

In the Senate of the United States,

May 24, 2001.

Resolved, That the bill from the House of Representatives (H.R. 801) entitled “An Act to amend title 38, United States Code, to improve programs of educational assistance, to expand programs of transition assistance and outreach to departing servicemembers, veterans, and dependents, to increase burial benefits, to provide for family coverage under Servicemembers’ Group Life Insurance, and for other purposes.”, do pass with the following

AMENDMENTS:

Strike out all after the enacting clause and insert:

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

2 (a) *SHORT TITLE.*—*This Act may be cited as the “Vet-*
3 *erans’ Survivor Benefits Improvements Act of 2001”.*

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

Sec. 1. Short title; table of contents.

Sec. 2. References to title 38, United States Code.

Sec. 3. Eligibility for benefits under CHAMPVA for veterans’ survivors who are eligible for hospital insurance benefits under the medicare program.

Sec. 4. Family coverage under Servicemembers’ Group Life Insurance.

Sec. 5. Retroactive applicability of increase in maximum SGLI benefit for members dying in performance of duty on or after October 1, 2000.

Sec. 6. Expansion of outreach efforts to eligible dependents.

Sec. 7. Technical amendments to the Montgomery GI Bill statute.

Sec. 8. Miscellaneous technical amendments.

1 SEC. 2. REFERENCES TO TITLE 38, UNITED STATES CODE.

2 *Except as otherwise expressly provided, whenever in*
 3 *this Act an amendment or repeal is expressed in terms of*
 4 *an amendment to, or repeal of, a section or other provision,*
 5 *the reference shall be considered to be made to a section or*
 6 *other provision of title 38, United States Code.*

7 **SEC. 3. ELIGIBILITY FOR BENEFITS UNDER CHAMPVA FOR**
 8 **VETERANS' SURVIVORS WHO ARE ELIGIBLE**
 9 **FOR HOSPITAL INSURANCE BENEFITS UNDER**
 10 **THE MEDICARE PROGRAM.**

11 *Subsection (d) of section 1713 is amended to read as*
 12 *follows:*

13 *“(d)(1)(A) An individual otherwise eligible for medical*
 14 *care under this section who is also entitled to hospital in-*
 15 *surance benefits under part A of the medicare program is*
 16 *eligible for medical care under this section only if the indi-*
 17 *vidual is also enrolled in the supplementary medical insur-*
 18 *ance program under part B of the medicare program.*

19 *“(B) The limitation in subparagraph (A) does not*
 20 *apply to an individual who—*

21 *“(i) has attained 65 years of age as of the date*
 22 *of the enactment of the Veterans' Survivor Benefits*
 23 *Improvements Act of 2001; and*

1 “(ii) is not enrolled in the supplementary med-
2 ical insurance program under part B of the medicare
3 program as of that date.

4 “(2) Subject to paragraph (3), if an individual de-
5 scribed in paragraph (1) receives medical care for which
6 payment may be made under both this section and the
7 medicare program, the amount payable for such medical
8 care under this section shall be the amount by which (A)
9 the costs for such medical care exceed (B) the sum of—

10 “(i) the amount payable for such medical care
11 under the medicare program; and

12 “(ii) the total amount paid or payable for such
13 medical care by third party payers other than the
14 medicare program.

15 “(3) The amount payable under this subsection for
16 medical care may not exceed the total amount that would
17 be paid under subsection (b) if payment for such medical
18 care were made solely under subsection (b).

19 “(4) In this paragraph:

20 “(A) The term ‘medicare program’ means the
21 program of health insurance administered by the Sec-
22 retary of Health and Human Services under title
23 XVIII of the Social Security Act (42 U.S.C. 1395 et
24 seq.).

1 “(B) The term ‘third party’ has the meaning
2 given that term in section 1729(i)(3) of this title.”.

3 **SEC. 4. FAMILY COVERAGE UNDER SERVICEMEMBERS’**
4 **GROUP LIFE INSURANCE.**

5 (a) *INSURABLE DEPENDENTS.*—(1) Section 1965 is
6 amended by adding at the end the following new paragraph:

7 “(10) The term ‘insurable dependent’, with re-
8 spect to a member, means the following:

9 “(A) The member’s spouse.

10 “(B) The member’s child, as defined in the
11 first sentence of section 101(4)(A) of this title.”.

12 (2) Section 101(4)(A) is amended in the matter pre-
13 ceding clause (i) by inserting “(other than with respect to
14 a child who is an insurable dependent under section
15 1965(10)(B) of such chapter)” after “except for purposes of
16 chapter 19 of this title”.

