

104TH CONGRESS
2D SESSION

H. R. 3674

To amend title 38, United States Code, to clarify the causal relationship required between a veteran's service-connected disability and employment handicap for purposes of determining eligibility for training and rehabilitation assistance, to transfer certain educational assistance entitlements from the Post-Vietnam Era Educational Assistance Program to the Montgomery GI Bill, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 19, 1996

Mr. STUMP (for himself, Mr. MONTGOMERY, Mr. BUYER, Mr. EVERETT, Mr. EVANS, and Mr. MASCARA) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to clarify the causal relationship required between a veteran's service-connected disability and employment handicap for purposes of determining eligibility for training and rehabilitation assistance, to transfer certain educational assistance entitlements from the Post-Vietnam Era Educational Assistance Program to the Montgomery GI Bill, 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; REFERENCES TO TITLE 38,**
2 **UNITED STATES CODE.**

3 (a) **SHORT TITLE.**—This Act may be cited as the
4 “Veterans’ Education and Compensation Benefits Amend-
5 ments of 1996”.

6 (b) **REFERENCES.**—Except as otherwise expressly
7 provided, whenever in this Act an amendment is expressed
8 in terms of an amendment to a section or other provision,
9 the reference shall be considered to be made to a section
10 or other provision of title 38, United States Code.

11 **TITLE I—VETERANS’ EDUCATION**
12 **PROGRAMS**

13 **SEC. 101. EMPLOYMENT HANDICAP FOR WHICH AN INDI-**
14 **VIDUAL MAY RECEIVE TRAINING AND REHA-**
15 **BILITATION ASSISTANCE.**

16 (a) **DEFINITIONS.**—Section 3101 is amended—

17 (1) in paragraph (1), by inserting “, resulting
18 in substantial part from a disability described in sec-
19 tion 3102(1)(A) of this title,” after “impairment”;

20 (2) in paragraph (6), by inserting “authorized
21 under section 3120 of this title” after “assistance”;
22 and

23 (3) in paragraph (7), by inserting “, resulting
24 in substantial part from a service-connected disabili-
25 ty rated at 10 percent or more,” after “impair-
26 ment”.

1 (b) BASIC ENTITLEMENT.—Section 3102 is amend-
2 ed—

3 (1) in paragraph (1)(A)(i), by striking out
4 “which is” and all that follows through “chapter 11
5 of this title” and inserting in lieu thereof “rated at
6 20 percent or more”;

7 (2) in paragraph (2)(A), by striking out “which
8 is” and all that follows through “chapter 11 of this
9 title” and inserting in lieu thereof “rated at 10 per-
10 cent”; and

11 (3) by amending paragraph (2)(B) to read as
12 follows:

13 “(B) is determined by the Secretary to be
14 in need of rehabilitation because of a serious
15 employment handicap.”.

16 (c) PERIODS OF ELIGIBILITY.—Section 3103 is
17 amended—

18 (1) in subsection (b)(3), by striking out “de-
19 scribed in section 3102(1)(A)(i) of this title” and in-
20 sserting in lieu thereof “rated at 10 percent or
21 more”;

22 (2) in subsection (c)—

23 (A) in the matter preceding paragraph (1),
24 by striking out “particular” and inserting in
25 lieu thereof “current”; and

1 (B) in paragraph (2), by striking out “vet-
2 eran’s employment” and inserting in lieu there-
3 of “veteran’s current employment”; and

4 (3) in subsection (d), by striking out “under
5 this chapter” and inserting in lieu thereof “in ac-
6 cordance with the provisions of section 3120 of this
7 title”.

8 (d) SCOPE OF SERVICES AND ASSISTANCE.—Section
9 3104 is amended—

10 (1) in subsection (a)—

11 (A) in paragraph (1)—

12 (i) by striking out “such veteran’s dis-
13 ability or disabilities cause” and inserting
14 in lieu thereof “the veteran has an employ-
15 ment handicap or”; and

16 (ii) by inserting “reasonably” after
17 “goal is”;

18 (B) in paragraph (7)(A)—

19 (i) by striking out “(i)”; and

20 (ii) by striking out “, and (ii)” and all
21 that follows through “such Act”; and

22 (C) in paragraph (12), by striking out
23 “For the most severely disabled veterans requir-
24 ing” and inserting in lieu thereof “For veterans

1 with the most severe service-connected disabili-
2 ties who require”; and

3 (2) by striking out subsection (b) and redesignig-
4 nating subsection (c) as subsection (b).

