing, but does not intend to per-  
14 manently reside, in a residence owned by a member of  
15 such veteran’s family, the Secretary may assist the veteran  
16 in acquiring such adaptations to such residence as are de-  
17 termined by the Secretary to be reasonably necessary be-  
18 cause of the veteran’s disability.

19 “(b) The assistance authorized under subsection (a)  
20 may not exceed—

21 “(1) \$10,000, in the case of a veteran described  
22 in section 2101(a)(2) of this title; or

23 “(2) \$2,000, in the case of a veteran described  
24 in section 2101(b)(2) of this title.

1       “(c) The assistance authorized by subsection (a) shall  
2 be limited in the case of any veteran to one residence.

3       “(d) Assistance under this section shall be provided  
4 in accordance with such regulations as the Secretary may  
5 prescribe.

6       “(e) No assistance may be provided under this section  
7 after the end of the five-year period that begins on the  
8 date of the enactment of the Veterans Housing and Em-  
9 ployment Improvement Act of 2005.”.

10       (b) LIMITATIONS ON ADAPTIVE HOUSING ASSIST-  
11 ANCE.—Section 2102 of such title is amended—

12               (1) in the matter in subsection (a) preceding  
13 paragraph (1)—

14                       (A) by striking “shall be limited in the  
15 case of any veteran to one housing unit, and  
16 necessary land therefor, and”; and

17                       (B) by striking “veteran but shall not ex-  
18 ceed \$50,000 in any one case—” and inserting  
19 “veteran—”; and

20               (2) by adding at the end the following new sub-  
21 section:

22       “(d)(1) The aggregate amount of assistance available  
23 to a veteran under sections 2101(a) and 2102A of this  
24 title shall be limited to \$50,000.

1           “(2) The aggregate amount of assistance available to  
2 a veteran under sections 2101(b) and 2102A of this title  
3 shall be limited to \$10,000.

4           “(3) No veteran may receive more than three grants  
5 of assistance under this chapter.”.

6           (c) COORDINATION OF ADMINISTRATION OF BENE-  
7 FITS.—Chapter 21 of such title is further amended by  
8 adding at the end the following new section:

9           **“§ 2107. Coordination of administration of benefits**

10           “The Secretary shall provide for the coordination of  
11 the administration of programs to provide specially adapt-  
12 ed housing that are administered by the Under Secretary  
13 for Health and such programs that are administered by  
14 the Under Secretary for Benefits under this chapter, chap-  
15 ter 17, and chapter 31 of this title.”.

16           (d) CLERICAL AMENDMENT.—The table of sections  
17 at the beginning of such chapter of such title is amend-  
18 ed—

19                   (1) by inserting after the item relating to sec-  
20 tion 2102 the following new item:

                  “2102A. Assistance for veterans residing temporarily in housing owned by fam-  
                  ily member.”; and

21                   (2) by adding at the end the following new  
22 item:

                  “2107. Coordination of administration of benefits.”.

1 (e) GAO REPORTS.—(1) Not later than three years  
2 after the date of the enactment of this Act, the Comp-  
3 troller General shall submit to Congress an interim report  
4 on the implementation by the Secretary of Veterans Af-  
5 fairs of section 2102A of title 38, United States Code, as  
6 added by subsection (a).

7 (2) Not later than five years after the date of the  
8 enactment of this Act, the Comptroller General shall sub-  
9 mit to Congress a final report on the implementation of  
10 such section.

11 **SEC. 102. PERMANENT AUTHORITY TO MAKE DIRECT HOUS-**  
12 **ING LOANS TO NATIVE AMERICAN VETERANS.**

13 (a) PERMANENT AUTHORITY.—Section 3761 of title  
14 38, United States Code, is amended—

15 (1) in subsection (a)—

16 (A) by striking “establish and implement a  
17 pilot program under which the Secretary may”  
18 in the first sentence; and

19 (B) by striking “shall establish and imple-  
20 ment the pilot program” in the third sentence  
21 and inserting “shall make such loans”;

22 (2) in subsection (b), by striking “In carrying  
23 out the pilot program under this subchapter, the”  
24 and inserting “The”; and

25 (3) by striking subsection (c).

1 (b) REPORTS.—Section 3762(j) of such title is  
2 amended to read as follows:

3 “(j) The Secretary shall include as part of the annual  
4 report required by section 529 of this title and as part  
5 of any annual benefits report of the Veterans Benefits Ad-  
6 ministration information concerning the cost and number  
7 of loans provided under this subchapter for each fiscal  
8 year.”.