17 (b) *INSURANCE COVERAGE.*—(1) Subsection (a) of sec-
18 tion 1967 is amended to read as follows:

19 “(a)(1) Subject to an election under paragraph (2),
20 any policy of insurance purchased by the Secretary under
21 section 1966 of this title shall automatically insure the fol-
22 lowing persons against death:

23 “(A) In the case of any member of a uniformed
24 service on active duty (other than active duty for
25 training)—

1 “(i) the member; and

2 “(ii) each insurable dependent of the mem-
3 ber.

4 “(B) Any member of a uniformed service on ac-
5 tive duty for training or inactive duty training
6 scheduled in advance by competent authority.

7 “(C) In the case of any member of the Ready Re-
8 serve of a uniformed service who meets the qualifica-
9 tions set forth in section 1965(5)(B) of this title—

10 “(i) the member; and

11 “(ii) each insurable dependent of the mem-
12 ber.

13 “(2)(A) A member may elect in writing not to be in-
14 sured under this subchapter.

15 “(B) A member may elect in writing not to insure the
16 member’s spouse under this subchapter.

17 “(3)(A) Subject to subparagraphs (B) and (C), the
18 amount for which a person is insured under this subchapter
19 is as follows:

20 “(i) In the case of a member, \$250,000.

21 “(ii) In the case of a member’s spouse, \$100,000.

22 “(iii) In the case of a member’s child, \$10,000.

23 “(B) A member may elect in writing to be insured or
24 to insure the member’s spouse in an amount less than the
25 amount provided for under subparagraph (A). The member

1 *may not elect to insure the member's child in an amount*
2 *less than \$10,000. The amount of insurance so elected shall,*
3 *in the case of a member or spouse, be evenly divisible by*
4 *\$10,000.*

5 “(C) *In no case may the amount of insurance coverage*
6 *under this subsection of a member's spouse exceed the*
7 *amount of insurance coverage of the member.*

8 “(4)(A) *An insurable dependent of a member is not*
9 *insured under this chapter unless the member is insured*
10 *under this subchapter.*

11 “(B) *An insurable dependent who is a child may not*
12 *be insured at any time by the insurance coverage under*
13 *this chapter of more than one member. If an insurable de-*
14 *pendent who is a child is otherwise eligible to be insured*
15 *by the coverage of more than one member under this chap-*
16 *ter, the child shall be insured by the coverage of the member*
17 *whose eligibility for insurance under this subchapter oc-*
18 *curred first, except that if that member does not have legal*
19 *custody of the child, the child shall be insured by the cov-*
20 *erage of the member who has legal custody of the child.*

21 “(5) *The insurance shall be effective with respect to*
22 *a member and the insurable dependents of the member on*
23 *the latest of the following dates:*

24 “(A) *The first day of active duty or active duty*
25 *for training.*

1 “(B) *The beginning of a period of inactive duty*
2 *training scheduled in advance by competent author-*
3 *ity.*

4 “(C) *The first day a member of the Ready Re-*
5 *serve meets the qualifications set forth in section*
6 *1965(5)(B) of this title.*

7 “(D) *The date certified by the Secretary to the*
8 *Secretary concerned as the date Servicemembers’*
9 *Group Life Insurance under this subchapter for the*
10 *class or group concerned takes effect.*

11 “(E) *In the case of an insurable dependent who*
12 *is a spouse, the date of marriage of the spouse to the*
13 *member.*

14 “(F) *In the case of an insurable dependent who*
15 *is a child, the date of birth of such child or, if the*
16 *child is not the natural child of the member, the date*
17 *on which the child acquires status as an insurable de-*
18 *pendent of the member.”.*

19 (2) *Subsection (c) of such section is amended by strik-*
20 *ing the first sentence and inserting the following: “If a per-*
21 *son eligible for insurance under this subchapter is not so*
22 *insured, or is insured for less than the maximum amount*
23 *provided for the person under subparagraph (A) of sub-*
24 *section (a)(3), by reason of an election made by a member*
25 *under subparagraph (B) of that subsection, the person may*

1 *thereafter be insured under this subchapter in the maximum*
2 *amount or any lesser amount elected as provided in such*
3 *subparagraph (B) upon written application by the member,*
4 *proof of good health of each person (other than a child) to*
5 *be so insured, and compliance with such other terms and*
6 *conditions as may be prescribed by the Secretary.”.*

7 *(c) TERMINATION OF COVERAGE.—(1) Subsection (a)*
8 *of section 1968 is amended—*

9 *(A) in the matter preceding paragraph (1), by*
10 *inserting “and any insurance thereunder on any in-*
11 *surable dependent of such a member,” after “any in-*
12 *surance thereunder on any member of the uniformed*
13 *services,”; and*