5 (e) DURATION OF REHABILITATION PROGRAMS.—

6 Paragraph (1) of section 3105(c) is amended by striking
7 out “veteran’s employment” and inserting in lieu thereof
8 “veteran’s current employment”.

9 (f) INITIAL AND EXTENDED EVALUATIONS; DETER-
10 MINATIONS REGARDING SERIOUS EMPLOYMENT HANDI-
11 CAP.—(1) Section 3106 is amended—

12 (A) in subsection (a), by striking out “described
13 in clause (i) or (ii) of section 3102(1)(A) of this
14 title” and inserting in lieu thereof “rated at 10 per-
15 cent or more”;

16 (B) in subsection (b), by striking out “counsel-
17 ing in accordance with”;

18 (C) in subsection (c), by striking out “with ex-
19 tended” and inserting in lieu thereof “with an ex-
20 tended”; and

21 (D) by redesignating subsections (d) and (e) as
22 subsections (e) and (f), respectively, and inserting
23 after subsection (c) the following new subsection:

24 “(d) In any case in which the Secretary has deter-
25 mined that a veteran has a serious employment handicap

1 and also determines, following such initial and any such
2 extended evaluation, that achievement of a vocational goal
3 currently is not reasonably feasible, the Secretary shall de-
4 termine whether the veteran is capable of participating in
5 a program of independent living services and assistance
6 under section 3120 of this title.”.

7 (2) Chapter 31 is amended—

8 (A) in section 3107(e)(2), by striking out
9 “3106(e)” and inserting in lieu thereof “3106(f”;

10 (B) in section 3109, by striking out “3106(d)”
11 and inserting in lieu thereof “3106(e”;

12 (C) in section 3118(c), by striking out
13 “3106(e)” and inserting in lieu thereof “3106(f”;
14 and

15 (D) in section 3120(b), by striking out
16 “3106(d)” and inserting in lieu thereof “3106(d) or
17 (e”.

18 (g) ALLOWANCES.—Section 3108 is amended—

19 (1) in subsection (a)(2), by striking out “follow-
20 ing the conclusion of such pursuit” and inserting in
21 lieu thereof “while satisfactorily following a program
22 of employment services provided under section
23 3104(a)(5) of this title”; and

24 (2) in subsection (f)(1)—

25 (A) in subparagraph (A)—

1 (i) by inserting “eligible for and”
2 after “veteran is”;

3 (ii) by striking out “chapter 30 or
4 34” and inserting in lieu thereof “chapter
5 30”; and

6 (iii) by striking out “either chapter 30
7 or chapter 34” and inserting in lieu there-
8 of “chapter 30”; and

9 (B) in subparagraph (B), by striking out
10 “chapter 30 or 34” and inserting in lieu thereof
11 “chapter 30”.

12 (h) EMPLOYMENT ASSISTANCE.—Paragraph (1) of
13 section 3117(a) is amended by inserting “rated at 10 per-
14 cent or more” after “disability”.

15 (i) PROGRAM OF INDEPENDENT LIVING SERVICES
16 AND ASSISTANCE.—Section 3120 is amended—

17 (1) in subsection (b), by striking out “service-
18 connected disability described in section 3102(1)(A)”
19 and inserting in lieu thereof “serious employment
20 handicap resulting in substantial part from a serv-
21 ice-connected disability described in section
22 3102(1)(A)(i)”; and

23 (2) in subsection (d), by striking out “and (b)”.

1 (j) EFFECTIVE DATE.—(1) Except as provided in
 2 paragraph (2), the amendments made by this section shall
 3 take effect on the date of the enactment of this Act.

4 (2) The amendments made by subsection (a) (other
 5 than paragraph (2)), subsection (d) (other than subpara-
 6 graphs (A) and (B) of paragraph (1)), and subsection (i)
 7 shall only apply with respect to claims of eligibility or enti-
 8 tlement to services and assistance (including claims for ex-
 9 tension of such services and assistance) under chapter 31
 10 of title 38, United States Code, received by the Secretary
 11 on or after the date of the enactment of this Act, including
 12 those claims based on original applications, and applica-
 13 tions seeking to reopen, revise, reconsider, or otherwise ad-
 14 judicate or readjudicate on any basis claims for services
 15 and assistance under such chapter.