9 (c) CONFORMING AMENDMENTS.—

10 (1) Section 3762 of such title is amended—

11 (A) in subsection (a), by inserting “under  
12 this subchapter” after “to a Native American  
13 veteran”;

14 (B) in subsection (b)(1)(E), by striking  
15 “the pilot program established under this sub-  
16 chapter is implemented” and inserting “loans  
17 under this subchapter are made”;

18 (C) in subsection (c)(1)(B), by striking  
19 “carry out the pilot program under this sub-  
20 chapter in a manner that demonstrates the ad-  
21 visability of making direct housing loans” in the  
22 second sentence and inserting “make direct  
23 housing loans under this subchapter”;

24 (D) in subsection (i)—

1 (i) by striking “the pilot program pro-  
2 vided for under this subchapter and” in  
3 paragraph (1);

4 (ii) by striking “under the pilot pro-  
5 gram and in assisting such organizations  
6 and veterans in participating in the pilot  
7 program” in paragraph (2)(A) and insert-  
8 ing “under this subchapter and in assisting  
9 such organizations and veterans with re-  
10 spect to such housing benefits”; and

11 (iii) by striking “in participating in  
12 the pilot program” in paragraph (2)(E)  
13 and inserting “with respect to such bene-  
14 fits”.

15 (2) Section 8(b) of the Veterans Home Loan  
16 Program Amendments of 1992 (Public Law 102-  
17 547; 38 U.S.C. 3761 note) is repealed.

18 (d) ESTABLISHMENT OF MAXIMUM AMOUNT OF  
19 LOANS.—Section 3762(c)(1)(B) of title 38, United States  
20 Code, is amended—

21 (1) by striking “(B) The” and inserting “(B)(i)  
22 Subject to clause (ii), the”; and

23 (2) by adding at the end the following new  
24 clause:

1       “(ii) The amount of a loan made by the Secretary  
2 under this subchapter may not exceed the maximum loan  
3 amount authorized for loans guaranteed under section  
4 3703(a)(1)(C) of this title.”.

5       (e) TECHNICAL AMENDMENT.—Subsection (c)(1)(A)  
6 of section 3762 of such title is amended by inserting “vet-  
7 eran” after “Native American”.

8       (f) CLERICAL AMENDMENTS.—

9           (1) SUBCHAPTER HEADING.—The heading for  
10 subchapter V of chapter 37 of such title is amended  
11 to read as follows:

12       “SUBCHAPTER V—DIRECT HOUSING LOANS  
13       FOR NATIVE AMERICAN VETERANS”.

14           (2) SECTION HEADING.—The heading for sec-  
15 tion 3761 of such title is amended to read as fol-  
16 lows:

17       “**§ 3761. Direct housing loans to Native American vet-**  
18       **erans; program authority**”.

19           (3) SECTION HEADING.—The heading for sec-  
20 tion 3762 of such title is amended to read as fol-  
21 lows:

22       “**§ 3762. Direct housing loans to Native American vet-**  
23       **erans; program administration**”.

24           (4) TABLE OF SECTIONS.—The table of sections  
25 at the beginning of chapter 37 of such title is

1 amended by striking the items relating to subchapter  
 2 V and sections 3761 and 3762 and inserting the fol-  
 3 lowing new items:

“SUBCHAPTER V—DIRECT HOUSING LOANS FOR NATIVE AMERICAN VETERANS

“3761. Direct housing loans to Native American veterans; program authority.

“3762. Direct housing loans to Native American veterans; program administra-  
 tion.”.

4 **SEC. 103. EXTENSION OF ELIGIBILITY FOR DIRECT LOANS**  
 5 **FOR NATIVE AMERICAN VETERANS TO A VET-**  
 6 **ERAN WHO IS THE SPOUSE OF A NATIVE**  
 7 **AMERICAN.**

8 (a) EXTENSION.—Subchapter V of chapter 37 of title  
 9 38, United States Code, is amended—

10 (1) by redesignating section 3764 as section  
 11 3765; and

12 (2) by inserting after section 3763 the following  
 13 new section:

14 **“§ 3764. Qualified non-Native American veterans**

15 “(a) Subject to the succeeding provisions of this sec-  
 16 tion, for purposes of this subchapter—

17 “(1) a qualified non-Native American veteran is  
 18 deemed to be a Native American veteran; and

19 “(2) for purposes of applicability to a non-Na-  
 20 tive American veteran, any reference in this sub-  
 21 chapter to the jurisdiction of a tribal organization  
 22 over a Native American veteran is deemed to be a  
 23 reference to jurisdiction of a tribal organization over

1 the Native American spouse of the qualified non-Na-  
2 tive American veteran.

3 “(b) In making direct loans under this subchapter to  
4 a qualified non-Native American veteran by reason of eli-  
5 gibility under subsection (a), the Secretary shall ensure  
6 that the tribal organization permits, and the qualified non-  
7 Native American veteran actually holds, possesses, or pur-  
8 chases, using the proceeds of the loan, jointly with the Na-  
9 tive American spouse of the qualified non-Native American  
10 veteran, a meaningful interest in the lot, dwelling, or both,  
11 that is located on trust land.