14 *(B) by adding at the end the following new*
15 *paragraph:*

16 *“(5) With respect to an insurable dependent of*
17 *the member, insurance under this subchapter shall*
18 *cease—*

19 *“(A) 120 days after the date of an election*
20 *made in writing by the member to terminate the*
21 *coverage; or*

22 *“(B) on the earliest of—*

23 *“(i) 120 days after the date of the*
24 *member’s death;*

1 “(ii) 120 days after the date of termi-
2 nation of the insurance on the member’s life
3 under this subchapter; or

4 “(iii) 120 days after the termination of
5 the dependent’s status as an insurable de-
6 pendent of the member.”.

7 (2) Such subsection is further amended—

8 (A) in the matter preceding paragraph (1), by
9 striking “, and such insurance shall cease—” and in-
10 serting “and such insurance shall cease as follows:”;

11 (B) by striking “with” after the paragraph des-
12 ignation in each of paragraphs (1), (2), (3), and (4)
13 and inserting “With”;

14 (C) in paragraph (1)—

15 (i) in the matter preceding subparagraph
16 (A), by striking “thirty-one days—” and insert-
17 ing “31 days, insurance under this subchapter
18 shall cease—”;

19 (ii) in subparagraph (A)—

20 (I) by striking “one hundred and twen-
21 ty days” after “(A)” and inserting “120
22 days”; and

23 (II) by striking “prior to the expira-
24 tion of one hundred and twenty days” and
25 inserting “before the end of 120 days”; and

1 (iii) by striking the semicolon at the end of
2 subparagraph (B) and inserting a period;

3 (D) in paragraph (2)—

4 (i) by striking “thirty-one days” and insert-
5 ing “31 days,”;

6 (ii) by striking “one hundred and twenty
7 days” both places it appears and inserting “120
8 days”; and

9 (iii) by striking the semicolon at the end
10 and inserting a period;

11 (E) in paragraph (3)—

12 (i) by inserting a comma after “competent
13 authority”;

14 (ii) by striking “one hundred and twenty
15 days” both places it appears and inserting “120
16 days”; and

17 (iii) by striking “; and” at the end and in-
18 serting a period; and

19 (F) in paragraph (4), by inserting “insurance
20 under this subchapter shall cease” before “120 days
21 after ” the first place it appears.

22 (3) Subsection (b)(1)(A) of such section is amended by
23 inserting “(to insure against death of the member only)”
24 after “converted to Veterans’ Group Life Insurance”.

1 (d) *PREMIUMS.*—Section 1969 is amended by adding
2 at the end the following new subsections:

3 “(g)(1)(A) *During any period in which a spouse of a*
4 *member is insured under this subchapter and the member*
5 *is on active duty, there shall be deducted each month from*
6 *the member’s basic or other pay until separation or release*
7 *from active duty an amount determined by the Secretary*
8 *as the premium allocable to the pay period for providing*
9 *that insurance coverage. No premium may be charged for*
10 *providing insurance coverage for a child.*

11 “(B) *During any month in which a member is as-*
12 *signed to the Ready Reserve of a uniformed service under*
13 *conditions which meet the qualifications set forth in section*
14 *1965(5)(B) of this title and the spouse of the member is*
15 *insured under a policy of insurance purchased by the Sec-*
16 *retary under section 1966 of this title, there shall be contrib-*
17 *uted from the appropriation made for active duty pay of*
18 *the uniformed service concerned an amount determined by*
19 *the Secretary (which shall be the same for all such members)*
20 *as the share of the cost attributable to insuring the spouse*
21 *of such member under this policy, less any costs traceable*
22 *to the extra hazards of such duty in the uniformed services.*
23 *Any amounts so contributed on behalf of any individual*
24 *shall be collected by the Secretary concerned from such indi-*
25 *vidual (by deduction from pay or otherwise) and shall be*

1 *credited to the appropriation from which such contribution*
2 *was made.*

3 “(2)(A) *The Secretary shall determine the premium*
4 *amounts to be charged for life insurance coverage for*
5 *spouses of members under this subchapter.*

6 “(B) *The premium amounts shall be determined on the*
7 *basis of sound actuarial principles and shall include an*
8 *amount necessary to cover the administrative costs to the*
9 *insurer or insurers providing such insurance.*

10 “(C) *Each premium rate for the first policy year shall*
11 *be continued for subsequent policy years, except that the*
12 *rate may be adjusted for any such subsequent policy year*
13 *on the basis of the experience under the policy, as deter-*
14 *mined by the Secretary in advance of that policy year.*