16 **SEC. 102. INCREASE IN BASIC MONTGOMERY GI BILL**
 17 **RATES.**

18 (a) IN GENERAL.—Section 3015 is amended—

19 (1) in subsection (a)(1), by striking out “\$400”
 20 and inserting in lieu thereof “\$421.62”; and

21 (2) in subsection (b)(1), by striking out “\$325”
 22 and inserting in lieu thereof “\$343.51”.

23 (b) EFFECTIVE DATE.—The amendments made by
 24 subsection (a) shall take effect on October 1, 1996.

1 **SEC. 103. ENROLLMENT OF CERTAIN VEAP-ENROLLED IN-**
2 **DIVIDUALS IN MONTGOMERY GI BILL.**

3 (a) IN GENERAL.—Subchapter II of chapter 30 is
4 amended by inserting after section 3018B the following
5 new section:

6 **“§ 3018C. Enrollment of certain VEAP-enrolled indi-**
7 **viduals**

8 “(a) Notwithstanding any other provision of law, the
9 Secretary of Defense shall allow an individual who—

10 “(1) is a participant on the date of the enact-
11 ment of the Veterans’ Education and Compensation
12 Benefits Amendments of 1996 in the educational
13 benefits program provided by chapter 32;

14 “(2) is serving on active duty (excluding the pe-
15 riods referred to in section 3202(1)(C)) on such
16 date;

17 “(3) before applying for benefits under this sec-
18 tion, has completed the requirements of a secondary
19 school diploma (or equivalency certificate) or has
20 successfully completed the equivalent of 12 semester
21 hours in a program of education leading to a stand-
22 ard college degree;

23 “(4) if discharged or released from active duty
24 during the 180-day period specified in paragraph
25 (5), is discharged or released therefrom with an hon-
26 orable discharge; and

1 “(5) before 180 days after the date of the en-
2 actment of the Veterans’ Education and Compensa-
3 tion Benefits Amendments of 1996, makes an irrev-
4 ocable election to receive benefits under this section
5 in lieu of benefits under chapter 32 of this title, pur-
6 suant to procedures which the Secretary of each
7 military department shall provide in accordance with
8 regulations prescribed by the Secretary of Defense
9 for the purpose of carrying out this section or which
10 the Secretary of Transportation shall provide for
11 such purpose with respect to the Coast Guard when
12 it is not operating as a service in the Navy;
13 to become entitled to basic educational assistance under
14 this chapter.

15 “(b) With respect to an individual who makes an elec-
16 tion under subsection (a) to become entitled to basic edu-
17 cation assistance under this chapter—

18 “(1) the basic pay of the individual shall be re-
19 duced (in a manner determined by the Secretary of
20 Defense) until the total amount by which such basic
21 pay is reduced is \$1,200; or

22 “(2) the Secretary shall collect \$1,200 from the
23 individual, which shall be paid into the Treasury of
24 the United States as miscellaneous receipts.

1 “(c)(1) Except as provided in paragraph (3) of this
2 subsection, an individual who is enrolled in the educational
3 benefits program provided by chapter 32 of this title and
4 who makes the election described in subsection (a)(5) of
5 this section shall be disenrolled from such chapter 32 pro-
6 gram as of the date of such election.

7 “(2) For each individual who is disenrolled from such
8 program, the Secretary shall refund—

9 “(A) as provided in section 3223(b) of this title,
10 to the individual the unused contributions made by
11 the individual to the Post-Vietnam Era Veterans
12 Education Account established pursuant to section
13 3222(a) of this title; and

14 “(B) to the Secretary of Defense the unused
15 contributions (other than contributions made under
16 section 3222(c) of this title) made by such Secretary
17 to the Account on behalf of such individual.

18 “(3) Any contribution made by the Secretary of De-
19 fense to the Post-Vietnam Era Veterans Education Ac-
20 count pursuant to subsection (c) of section 3222 of this
21 title on behalf of any individual referred to in paragraph
22 (1) of this subsection shall remain in such account to
23 make payments of benefits to such individual under sec-
24 tion 3015(f) of this title.

1 “(d) The procedures provided in regulations referred
2 to in subsection (a) shall provide for notice of the require-
3 ments of subparagraphs (B), (C), and (D) of section
4 3011(a)(3) and of subparagraph (A) of section 3012 of
5 this title. Receipt of such notice shall be acknowledged in
6 writing.”.

7 (b) CONFORMING AMENDMENTS.—(1) The table of
8 sections at the beginning of chapter 30 is amended by in-
9 serting after the item relating to section 3018B the follow-
10 ing new item:

“3018C. Enrollment of certain VEAP-enrolled individuals.”.