12 “(c) Nothing in subsection (b) shall be construed as  
13 precluding a tribal organization from imposing reasonable  
14 restrictions on the right of the qualified non-Native Amer-  
15 ican veteran to convey, assign, or otherwise dispose of such  
16 interest in the lot or dwelling, or both, if such restrictions  
17 are designed to ensure the continuation in trust status of  
18 the lot or dwelling, or both. Such requirements may in-  
19 clude the termination of the interest of the qualified non-  
20 Native American veteran in the lot or dwelling, or both,  
21 upon the dissolution of the marriage of the qualified non-  
22 Native American veteran to the Native American spouse.”.

23 (b) CONFORMING AMENDMENTS.—Section 3765 of  
24 such title, as redesignated by subsection (a), is amended  
25 by adding at the end the following new paragraph:

1           “(5) The term ‘qualified non-Native American  
2           veteran’ means a veteran who—

3                   “(A) is the spouse of a Native American,  
4           but

5                   “(B) is not a Native American.”.

6           (c) CLERICAL AMENDMENT.—The table of sections  
7           at the beginning of chapter 37 of such title is amended  
8           by striking the item relating to section 3764 and inserting  
9           the following new items:

          “3764. Qualified non-Native American veterans.  
          “3765. Definitions.”.

10 **SEC. 104. TERMINOLOGY AMENDMENTS TO REVISE REF-**  
11 **ERENCES TO CERTAIN VETERANS IN PROVI-**  
12 **SIONS RELATING TO ELIGIBILITY FOR COM-**  
13 **PENSATION OR DEPENDENCY AND INDEM-**  
14 **NITY COMPENSATION.**

15           Title 38, United States Code, is amended as follows:

16                   (1) Section 1114(l) is amended by striking “so  
17           helpless” and inserting “with such significant dis-  
18           abilities”.

19                   (2) Section 1114(m) is amended by striking “so  
20           helpless” and inserting “so significantly disabled”.

21                   (3) Sections 1115(1)(E)(ii), 1122(b)(2),  
22           1311(c)(2), 1315(g)(2), and 1502(b)(2) are amend-  
23           ed by striking “helpless or blind, or so nearly help-

1 less or blind as to” and inserting “blind, or so near-  
2 ly blind or significantly disabled as to”.

3 **TITLE II—EMPLOYMENT**  
4 **ASSISTANCE PROGRAMS**

5 **SEC. 201. EXTENSION OF OPERATION OF THE PRESIDENT’S**  
6 **NATIONAL HIRE VETERANS COMMITTEE.**

7 (a) ONE-YEAR EXTENSION.—Subsection (f) of sec-  
8 tion 6 of the Jobs for Veterans Act (Public Law 107–288;  
9 116 Stat. 2048) is amended—

10 (1) by striking “60 days” and inserting “not  
11 later than 60 days”; and

12 (2) by striking “on December 31, 2005” and  
13 inserting “not later than December 31, 2006”.

14 (b) ADDITIONAL AUTHORIZATION OF APPROPRIA-  
15 TIONS.—Subsection (g) of such section is amended by  
16 striking “2005” and inserting “2006”.

17 (c) ADDITIONAL REPORT.—Subsection (e) of such  
18 section is amended by striking “and 2005,” and inserting  
19 “2005, and 2006,”.

1 **SEC. 202. ADDITIONAL DUTY FOR THE ASSISTANT SEC-**  
2 **RETARY OF LABOR FOR VETERANS' EMPLOY-**  
3 **MENT AND TRAINING TO RAISE AWARENESS**  
4 **OF SKILLS OF VETERANS AND OF THE BENE-**  
5 **FITS OF HIRING VETERANS.**

6 (a) IN GENERAL.—Subsection (b) of section 4102A  
7 of title 38, United States Code, is amended by adding at  
8 the end the following new paragraph:

9 “(8) With advice and assistance from the Advi-  
10 sory Committee on Veterans Employment, Training,  
11 and Employer Outreach established under section  
12 4110 of this title, furnish information to employers  
13 (through meetings in person with hiring executives  
14 of corporations and otherwise) with respect to the  
15 training and skills of veterans and disabled veterans,  
16 and the advantages afforded employers by hiring  
17 veterans with such training and skills, and to facili-  
18 tate employment of veterans and disabled veterans  
19 through participation in labor exchanges (Internet-  
20 based and otherwise), and other means.”.

21 (b) TRANSITION PLAN.—(1) The Secretary of Labor,  
22 acting through the Assistant Secretary of Labor for Vet-  
23 erans' Employment and Training, shall develop a plan for  
24 the transition of the assumption of certain duties and  
25 functions of the President's National Hire Veterans Com-  
26 mittee by the Assistant Secretary in carrying out section

1 4102A(b)(8) of title 38, United States Code, as added by  
2 subsection (a). Such plan shall include the identification  
3 of the activities and operations of the Committee that the  
4 Assistant Secretary determines should be continued or ex-  
5 panded.

6 (2) Not later than July 1, 2006, the Secretary shall  
7 transmit to the Committees on Veterans' Affairs of the  
8 Senate and House of Representatives the transition plan  
9 developed under paragraph (1).