15 “(h) *Any overpayment of a premium for insurance*
16 *coverage for an insurable dependent of a member that is*
17 *terminated under section 1968(a)(5) of this title shall be*
18 *refunded to the member.”.*

19 (e) *PAYMENTS OF INSURANCE PROCEEDS.—Section*
20 *1970 is amended by adding at the end the following new*
21 *subsection:*

22 “(i) *Any amount of insurance in force on an insurable*
23 *dependent of a member under this subchapter on the date*
24 *of the dependent’s death shall be paid, upon the establish-*
25 *ment of a valid claim therefor, to the member or, in the*

1 *event of the member's death before payment to the member*
2 *can be made, then to the person or persons entitled to receive*
3 *payment of the proceeds of insurance on the member's life*
4 *under this subchapter."*

5 *(f) CONVERSION OF SGLI TO PRIVATE LIFE INSUR-*
6 *ANCE.—Section 1968(b) is amended by adding at the end*
7 *the following new paragraph:*

8 *“(3)(A) In the case of a policy purchased under this*
9 *subchapter for an insurable dependent who is a spouse,*
10 *upon election of the spouse, the policy may be converted to*
11 *an individual policy of insurance under the same condi-*
12 *tions as described in section 1977(e) of this title (with re-*
13 *spect to conversion of a Veterans' Group Life Insurance pol-*
14 *icy to such an individual policy) upon written application*
15 *for conversion made to the participating company selected*
16 *by the spouse and payment of the required premiums. Con-*
17 *version of such policy to Veterans' Group Life Insurance*
18 *is prohibited.*

19 *“(B) In the case of a policy purchased under this sub-*
20 *chapter for an insurable dependent who is a child, such pol-*
21 *icy may not be converted under this subsection.”*

22 *(g) EFFECTIVE DATE AND INITIAL IMPLEMENTA-*
23 *TION.—(1) The amendments made by this section shall take*
24 *effect on the first day of the first month that begins more*
25 *than 120 days after the date of the enactment of this Act.*

1 (2) *Each Secretary concerned, acting in consultation*
2 *with the Secretary of Veterans Affairs, shall take such ac-*
3 *tion as is necessary to ensure that during the period between*
4 *the date of the enactment of this Act and the effective date*
5 *determined under paragraph (1) each eligible member—*

6 (A) *is furnished an explanation of the insurance*
7 *benefits available for dependents under the amend-*
8 *ments made by this section; and*

9 (B) *is afforded an opportunity before such effec-*
10 *tive date to make elections that are authorized under*
11 *those amendments to be made with respect to depend-*
12 *ents.*

13 (3) *For purposes of paragraph (2):*

14 (A) *The term “Secretary concerned” has the*
15 *meaning given that term in section 101 of title 38,*
16 *United States Code.*

17 (B) *The term “eligible member” means a member*
18 *of the uniformed services described in subparagraph*
19 *(A) or (C) of section 1967(a)(1) of title 38, United*
20 *States Code, as amended by subsection (b)(1).*

1 **SEC. 5. RETROACTIVE APPLICABILITY OF INCREASE IN**
2 **MAXIMUM SGLI BENEFIT FOR MEMBERS**
3 **DYING IN PERFORMANCE OF DUTY ON OR**
4 **AFTER OCTOBER 1, 2000.**

5 (a) *APPLICABILITY OF INCREASE IN BENEFIT.*—Not-
6 *withstanding subsection (c) of section 312 of the Veterans*
7 *Benefits and Health Care Improvement Act of 2000 (Public*
8 *Law 106–419; 114 Stat. 1854), the amendments made by*
9 *subsection (a) of that section shall take effect on October*
10 *1, 2000, with respect to any member of the uniformed serv-*
11 *ices who died in the performance of duty (as determined*
12 *by the Secretary concerned) during the period beginning on*
13 *October 1, 2000, and ending at the close of March 31, 2001,*
14 *and who on the date of death was insured under the*
15 *Servicemembers’ Group Life Insurance program under sub-*
16 *chapter III of chapter 19 of title 38, United States Code,*
17 *for the maximum coverage available under that program.*

18 (b) *DEFINITIONS.*—*In this section:*

19 (1) *The term “Secretary concerned” has the*
20 *meaning given that term in section 101(25) of title*
21 *38, United States Code.*

22 (2) *The term “uniformed services” has the mean-*
23 *ing given that term in section 1965(6) of title 38,*
24 *United States Code.*

1 **SEC. 6. EXPANSION OF OUTREACH EFFORTS TO ELIGIBLE**
2 **DEPENDENTS.**

3 (a) *AVAILABILITY OF OUTREACH SERVICES FOR CHIL-*
4 *DREN, SPOUSES, SURVIVING SPOUSES, AND DEPENDENT*
5 *PARENTS.*—Paragraph (2) of section 7721(b) is amended
6 to read as follows:

7 “(2) the term ‘eligible dependent’ means a
8 spouse, surviving spouse, child, or dependent parent
9 of a person who served in the active military, naval,
10 or air service.”.