11 (2) Subsection (d) of section 3013 is amended by
12 striking out “or 3018B” and inserting in lieu thereof “,
13 3018B, or 3018C”.

14 (3) Subsection (f) of section 3015 is amended by in-
15 serting “, 3018B, or 3018C” after “section 3018A”.

16 (4) Paragraph (3) of section 3035(b) is amended by
17 striking out “or 3018B” in the matter preceding subpara-
18 graph (A) and inserting in lieu thereof “, 3018B, or
19 3018C”.

20 (c) TRANSFER OF EDUCATIONAL ASSISTANCE
21 FUNDS.—(1) Subparagraph (B) of section 3232(b)(2) is
22 amended—

23 (A) by striking out “, for the purposes of sec-
24 tion 1322(a) of title 31,”; and

1 (B) by striking out “as provided in such sec-
2 tion” and inserting in lieu thereof “to the Secretary
3 for payments for entitlement earned under sub-
4 chapter II of chapter 30”.

5 (2) Paragraph (1) of section 3035(b) of such title is
6 amended by inserting before the period at the end the fol-
7 lowing: “and from transfers from the Post-Vietnam Era
8 Veterans Education Account pursuant to section
9 3232(b)(2)(B) of this title”.

10 (3) Subsection (a) of section 1322 of title 31, United
11 States Code, is amended by striking out “(82)” and in-
12 serting in lieu thereof “(81)”.

13 **SEC. 104. MONTGOMERY GI BILL ELIGIBILITY FOR CERTAIN**
14 **ACTIVE DUTY MEMBERS OF ARMY AND AIR**
15 **NATIONAL GUARD.**

16 (a) IN GENERAL.—Paragraph (7) of section 3002 is
17 amended by striking out “November 29, 1989” and insert-
18 ing in lieu thereof “June 30, 1985”.

19 (b) APPLICATION.—(1) An individual may only be-
20 come eligible for benefits under chapter 30 of title 38,
21 United States Code, as a result of the amendment made
22 by subsection (a) by making an election to become entitled
23 to basic educational assistance under such chapter. The
24 election may only be made within the nine-month period

1 beginning on the date of the enactment of this Act in the
2 manner required by the Secretary of Defense.

3 (2) REDUCTION IN PAY OR LUMP SUM DEPOSIT.—

4 In the case of any individual making an election under
5 paragraph (1), the Secretary of Defense shall collect and
6 deposit \$1,200 from each such individual making an elec-
7 tion under paragraph (1) in the manner required by sec-
8 tion 3018(B)(b) of such title.

9 (3) TIME LIMITATION FOR USE OF ELIGIBILITY AND
10 ENTITLEMENT.—In the case of any individual making an
11 election under paragraph (1), the 10-year period referred
12 to in section 3031 of such title shall begin on the later
13 of—

14 (A) the date determined under such section
15 3031; or

16 (B) the date the election under paragraph (1)
17 of this subsection becomes effective.

18 **SEC. 105. PERMANENT AUTHORITY FOR ALTERNATIVE**

19 **TEACHER CERTIFICATION PROGRAMS.**

20 Subsection (c) of section 3452 is amended by striking
21 out “For the period ending on September 30, 1996, such”
22 and inserting in lieu thereof “Such”.

1 **TITLE II—VETERANS’ BENEFITS**
2 **PROGRAMS**

3 **SEC. 201. EFFECTIVE DATE OF DISCONTINUANCE OF CER-**
4 **TAIN VETERANS’ BENEFITS BY REASON OF**
5 **DEATH OF RECIPIENT.**

6 (a) DATE OF DISCONTINUANCE OF BENEFITS.—Sec-
7 tion 5112(b)(1) of title 38, United States Code, is amend-
8 ed to read as follows:

9 “(1) by reason of—

10 “(A) the marriage or remarriage of the
11 payee, shall be the last day of the month before
12 the month during which such marriage or re-
13 marriage occurs; and

14 “(B) the death of the payee, shall be (i)
15 the last day of the month before the month dur-
16 ing which the death occurs, or (ii) in the case
17 of a payee who was in receipt of compensation
18 or pension and who has a surviving spouse who
19 is not entitled to have benefits computed under
20 section 5310 of this title for the month in which
21 the death occurs, the date on which the death
22 occurs;”.