10 **SEC. 203. MODIFICATIONS TO THE ADVISORY COMMITTEE**

11 **ON VETERANS EMPLOYMENT AND TRAINING.**

12 (a) COMMITTEE NAME.—(1) Subsection (a)(1) of  
13 section 4110 of title 38, United States Code, is amended  
14 by striking “Advisory Committee on Veterans Employ-  
15 ment and Training” and inserting “Advisory Committee  
16 on Veterans Employment, Training, and Employer Out-  
17 reach”.

18 (2) The heading of such section is amended to read  
19 as follows:

20 **“§ 4110. Advisory Committee on Veterans Employ-  
21 ment, Training, and Employer Outreach”.**

22 (3) The item relating to section 4110 in the table of  
23 sections at the beginning of chapter 41 of such title is  
24 amended to read as follows:

“4110. Advisory Committee on Veterans Employment, Training, and Employer  
Outreach.”.

1           (4) Any reference to the Advisory Committee estab-  
2 lished under section 4110 of such title in any law, regula-  
3 tion, map, document, record, or other paper of the United  
4 States shall be considered to be a reference to the Advisory  
5 Committee on Veterans Employment, Training, and Em-  
6 ployer Outreach.

7           (b) EXPANSION OF DUTIES OF THE COMMITTEE.—  
8 Subsection (a)(2) of such section is amended—

9                   (1) in subparagraph (A), by inserting “and  
10 their integration into the workforce” after “vet-  
11 erans”;

12                   (2) by striking “and” at the end of subpara-  
13 graph (B);

14                   (3) by redesignating subparagraph (C) as sub-  
15 paragraph (E); and

16                   (4) by inserting after subparagraph (B) the fol-  
17 lowing new subparagraphs:

18                   “(C) assist the Assistant Secretary of Labor for  
19 Veterans Employment and Training in carrying out  
20 outreach activities to employers with respect to the  
21 training and skills of veterans and the advantages  
22 afforded employers by hiring veterans;

23                   “(D) make recommendations to the Secretary,  
24 through the Assistant Secretary of Labor for Vet-  
25 erans Employment and Training, with respect to

1 outreach activities and the employment and training  
2 of veterans; and”.

3 (c) MODIFICATION OF COMMITTEE MEMBERSHIP.—

4 (1) Subsection (c)(1) of such section is amended to read  
5 as follows:

6 “(c)(1) The Secretary of Labor shall appoint at least  
7 12, but no more than 15, individuals to serve as members  
8 of the advisory committee as follows:

9 “(A) Six individuals, one each from among rep-  
10 resentatives nominated by each of the following or-  
11 ganizations:

12 “(i) The National Society of Human Re-  
13 source Managers.

14 “(ii) The Business Roundtable.

15 “(iii) The National Association of State  
16 Workforce Agencies.

17 “(iv) The U.S. Chamber of Commerce.

18 “(v) The National Federation of Inde-  
19 pendent Business.

20 “(vi) A nationally recognized labor union  
21 or organization.

22 “(B) Not more than five individuals from  
23 among representatives nominated by veterans service  
24 organizations that have a national employment pro-  
25 gram.

1           “(C) Not more than five individuals who are  
2 recognized authorities in the fields of business, em-  
3 ployment, training, rehabilitation, or labor and who  
4 are not employees of the Department of Labor.”.

5           (2) Subsection (d) of such section is amended—

6           (A) by striking paragraphs (3), (4), (8), (10),  
7 (11), and (12); and

8           (B) by redesignating paragraphs (5), (6), (7),  
9 and (9) as paragraphs (3), (4), (5), and (6), respec-  
10 tively.

11           (d) REINSTATEMENT AND MODIFICATION OF RE-  
12 PORTING REQUIREMENT.—Subsection (f)(1) of such sec-  
13 tion is amended—

14           (1) by striking the first sentence and inserting  
15 the following: “Notwithstanding section 3003 of  
16 Public Law 104–66, not later than December 31 of  
17 each year, the advisory committee shall submit to  
18 the Secretary and to the Committees on Veterans’  
19 Affairs of the Senate and House of Representatives  
20 a report on the employment and training needs of  
21 veterans, with special emphasis on disabled veterans,  
22 for the previous fiscal year.”;

23           (2) in subparagraph (A), by inserting “and  
24 their integration into the workforce” after “vet-  
25 erans”;

1           (3) by striking “and” at the end of subpara-  
2 graph (B);

3           (4) by redesignating subparagraphs (B) and  
4 (C) as subparagraphs (C) and (F), respectively;

5           (5) by inserting after subparagraph (A) the fol-  
6 lowing new subparagraph:

7           “(B) an assessment of the outreach activities  
8 carried out by the Secretary of Labor to employers  
9 with respect to the training and skills of veterans  
10 and the advantages afforded employers by hiring  
11 veterans; ”; and

12           (6) by inserting after subparagraph (C), as so  
13 redesignated, the following new subparagraphs:

14           “(D) a description of the activities of the advi-  
15 sory committee during that fiscal year;

16           “(E) a description of activities that the advisory  
17 committee proposes to undertake in the succeeding  
18 fiscal year; and”.