11 (b) *IMPROVED OUTREACH PROGRAM.*—(1) Subchapter
12 *II* of chapter 77 is amended by adding at the end the fol-
13 *lowing new section:*

14 **“§ 7727. Outreach for eligible dependents**

15 “(a) *In carrying out this subchapter, the Secretary*
16 *shall ensure that the needs of eligible dependents are fully*
17 *addressed.*

18 “(b) *The Secretary shall ensure that the availability*
19 *of outreach services and assistance for eligible dependents*
20 *under this subchapter is made known through a variety of*
21 *means, including the Internet, announcements in veterans*
22 *publications, and announcements to the media.*”.

23 (2) *The table of sections at the beginning of that chap-*
24 *ter is amended by inserting after the item relating to section*
25 *7726 the following new item:*

“7727. *Outreach for eligible dependents.*”.

1 **SEC. 7. TECHNICAL AMENDMENTS TO THE MONTGOMERY**
2 **GI BILL STATUTE.**

3 (a) *CLARIFICATION OF ELIGIBILITY REQUIREMENT*
4 *FOR BENEFITS.*—

5 (1) *IN GENERAL.*—*Clause (i) of section*
6 *3011(a)(1)(A), as amended by section 103(a)(1)(A) of*
7 *the Veterans Benefits and Health Care Improvement*
8 *Act of 2000 (Public Law 106–419; 114 Stat. 1825),*
9 *is amended by striking “serves an obligated period of*
10 *active duty of” and inserting “(I) in the case of an*
11 *individual whose obligated period of active duty is*
12 *three years or more, serves at least three years of con-*
13 *tinuous active duty in the Armed Forces, or (II) in*
14 *the case of an individual whose obligated period of ac-*
15 *tive duty is less than three years, serves”.*

16 (2) *EFFECTIVE DATE.*—*The amendment made by*
17 *paragraph (1) shall take effect as if enacted on No-*
18 *vember 1, 2000, immediately after the enactment of*
19 *the Veterans Benefits and Health Care Improvement*
20 *Act of 2000 (Public Law 106–419).*

21 (b) *ENTITLEMENT CHARGE FOR OFF-DUTY TRAINING*
22 *AND EDUCATION.*—

23 (1) *IN GENERAL.*—*Section 3014(b)(2) is*
24 *amended—*

1 (A) in subparagraph (A), by striking
2 “(without regard to” and all that follows through
3 “this subsection”; and

4 (B) by adding at the end the following new
5 subparagraph:

6 “(C) The number of months of entitlement charged
7 under this chapter in the case of an individual who has
8 been paid a basic educational assistance allowance under
9 this subsection shall be equal to the number (including any
10 fraction) determined by dividing the total amount of such
11 educational assistance allowance paid the individual by the
12 full-time monthly institutional rate of educational assist-
13 ance which such individual would otherwise be paid under
14 subsection (a)(1), (b)(1), (c)(1), (d)(1), or (e)(1) of section
15 3015 of this title, as the case may be.”.

16 (2) CONFORMING AMENDMENTS.—(A) Section
17 3015 is amended—

18 (i) in subsections (a)(1) and (b)(1), by in-
19 serting “subsection (h)” after “from time to time
20 under”; and

21 (ii) by striking the subsection that was in-
22 serted as subsection (g) by section 1602(b)(3)(C)
23 of the Floyd D. Spence National Defense Author-
24 ization Act for Fiscal Year 2001 (as enacted by
25 Public Law 106–398; 114 Stat. 1654A–359) and

1 *redesignated as subsection (h) by 105(b)(2) of the*
2 *Veterans Benefits and Health Care Improvement*
3 *Act of 2000 (Public Law 106–419; 114 Stat.*
4 *1829).*

5 *(B) Section 3032(b) is amended—*

6 *(i) by striking “the lesser of” and inserting*
7 *“the least of the following:”;*

8 *(ii) by striking “or” after “chapter,”; and*

9 *(iii) by inserting before the period at the*
10 *end the following: “, or (3) the amount of the*
11 *charges of the educational institution elected by*
12 *the individual under section 3014(b)(1) of this*
13 *title”.*