23 (b) PAYMENT OF BENEFIT FOR FINAL MONTH.—
24 Section 5112 of such title is further amended by adding
25 at the end the following new subsection:

1 “(d) In the case of discontinuance of payment of com-
2 pensation or pension covered by subsection (b)(1)(B)(ii),
3 the payment for the final calendar month (or any portion
4 thereof) for which such benefit is payable shall (notwith-
5 standing any other provision of law) be payable to the sur-
6 viving spouse.”.

7 (c) COMMENCEMENT DATE FOR DIC.—Section
8 5110(d) of such title is amended by adding at the end
9 the following new paragraph:

10 “(3) Notwithstanding paragraph (1), the effective
11 date of an award of dependency and indemnity compensa-
12 tion for which application is received within one year from
13 the date of death shall, in the case of a surviving spouse
14 who is not entitled to have benefits computed under sec-
15 tion 5310 of this title for the month in which the death
16 occurs, be the day following the date on which the death
17 occurred.”.

18 (d) EFFECTIVE DATE.—The amendments made by
19 this section shall apply with respect to the death of com-
20 pensation and pension recipients occurring after October
21 1, 1997.

1 **SEC. 202. INCREASE IN PERIOD FOR WHICH ACCRUED BEN-**
2 **EFITS PAYABLE.**

3 Subsection (a) of section 5121 is amended by striking
4 out “one year” in the matter preceding paragraph (1) and
5 inserting in lieu thereof “two years”.

6 **SEC. 203. INCREASE IN AUTOMOBILE ALLOWANCE.**

7 (a) IN GENERAL.—Subsection (a) of section 3902 is
8 amended by striking out “\$5,500” and inserting in lieu
9 thereof “\$6,500”.

10 (b) EFFECTIVE DATE.—The amendment made by
11 subsection (a) shall apply with respect to purchases of
12 automobiles and other conveyances on or after the date
13 of the enactment of this Act.

14 **SEC. 204. LEGAL ASSISTANCE FOR FINANCIALLY NEEDY**
15 **VETERANS IN CONNECTION WITH COURT OF**
16 **VETERANS APPEALS PROCEEDINGS.**

17 (a) IN GENERAL.—Subchapter III of chapter 72 is
18 amended by adding at the end the following new section:

19 **“§ 7287. Legal assistance for financially needy veter-**
20 **ans in proceedings before the Court**

21 “(a)(1) The Court of Veterans Appeals shall provide
22 funds in order to provide financial assistance by grant or
23 contract to legal assistance entities for purposes of pro-
24 grams described in subsection (b).

25 “(2) The Court shall seek to provide funds for such
26 purpose through a nonprofit organization selected by it.

1 If the Court determines that there exists no nonprofit or-
2 ganization that would be an appropriate recipient of funds
3 under this section for the purposes referred to in para-
4 graph (1) and that it is consistent with the mission of the
5 Court, the Court shall provide financial assistance, by
6 grant or contract, directly to legal assistance entities for
7 purposes of permitting such entities to carry out programs
8 described in subsection (b).

9 “(b)(1) A program referred to in subsection (a) is any
10 program under which a legal assistance entity uses finan-
11 cial assistance under this section to provide assistance or
12 carry out activities (including assistance, services, or ac-
13 tivities referred to in paragraph (3)) in order to ensure
14 that individuals described in paragraph (2) receive, with-
15 out charge, legal assistance in connection with decisions
16 to which section 7252(a) of this title may apply or with
17 other proceedings before the Court.

18 “(2) An individual referred to in paragraph (1) is any
19 veteran or other person who—

20 “(A) is or seeks to be a party to an action be-
21 fore the Court; and

22 “(B) cannot, as determined by the Court or the
23 entity concerned, afford the costs of legal advice and
24 representation in connection with that action.

1 “(3) Assistance, services, and activities under a pro-
2 gram described in this subsection may include the follow-
3 ing for individuals described in paragraph (2) in connec-
4 tion with proceedings before the Court:

5 “(A) Financial assistance to defray the ex-
6 penses of legal advice or representation (other than
7 payment of attorney fees) by attorneys, clinical law
8 programs of law schools, and veterans service orga-
9 nizations.

10 “(B) Case screening and referral services for
11 purposes of referring cases to pro bono attorneys
12 and such programs and organizations.

13 “(C) Education and training of attorneys and
14 other legal personnel who may appear before the
15 Court by attorneys and such programs and organiza-
16 tions.