1 **TITLE III—HOMELESS VET-**  
2 **ERANS REINTEGRATION PRO-**  
3 **GRAM**

4 **SEC. 301. REAUTHORIZATION OF APPROPRIATIONS FOR**  
5 **HOMELESS VETERANS REINTEGRATION PRO-**  
6 **GRAM.**

7 Subsection (e)(1) of section 2021 of title 38, United  
8 States Code, is amended by adding at the end the fol-  
9 lowing new subparagraph:

10 “(F) \$50,000,000 for each of fiscal years 2007  
11 through 2009.”.

12 **TITLE IV—TECHNICAL, CLARI-**  
13 **FYING, AND CLERICAL**  
14 **AMENDMENTS**

15 **SEC. 401. TECHNICAL AND CLARIFYING AMENDMENTS TO**  
16 **NEW TRAUMATIC INJURY PROTECTION COV-**  
17 **ERAGE UNDER SERVICEMEMBERS’ GROUP**  
18 **LIFE INSURANCE.**

19 (a) SECTION 1980A.—Section 1980A of title 38,  
20 United States Code, as enacted by section 1032(a)(2) of  
21 Public Law 109–13 (119 Stat. 257), is amended as fol-  
22 lows:

23 (1) Subsection (a) is amended to read as fol-  
24 lows:

1           “(a)(1) A member of the uniformed services who is  
2 insured under Servicemembers’ Group Life Insurance  
3 shall automatically be insured for traumatic injury in ac-  
4 cordance with this section. Insurance benefits under this  
5 section shall be payable if the member, while so insured,  
6 sustains a traumatic injury that results in a qualifying loss  
7 specified pursuant to subsection (b)(1).

8           “(2) If a member suffers more than one such quali-  
9 fying loss as a result of traumatic injury from the same  
10 traumatic event, payment shall be made under this section  
11 in accordance with the schedule prescribed pursuant to  
12 subsection (d) for the single loss providing the highest  
13 payment.”.

14           (2) Subsection (b) is amended—

15                   (A) in paragraph (1)—

16                           (i) by striking “issued a” and all that  
17 follows through “limited to—” and insert-  
18 ing “insured against traumatic injury  
19 under this section is insured against such  
20 losses due to traumatic injury (in this sec-  
21 tion referred to as ‘qualifying losses’) as  
22 are prescribed by the Secretary by regula-  
23 tion. Qualifying losses so prescribed shall  
24 include the following:”;

1 (ii) by capitalizing the first letter of  
2 the first word of each of subparagraphs  
3 (A) through (H);

4 (iii) by striking the semicolon at the  
5 end of each of subparagraphs (A) through  
6 (F) and inserting a period; and

7 (iv) by striking “; and” at the end of  
8 subparagraph (G) and inserting a period;  
9 (B) in paragraph (2)—

10 (i) by striking “subsection—” and in-  
11 sserting “subsection:”;

12 (ii) by striking “the” at the beginning  
13 of subparagraphs (A), (B), and (C) and in-  
14 sserting “The”;

15 (iii) in subparagraph (A), by striking  
16 “4 limbs;” and inserting “four limbs.”;

17 (iv) in subparagraph (B), by striking  
18 “; and” at the end and inserting a period;

19 (v) in subparagraph (C), by striking  
20 “1 side” and inserting “one side”; and

21 (vi) by adding at the end the following  
22 new subparagraph:

23 “(D) The term ‘inability to carry out the activi-  
24 ties of daily living’ means the inability to independ-

1           ently perform two or more of the following six func-  
2           tions:

3                   “(i) Bathing.

4                   “(ii) Continence.

5                   “(iii) Dressing.

6                   “(iv) Eating.

7                   “(v) Toileting.

8                   “(vi) Transferring.”;

9                   (C) in paragraph (3)—

10                         (i) by striking “, in collaboration with  
11                         the Secretary of Defense,”;

12                         (ii) by striking “shall prescribe” and  
13                         inserting “may prescribe”; and

14                         (iii) by striking “the conditions under  
15                         which coverage against loss will not be pro-  
16                         vided”; and inserting “conditions under  
17                         which coverage otherwise provided under  
18                         this section is excluded”; and

19                         (D) by adding at the end the following new  
20                         paragraph:

21                         “(4) A member shall not be considered for the pur-  
22                         poses of this section to be a member insured under  
23                         Servicemembers’ Group Life Insurance if the member is  
24                         insured under Servicemembers’ Group Life Insurance only  
25                         as an insurable dependent of another member pursuant

1 to subparagraph (A)(ii) or (C)(ii) of section 1967(a)(1)  
2 of this title.”.