14 *(3) EFFECTIVE DATE.—The amendments made*
15 *by this subsection shall take effect as if enacted on No-*
16 *vember 1, 2000, immediately after the enactment of*
17 *the Veterans Benefits and Health Care Improvement*
18 *Act of 2000 (Public Law 106–419).*

19 *(c) INCREMENTAL INCREASES FOR CONTRIBUTING AC-*
20 *TIVE DUTY MEMBERS.—*

21 *(1) ACTIVE DUTY PROGRAM.—Section 3011(e), as*
22 *added by section 105(a)(1) of the Veterans Benefits*
23 *and Health Care Improvement Act of 2000 (Public*
24 *Law 106–419; 114 Stat. 1828), is amended—*

1 (A) in paragraph (2), by inserting “, but
2 not more frequently than monthly” before the pe-
3 riod;

4 (B) in paragraph (3), by striking “\$4” and
5 inserting “\$20”; and

6 (C) in paragraph (4)—

7 (i) by striking “Secretary. The” and
8 inserting “Secretary of the military depart-
9 ment concerned. That”; and

10 (ii) by striking “by the Secretary”.

11 (2) *SELECTED RESERVE PROGRAM*.—Section
12 3012(f), as added by section 105(a)(2) of such Act, is
13 amended—

14 (A) in paragraph (2), by inserting “, but
15 not more frequently than monthly” before the pe-
16 riod;

17 (B) in paragraph (3), by striking “\$4” and
18 inserting “\$20”; and

19 (C) in paragraph (4)—

20 (i) by striking “Secretary. The” and
21 inserting “Secretary of the military depart-
22 ment concerned. That”; and

23 (ii) by striking “by the Secretary”.

1 (3) *INCREASED ASSISTANCE AMOUNT.*—Section
2 3015(g), as added by section 105(b)(3) of such Act, is
3 amended—

4 (A) in the matter preceding paragraph (1),
5 by inserting “effective as of the first day of the
6 enrollment period following receipt of such con-
7 tributions from such individual by the Secretary
8 concerned,” after “by section 3011(e) or 3012(f)
9 of this title,”; and

10 (B) in paragraph (1)—

11 (i) by striking “\$1” and inserting
12 “\$5”;

13 (ii) by striking “\$4” and inserting
14 “\$20”; and

15 (iii) by inserting “of this title” after
16 “section 3011(e) or 3012(f)”.

17 (4) *EFFECTIVE DATE.*—The amendments made
18 by this subsection shall take effect as if included in
19 the enactment of section 105 of the Veterans Benefits
20 and Health Care Improvement Act of 2000 (Public
21 Law 106–419; 114 Stat. 1828).

22 (d) *DEATH BENEFITS.*—

23 (1) *IN GENERAL.*—Paragraph (1) of section
24 3017(b) is amended to read as follows:

25 “(1) the total of—

1 “(A) the amount reduced from the individ-
2 ual’s basic pay under section 3011(b), 3012(c),
3 3018(c), 3018A(b), 3018B(b), 3018C(b), or
4 3018C(e) of this title;

5 “(B) the amount reduced from the individ-
6 ual’s retired pay under section 3018C(e) of this
7 title;

8 “(C) the amount collected from the indi-
9 vidual by the Secretary under section 3018B(b),
10 3018C(b), or 3018C(e) of this title; and

11 “(D) the amount of any contributions made
12 by the individual under section 3011(c) or
13 3012(f) of this title, less”.

14 (2) *EFFECTIVE DATE.*—The amendment made by
15 paragraph (1) shall take effect as of May 1, 2001.

16 (e) *CLARIFICATION OF CONTRIBUTIONS REQUIRED BY*
17 *VEAP PARTICIPANTS WHO ENROLL IN BASIC EDU-*
18 *CATIONAL ASSISTANCE.*—

19 (1) *CLARIFICATION.*—Section 3018C(b), as
20 amended by section 104(b) of the Veterans Benefits
21 and Health Care Improvement Act of 2000 (Public
22 Law 106–419; 114 Stat. 1828), is amended by strik-
23 ing “or (e)”.

24 (2) *TREATMENT OF CERTAIN CONTRIBUTIONS.*—
25 Any amount collected under section 3018C(b) of title

1 38, *United States Code* (whether by reduction in basic
2 pay under paragraph (1) of that section, collection
3 under paragraph (2) of that section, or both), with re-
4 spect to an individual who enrolled in basic edu-
5 cational assistance under section 3018C(e) of that
6 title, during the period beginning on November 1,
7 2000, and ending on the date of the enactment of this
8 Act, shall be treated as an amount collected with re-
9 spect to the individual under section 3018C(e)(3)(A)
10 of that title (whether as a reduction in basic pay
11 under clause (i) of that section, a collection under
12 clause (ii) of that section, or both) for basic edu-
13 cational assistance under section 3018C of that title.