17 “(D) Encouragement and facilitation of the pro
18 bono representation by attorneys and such programs
19 and organizations.

20 “(4) A legal assistance entity that receives financial
21 assistance described in subsection (a) to carry out a pro-
22 gram under this subsection shall make such contributions
23 (including in-kind contributions) to the program as the
24 nonprofit organization or the Court, as the case may be,
25 shall specify when providing the assistance.

1 “(5) A legal assistance entity that receives financial
2 assistance under subsection (a) to carry out a program
3 described in this subsection may not require or request
4 the payment of a charge or fee in connection with the pro-
5 gram by or on behalf of any individual described in para-
6 graph (2).

7 “(c)(1)(A) From amounts appropriated to the De-
8 partment for each of fiscal years 1997 through 2003 for
9 the payment of compensation and pension, the Secretary
10 shall transfer to the Court the amount specified under
11 subparagraph (B) for each such fiscal year, and such
12 funds shall be available for use by the Court only in ac-
13 cordance with this section.

14 “(B) The amount to be transferred to the Court
15 under subparagraph (A) for any fiscal year is \$700,000
16 for fiscal year 1997 and the same amount for each suc-
17 ceeding fiscal year through fiscal year 2003 increased by
18 3 percent per year, reduced for any such fiscal year by
19 such amount as may otherwise be specifically appropriated
20 for the purposes of the program under this section for that
21 fiscal year.

22 “(2) The Court shall provide funds available to it for
23 the purposes of the program under this section to a non-
24 profit organization described in subsection (a)(1). Such
25 funds shall be provided to such organization in advance

1 or by way of reimbursement, to cover some or all of the
2 administrative costs of the organization in providing finan-
3 cial assistance to legal assistance entities carrying out pro-
4 grams described in subsection (b).

5 “(3) Funds shall be provided under this subsection
6 pursuant to a written agreement entered into by the Court
7 and the organization receiving the funds.

8 “(d) A nonprofit organization may—

9 “(1) accept funds, in advance or by way of re-
10 imbursement, from the Court under subsection
11 (a)(1) in order to provide the financial assistance re-
12 ferred to in that subsection;

13 “(2) provide financial assistance by grant or
14 contract to legal assistance entities under this sec-
15 tion for purposes of permitting such entities to carry
16 out programs described in subsection (b);

17 “(3) administer any such grant or contract; and

18 “(4) accept funds, in advance or by way of re-
19 imbursement, from the Court under subsection (c) in
20 order to cover the administrative costs referred to in
21 that subsection.

22 “(e)(1) Not later than February 1 of each year, the
23 Court shall submit to Congress a report on the funds and
24 financial assistance provided under this section during the
25 preceding fiscal year. Based on the information provided

1 the Court by entities receiving such funds and assistance,
2 each report shall—

3 “(A) set forth the amount, if any, of funds pro-
4 vided to nonprofit organizations under paragraph
5 (1) of subsection (a) during the fiscal year covered
6 by the report;

7 “(B) set forth the amount, if any, of financial
8 assistance provided to legal assistance entities pur-
9 suant to paragraph (1) of subsection (a) or under
10 paragraph (2) of that subsection during that fiscal
11 year;

12 “(C) set forth the amount, if any, of funds pro-
13 vided to nonprofit organizations under subsection (c)
14 during that fiscal year; and

15 “(D) describe the programs carried out under
16 this section during that fiscal year.

17 “(2) The Court may require that any nonprofit orga-
18 nization and any legal assistance entity to which funds or
19 financial assistance are provided under this section provide
20 the Court with such information on the programs carried
21 out under this section as the Court determines necessary
22 to prepare a report under this subsection.

23 “(f) For the purposes of this section:

24 “(1) The term ‘nonprofit organization’ means
25 any not-for-profit organization that is involved with

1 the provision of legal assistance to persons unable to
2 afford such assistance.

3 “(2) The term ‘legal assistance entity’ means a
4 not-for-profit organization or veterans service orga-
5 nization capable of providing legal assistance to per-
6 sons with respect to matters before the Court.

7 “(3) The term ‘veterans service organization’
8 means an organization referred to in section
9 5902(a)(1) of this title, including an organization
10 approved by the Secretary under that section.”.

11 (b) CLERICAL AMENDMENT.—The table of sections
12 at the beginning of such chapter is amended by inserting
13 after the item relating to section 7286 the following new
14 item:

“7287. Legal assistance for financially needy veterans in proceedings before the
Court.”.

○