3           (3) Subsection (c) is amended to read as fol-  
4 lows:

5           “(c)(1) A payment may be made to a member under  
6 this section only for a qualifying loss that results directly  
7 from a traumatic injury sustained while the member is  
8 covered against loss under this section and from no other  
9 cause.

10           “(2)(A) A payment may be made to a member under  
11 this section for a qualifying loss resulting from a trau-  
12 matic injury only for a loss that is incurred during the  
13 applicable period of time specified pursuant to subpara-  
14 graph (B).

15           “(B) For each qualifying loss, the Secretary shall  
16 prescribe, by regulation, a period of time to be the period  
17 of time within which a loss of that type must be incurred,  
18 determined from the date on which the member sustains  
19 the traumatic injury resulting in that loss, in order for  
20 that loss to be covered under this section. For quadri-  
21 plegia, paraplegia, and hemiplegia, the period of time so  
22 prescribed shall be 365 days.”.

23           (4) Subsection (d) is amended by striking  
24 “losses described in subsection (b)(1) shall be—”  
25 and all that follows and inserting “qualifying losses

1 shall be made in accordance with a schedule pre-  
2 scribed by the Secretary, by regulation, specifying  
3 the amount of payment to be made for each type of  
4 qualifying loss, to be based on the severity of the  
5 qualifying loss. The minimum payment that may be  
6 prescribed for a qualifying loss is \$25,000, and the  
7 maximum payment that may be prescribed for a  
8 qualifying loss is \$100,000.”.

9 (5) Subsection (e) is amended—

10 (A) by striking “of Veterans Affairs” each  
11 place it appears;

12 (B) in paragraph (1), by striking “as the  
13 premium allocable” and all that follows through  
14 “protection under this section”;

15 (C) in paragraph (2), by striking “Sec-  
16 retary of the concerned service” and inserting  
17 “Secretary concerned”; and

18 (D) by striking paragraphs (6), (7), and  
19 (8) and inserting the following:

20 “(6) The cost attributable to insuring members under  
21 this section for any month or other period specified by  
22 the Secretary, less the premiums paid by the members,  
23 shall be paid by the Secretary concerned to the Secretary.  
24 The Secretary shall allocate the amount payable among  
25 the uniformed services using such methods and data as

1 the Secretary determines to be reasonable and practicable.  
2 Payments under this paragraph shall be made on a month-  
3 ly basis or at such other intervals as may be specified by  
4 the Secretary and shall be made within 10 days of the  
5 date on which the Secretary provides notice to the Sec-  
6 retary concerned of the amount required.

7 “(7) For each period for which a payment by a Sec-  
8 retary concerned is required under paragraph (6), the Sec-  
9 retary concerned shall contribute such amount from ap-  
10 propriations available for active duty pay of the uniformed  
11 service concerned.

12 “(8) The sums withheld from the basic or other pay  
13 of members, or collected from them by the Secretary con-  
14 cerned, under this subsection, and the sums contributed  
15 from appropriations under this subsection, together with  
16 the income derived from any dividends or premium rate  
17 adjustments received from insurers shall be deposited to  
18 the credit of the revolving fund established in the Treasury  
19 of the United States under section 1869(d)(1) of this  
20 title.”.

21 (6) Subsection (f) is amended to read as fol-  
22 lows:

23 “(f) When a claim for benefits is submitted under this  
24 section, the Secretary of Defense or, in the case of a mem-  
25 ber not under the jurisdiction of the Secretary of Defense,

1 the Secretary concerned shall certify to the Secretary  
2 whether the member with respect to whom the claim is  
3 submitted—

4 “(1) was at the time of the injury giving rise  
5 to the claim insured under Servicemembers’ Group  
6 Life Insurance for the purposes of this section; and

7 “(2) has sustained a qualifying loss.”.

8 (7) Subsection (g) of such section is amended—

9 (A) by inserting “(1)” after “(g)”;

10 (B) by striking “will not be made” and in-  
11 serting “may not be made under the insurance  
12 coverage under this section”;

13 (C) by striking “the period” and all that  
14 follows through “the date” and inserting “a pe-  
15 riod prescribed by the Secretary, by regulation,  
16 for such purpose that begins on the date”;

17 (D) by designating the second sentence as  
18 paragraph (2);

19 (E) by striking “If the member” and in-  
20 serting “If a member eligible for a payment  
21 under this section” ;

22 (F) by striking “will be” and inserting  
23 “shall be”; and

24 (G) by striking “according to” and all that  
25 follows and inserting “to the beneficiary or

1 beneficiaries to whom the payment would be  
2 made if the payment were life insurance under  
3 section 1967(a) of this title.”.