14 (f) *CLARIFICATION OF TIME PERIOD FOR ELECTION*
15 *OF BEGINNING OF CHAPTER 35 ELIGIBILITY FOR DEPEND-*
16 *ENTS.—*

17 (1) *IN GENERAL.—*(A) *Section 3512(a)(3)(B), as*
18 *amended by section 112 of the Veterans Benefits and*
19 *Health Care Improvement Act of 2000 (Public Law*
20 *106–419; 114 Stat. 1831), is amended to read as fol-*
21 *lows:*

22 “(B) *the eligible person elects that begin-*
23 *ning date by not later than the end of the 60-*
24 *day period beginning on the date on which the*
25 *Secretary provides written notice to that person*

1 *of that person’s opportunity to make such elec-*
2 *tion, such notice including a statement of the*
3 *deadline for the election imposed under this sub-*
4 *paragraph; and”.*

5 *(B) Section 3512(a)(3)(C), as so amended, is*
6 *amended by striking “between the dates described in”*
7 *and inserting “the date determined pursuant to”.*

8 (2) *EFFECTIVE DATE.*—*The amendments made*
9 *by paragraph (1) shall take effect as if enacted on No-*
10 *vember 1, 2000, immediately after the enactment of*
11 *the Veterans Benefits and Health Care Improvement*
12 *Act of 2000.*

13 **SEC. 8. MISCELLANEOUS TECHNICAL AMENDMENTS.**

14 (a) *TITLE 38, UNITED STATES CODE.*—*Title 38,*
15 *United States Code, is amended as follows:*

16 (1) *Effective as of November 1, 2000, section 107*
17 *is amended—*

18 (A) *in the second sentence of subsection (a),*
19 *by inserting “or (d)” after “subsection (c)”;*

20 (B) *by redesignating the second subsection*
21 *(c) (added by section 332(a)(2) of the Veterans*
22 *Benefits and Health Care Improvement Act of*
23 *2000 (Public Law 106–419)) as subsection (d);*
24 *and*

1 (C) in subsection (d), as so redesignated, by
2 striking “In” in paragraph (1) and inserting
3 “With respect to benefits under chapter 23 of this
4 title, in”.

5 (2) Section 1710B(c)(2)(B) is amended by strik-
6 ing “on the date of the enactment of the Veterans Mil-
7 lennium Health Care and Benefits Act” and inserting
8 “November 30, 1999”.

9 (3) Section 2301(f) is amended—

10 (A) in the matter in paragraph (1) pre-
11 ceding subparagraph (A), by striking “(as” and
12 all that follows through “in section” and insert-
13 ing “(as described in section”; and

14 (B) in paragraph (2), by striking “subpara-
15 graphs” and inserting “subparagraph”.

16 (4) Section 3452 is amended—

17 (A) in subsection (a)(1)—

18 (i) by striking “or” at the end of sub-
19 paragraph (A); and

20 (ii) by striking “clause (B) of this
21 paragraph” in subparagraph (C) and in-
22 serting “subparagraph (B)”;

23 (B) in subsection (a)(2)—

1 (i) by striking “paragraph (1)(A) or
2 (B)” and inserting “subparagraph (A) or
3 (B) of paragraph (1)”; and

4 (ii) by striking “one hundred and
5 eighty days” and inserting “180 days”;

6 (C) in subsection (a)(3), by striking “sec-
7 tion 511(d) of title 10” and inserting “section
8 12103(d) of title 10”; and

9 (D) in subsection (e), by striking “chapter
10 4C of title 29,” and inserting “the Act of August
11 16, 1937, popularly known as the ‘National Ap-
12 prenticeship Act’ (29 U.S.C. 50 et seq.),”.

13 (5) Section 3462(a) is amended by striking
14 paragraph (3).

15 (6) Section 3512 is amended—

16 (A) in subsection (a)(5), by striking “clause
17 (4) of this subsection” and inserting “paragraph
18 (4)”; and

19 (B) in subsection (b)(2), by striking
20 “willfull” and inserting “willful”.