4 (8) Subsection (h) of such section is amended—

5 (A) in the first sentence, by striking  
6 “member’s separation from the uniformed serv-  
7 ices” and inserting “termination of the mem-  
8 ber’s duty status in the uniformed services that  
9 established eligibility for Servicemembers’  
10 Group Life Insurance”;

11 (B) by striking the second sentence; and

12 (C) by adding at the end the following new  
13 sentence: “The termination of coverage under  
14 this section is effective in accordance with the  
15 preceding sentence, notwithstanding any con-  
16 tinuation after the date specified in that sen-  
17 tence of Servicemembers’ Group Life Insurance  
18 coverage pursuant to 1968(a) of this title for a  
19 period specified in that section.”.

20 (9) Such section is further amended by adding  
21 at the end the following new subsection:

22 “(j) Regulations under this section shall be prescribed  
23 in consultation with the Secretary of Defense.”.

24 (b) EFFECTIVE DATE.—Section 1980A of title 38,  
25 United States Code, as amended by subsection (a), shall

1 take effect on December 1, 2005, and (except as provided  
2 in subsection (d)) shall apply with respect to losses result-  
3 ing from traumatic injuries incurred on or after that date.

4 (c) DEADLINE FOR IMPLEMENTING REGULATIONS.—  
5 Regulations to carry out section 1980A of title 38, United  
6 States Code, as amended by subsection (a), shall be pre-  
7 scribed not later than December 1, 2005.

8 (d) APPLICABILITY TO PRIOR QUALIFYING LOSSES  
9 INCURRED IN OPERATION ENDURING FREEDOM AND OP-  
10 ERATION IRAQI FREEDOM.—

11 (1) ELIGIBILITY.—A member of the uniformed  
12 services who during the period beginning on October  
13 7, 2001, and ending at the close of November 30,  
14 2005, sustains a traumatic injury resulting in a  
15 qualifying loss is eligible for coverage for that loss  
16 under section 1980A of title 38, United States Code,  
17 as amended by subsection (a), if, as determined by  
18 the Secretary concerned, that loss was a direct result  
19 of a traumatic injury incurred in the theater of oper-  
20 ations for Operation Enduring Freedom or Oper-  
21 ation Iraqi Freedom.

22 (2) CERTIFICATION OF PERSONS ENTITLED TO  
23 PAYMENT.—The Secretary concerned shall certify to  
24 the life insurance company issuing the policy of life  
25 insurance for Servicemembers' Group Life Insurance

1 under chapter 19 of title 38, United States Code,  
2 the name and address of each person who the Sec-  
3 retary concerned determines to be entitled by reason  
4 of paragraph (1) to a payment under section 1980A  
5 of title 38, United States Code, as amended by sub-  
6 section (a), plus such additional information as the  
7 Secretary of Veterans Affairs may require.

8 (3) FUNDING.—At the time a certification is  
9 made under paragraph (2), the Secretary concerned,  
10 from funds then available to that Secretary for the  
11 pay of members of the uniformed services under the  
12 jurisdiction of that Secretary, shall pay to the Sec-  
13 retary of Veterans Affairs the amount of funds the  
14 Secretary of Veterans Affairs determines to be nec-  
15 essary to pay all costs related to payments to be  
16 made under that certification. Amounts received by  
17 the Secretary of Veterans Affairs under this para-  
18 graph shall be deposited to the credit of the revolv-  
19 ing fund in the Treasury of the United States estab-  
20 lished under section 1969(d) of title 38, United  
21 States Code.

22 (4) QUALIFYING LOSS.—For purposes of this  
23 subsection, the term “qualifying loss” means—

24 (A) a loss specified in the second sentence  
25 of subsection (b)(1) of section 1980A of title

1           38, United States Code, as amended by sub-  
2           section (a); and

3           (B) any other loss specified by the Sec-  
4           retary of Veterans Affairs pursuant to the first  
5           sentence of that subsection.

6           (e) FUNDING FOR FIRST YEAR OF BENEFITS.—  
7           Upon the date specified in subsection (b), the Secretary  
8           concerned shall pay to the Secretary of Veterans Affairs  
9           an amount that is equivalent to one-half the amount an-  
10          ticipated to be necessary to pay all costs related to pay-  
11          ments to be made under section 1980A of title 38, United  
12          States Code, for fiscal year 2006, effective December 1,  
13          2005. The amount received by the Secretary of Veterans  
14          Affairs under this subsection shall be deposited to the  
15          credit of the revolving fund in the Treasury of the United  
16          States established under section 1969(d) of title 38,  
17          United States Code.

18          (f) DEFINITIONS.—For purposes of this section, the  
19          term “Secretary concerned” has the meaning given that  
20          term in paragraph (25) of section 101 of title 38, United  
21          States Code.

22          (g) CONFORMING AMENDMENTS.—Section 1032 of  
23          Public Law 109–13 (119 Stat. 257) is amended—

1           (1) in subsection (a), by striking paragraph (1),  
2 including the amendment that would be made by  
3 that paragraph effective December 1, 2005; and  
4           (2) by striking subsections (c) and (d).

5 **SEC. 402. TECHNICAL AND CLERICAL AMENDMENTS.**

6 Title 38, United States Code, is amended as follows:

7           (1) **TYPOGRAPHICAL ERROR.**—Section  
8 1117(h)(1) is amended by striking  
9 “notwithstanding” and inserting “notwith-  
10 standing”.

11           (2) **INSERTION OF MISSING WORD.**—Section  
12 1513(a) is amended by inserting “section” after  
13 “prescribed by”.

14           (3) **DELETION OF EXTRA WORDS.**—Section  
15 3012(a)(1)(C)(ii) is amended by striking “on or”.

16           (4) **CROSS REFERENCE CORRECTION.**—Section  
17 3017(b)(1)(D) is amended by striking “3011(c)”  
18 and inserting “3011(e)”.

19           (5) **STYLISTIC AMENDMENTS.**—Section 3018A  
20 is amended—

21                   (A) by striking “of this section” in sub-  
22 sections (b) and (c);

23                   (B) by striking “of this subsection” in sub-  
24 sections (a)(4), (a)(5), (d)(1) (both places it ap-  
25 pears), and (d)(3); and

1 (C) by striking “of this chapter” in sub-  
2 section (d)(3) and inserting “of this title”.

3 (6) CROSS REFERENCE CORRECTION.—Section  
4 3117(b)(1) is amended—

5 (A) by striking “section 8” and inserting  
6 “section 4(b)(1)”; and

7 (B) by striking “633(b)” and inserting  
8 “633(b)(1)”.

9 (7) INSERTION OF MISSING WORD.—Section  
10 3511(a)(1) is amended by inserting “sections” after  
11 “under both”.

12 (8) SUBSECTION HEADINGS.—

13 (A) Sections 3461, 3462, 3481, 3565,  
14 3680, and 3690 are each amended by revising  
15 each subsection heading for a subsection therein  
16 (appearing as a centered heading immediately  
17 before the text of the subsection) so that such  
18 heading appears immediately after the sub-  
19 section designation and is set forth in capitals-  
20 and-small-capitals typeface, followed by a period  
21 and a one-em dash.

22 (B) Section 3461(c) is amended by insert-  
23 ing after the subsection designation the fol-  
24 lowing: “DURATION OF ENTITLEMENT.—”.

25 (C) Section 3462 is amended—

1 (i) in subsection (d), by inserting after  
2 the subsection designation the following:

3 “PRISONERS OF WAR.—”; and

4 (ii) in subsection (e), by inserting  
5 after the subsection designation the fol-  
6 lowing: “TERMINATION OF ASSISTANCE.—  
7 ”.

8 (9) CROSS REFERENCE CORRECTION.—Section  
9 3732(c)(10)(D) is amended by striking “clause (B)  
10 of paragraphs (5), (6), (7), and (8) of this sub-  
11 section” and inserting “paragraphs (5)(B), (6),  
12 (7)(B), and (8)(B)”.

13 (10) DATE OF ENACTMENT REFERENCE.—Sec-  
14 tion 3733(a)(7) is amended by striking “the date of  
15 the enactment of the Veterans’ Benefits Act of  
16 2003” and inserting “December 16, 2003”.

17 (11) REPEAL OF OBSOLETE PROVISIONS.—Sec-  
18 tion 4102A is amended

19 (A) in subsection (c)(7)—

20 (i) by striking “With respect to pro-  
21 gram years beginning during or after fiscal  
22 year 2004, one percent of” and inserting  
23 “Of”; and

1                   (ii) by striking “for the program  
2                   year” and inserting “for any program  
3                   year, one percent”; and

4                   (B) in subsection (f)(1), by striking “By  
5                   not later than May 7, 2003, the” and inserting  
6                   “The”.

7                   (12) REPEAL OF OBSOLETE PROVISIONS.—Sec-  
8                   tion 4105(b) is amended—

9                   (A) by striking “shall provide,” and all  
10                  that follows through “Affairs with” and insert-  
11                  ing “shall, on the 15th day of each month, pro-  
12                  vide the Secretary and the Secretary of Vet-  
13                  erans Affairs with updated information regard-  
14                  ing”; and

15                  (B) by striking “and shall” and all that  
16                  follows through “regarding the list”.

17                  (13) CITATION CORRECTION.—Section 4110B is  
18                  amended—

19                  (A) by striking “this Act” and inserting  
20                  “the Workforce Investment Act of 1998”; and

21                  (B) by inserting “(29 U.S.C. 2822(b))” be-  
22                  fore the period at the end.

23                  (14) CROSS-REFERENCE CORRECTION.—Section  
24                  4331(b)(2)(C) is amended by striking “section

1       2303(a)(2)(C)(ii)”       and       inserting       “section  
2       2302(a)(2)(C)(ii)”.

3               (15) CAPITALIZATION CORRECTION.—Section  
4       7253(d)(5) is amended by striking “court” and in-  
5       serting “Court”.

Passed the House of Representatives November 10,  
2005.

Attest:

JEFF TRANDAHL,

*Clerk.*