21 (7) Section 3674 is amended—

22 (A) in subsection (a)(2)—

23 (i) in subparagraph (A)—

24 (I) by striking “, effective at the
25 beginning of fiscal year 1988,”; and

1 (II) by striking “section
2 3674A(a)(4)” and inserting “section
3 3674A(a)(3)”;

4 (ii) in subparagraph (B), by striking
5 “paragraph (3)(A)” and inserting “para-
6 graph (3)”;

7 (iii) in subparagraph (C), by striking
8 “section 3674A(a)(4)” and inserting “sec-
9 tion 3674A(a)(3)”;

10 (B) in subsection (c)—

11 (i) by striking “on September 30,
12 1978, and”;

13 (ii) by striking “thereafter.”.

14 (8) Section 3674A(a)(2) is amended by striking
15 “clause (1)” and inserting “paragraph (1)”.

16 (9) Section 3734(a) is amended—

17 (A) by striking “United States Code,” in
18 the matter preceding paragraph (1); and

19 (B) by striking “appropriations in” in
20 paragraph (2) and inserting “appropriations
21 for”.

22 (10) Section 4104 is amended—

23 (A) in subsection (a)(1)—

1 (i) by striking “Beginning with fiscal
2 year 1988,” and inserting “For any fiscal
3 year,”;

4 (ii) by striking “clause” in subpara-
5 graph (B) and inserting “subparagraph”;
6 and

7 (iii) by striking “clauses” in subpara-
8 graph (C) and inserting “subparagraphs”;
9 (B) in subsection (a)(4), by striking “on or
10 after July 1, 1988”; and

11 (C) in subsection (b)—

12 (i) by striking “shall—” in the matter
13 preceding paragraph (1) and inserting
14 “shall perform the following functions:”

15 (ii) by capitalizing the initial letter of
16 the first word of each of paragraphs (1)
17 through (12);

18 (iii) by striking the semicolon at the
19 end of each of paragraphs (1) through (10)
20 and inserting a period; and

21 (iv) by striking “; and” at the end of
22 paragraph (11) and inserting a period.

23 (11) Section 4303(13) is amended by striking the
24 second period at the end.

1 (12) *Section 5103(b)(1) is amended by striking*
2 *“1 year” and inserting “one year”.*

3 (13) *Section 5701(g) is amended by striking*
4 *“clause” in paragraphs (2)(B) and (3) and inserting*
5 *“subparagraph”.*

6 (14)(A) *Section 7367 is repealed.*

7 (B) *The table of sections at the beginning of*
8 *chapter 73 is amended by striking the item relating*
9 *to section 7367.*

10 (15) *Section 8125(d) is amended—*

11 (A) *in paragraph (1), by striking “(begin-*
12 *ning in 1992)”;*

13 (B) *in paragraph (2), by striking “(begin-*
14 *ning in 1993)”;* and

15 (C) *by striking paragraph (3).*

16 (16) *The following provisions are each amended*
17 *by striking “hereafter” and inserting “hereinafter”:*
18 *sections 545(a)(1), 1710B(e)(1), 3485(a)(1), 3537(a),*
19 *3722(a), 3763(a), 5121(a), 7101(a), 7105(b)(1), 7671,*
20 *7672(e)(1)(B), 7681(a)(1), 7801, and 8520(a).*

21 (b) *PUBLIC LAW 106–419.—Effective as of November*
22 *1, 2000, and as if included therein as originally enacted,*
23 *the Veterans Benefits and Health Care Improvement Act*
24 *of 2000 (Public Law 106–419) is amended as follows:*

1 (1) *Section 111(f)(3) (114 Stat. 1831) is amend-*
2 *ed by striking “3654” and inserting “3564”.*

3 (2) *Section 323(a)(1) (114 Stat. 1855) is amend-*
4 *ed by inserting a comma in the second quoted matter*
5 *therein after “duty”.*

6 (3) *Section 401(e)(1) (114 Stat. 1860) is amend-*
7 *ed by striking “this” both places it appears in quoted*
8 *matter and inserting “This”.*

9 (4) *Section 402(b) (114 Stat. 1861) is amended*
10 *by striking the close quotation marks and period at*
11 *the end of the table in paragraph (2) of the matter*
12 *inserted by the amendment made that section.*

13 (c) *PUBLIC LAW 102–590.—Section 3(a)(1) of the*
14 *Homeless Veterans Comprehensive Service Programs Act of*
15 *1992 (38 U.S.C. 7721 note) is amended by striking “, dur-*
16 *ing,”.*

Amend the title so as to read: “An Act to amend title 38, United States Code, to expand eligibility for CHAMPVA, to provide for family coverage and retroactive expansion of the increase in maximum benefits under Servicemembers’ Group Life Insurance, to make technical amendments, and for other purposes.”.

Attest:

Secretary.

107TH CONGRESS
1ST SESSION

H. R. 801

AMENDMENTS

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HR 801 EAS—3

HR 801 EAS—4

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