

**Suspend the Rules and Pass the Bill, S. 1315, with An Amendment**  
**(The amendment strikes all after the enacting clause and inserts a  
new text)**

110<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 1315

To amend title 38, United States Code, to enhance veterans' insurance and housing benefits, to improve benefits and services for transitioning servicemembers, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

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## AN ACT

To amend title 38, United States Code, to enhance veterans' insurance and housing benefits, to improve benefits and services for transitioning servicemembers, and for other purposes.

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

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

4 (a) **SHORT TITLE.**—This Act may be cited as the  
5 “Veterans’ Benefits Enhancement Act of 2008”.

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Reference to title 38, United States Code.

## TITLE I—INSURANCE MATTERS

- Sec. 101. Administrative costs of service disabled veterans' insurance.
- Sec. 102. Modification of Servicemembers' Group Life Insurance coverage.
- Sec. 103. Designation of fiduciary for traumatic injury protection coverage under Servicemembers' Group Life Insurance in case of lost mental capacity or extended loss of consciousness.

## TITLE II—HOUSING MATTERS

- Sec. 201. Home improvements and structural alterations for totally disabled members of the Armed Forces before discharge or release from the Armed Forces.

## TITLE III—LABOR AND EDUCATION MATTERS

- Sec. 301. Coordination of approval activities in the administration of education benefits.
- Sec. 302. Waiver of residency requirement for Directors for Veterans' Employment and Training.
- Sec. 303. Modification of special unemployment study to cover veterans of Post 9/11 Global Operations.

## TITLE IV—COURT MATTERS

- Sec. 401. Recall of retired judges of the United States Court of Appeals for Veterans Claims.
- Sec. 402. Additional discretion in imposition of practice and registration fees.
- Sec. 403. Annual reports on workload of United States Court of Appeals for Veterans Claims.
- Sec. 404. Report on expansion of facilities for United States Court of Appeals for Veterans Claims.

## TITLE V—OTHER MATTERS

- Sec. 501. Clarification of purpose of the outreach services program of the Department of Veterans Affairs.
- Sec. 502. Termination or suspension of contracts for cellular telephone service for servicemembers undergoing deployment outside the United States.
- Sec. 503. Maintenance, management, and availability for research of assets of Air Force Health Study.
- Sec. 504. National Academies study on risk of developing multiple sclerosis as a result of certain service in the Persian Gulf War and Post 9/11 Global Operations theaters.
- Sec. 505. Comptroller General report on adequacy of dependency and indemnity compensation to maintain survivors of veterans who die from service-connected disabilities.

**1 SEC. 2. REFERENCE 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  
4 of an amendment to, or repeal of, a section or other provi-

1 sion, the reference shall be considered to be made to a  
2 section or other provision of title 38, United States Code.

### 3 **TITLE I—INSURANCE MATTERS**

#### 4 **SEC. 101. ADMINISTRATIVE COSTS OF SERVICE DISABLED**

##### 5 **VETERANS' INSURANCE.**

6 Section 1922(a) is amended by striking “directly  
7 from such fund” and inserting “directly from such fund;  
8 and (5) administrative costs to the Government for the  
9 costs of the program of insurance under this section shall  
10 be paid from premiums credited to the fund under para-  
11 graph (4), and payments for claims against the fund  
12 under paragraph (4) for amounts in excess of amounts  
13 credited to such fund under that paragraph (after such  
14 administrative costs have been paid) shall be paid from  
15 appropriations to the fund”.

#### 16 **SEC. 102. MODIFICATION OF SERVICEMEMBERS' GROUP**

##### 17 **LIFE INSURANCE COVERAGE.**

18 (a) EXPANSION OF SERVICEMEMBERS' GROUP LIFE  
19 INSURANCE TO INCLUDE CERTAIN MEMBERS OF INDI-  
20 VIDUAL READY RESERVE.—

21 (1) IN GENERAL.—Paragraph (1)(C) of section  
22 1967(a) is amended by striking “section 1965(5)(B)  
23 of this title” and inserting “subparagraph (B) or (C)  
24 of section 1965(5) of this title”.

1           (2) CONFORMING AMENDMENT.—Paragraph  
2           (5)(C) of such section 1967(a) is amended by strik-  
3           ing “section 1965(5)(B) of this title” and inserting  
4           “subparagraph (B) or (C) of section 1965(5) of this  
5           title”.

6           (b) REDUCTION IN PERIOD OF COVERAGE FOR DE-  
7           PENDENTS AFTER MEMBER SEPARATES.—Section  
8           1968(a)(5)(B)(ii) is amended by striking “120 days  
9           after”.

10 **SEC. 103. DESIGNATION OF FIDUCIARY FOR TRAUMATIC IN-**  
11 **JURY PROTECTION COVERAGE UNDER**  
12 **SERVICEMEMBERS’ GROUP LIFE INSURANCE**  
13 **IN CASE OF LOST MENTAL CAPACITY OR EX-**  
14 **TENDED LOSS OF CONSCIOUSNESS.**

15           (a) IN GENERAL.—The Secretary of Defense shall,  
16 in consultation with the Secretary of Veterans Affairs, de-  
17 velop a form for the designation of a recipient for the  
18 funds distributed under section 1980A of title 38, United  
19 States Code, as the fiduciary of a member of the Armed  
20 Forces in cases where the member is mentally incapaci-  
21 tated (as determined by the Secretary of Defense in con-  
22 sultation with the Secretary of Veterans Affairs) or experi-  
23 encing an extended loss of consciousness.

24           (b) ELEMENTS.—The form under subsection (a) shall  
25 require that a member may elect that—

1 (1) an individual designated by the member be  
2 the recipient as the fiduciary of the member; or

3 (2) a court of proper jurisdiction determine the  
4 recipient as the fiduciary of the member for pur-  
5 poses of this subsection.

6 (c) COMPLETION AND UPDATE.—The form under  
7 subsection (a) shall be completed by an individual at the  
8 time of entry into the Armed Forces and updated periodi-  
9 cally thereafter.

## 10 **TITLE II—HOUSING MATTERS**

### 11 **SEC. 201. HOME IMPROVEMENTS AND STRUCTURAL ALTER-** 12 **ATIONS FOR TOTALLY DISABLED MEMBERS** 13 **OF THE ARMED FORCES BEFORE DISCHARGE** 14 **OR RELEASE FROM THE ARMED FORCES.**

15 Section 1717 is amended by adding at the end the  
16 following new subsection:

17 “(d)(1) In the case of a member of the Armed Forces  
18 who, as determined by the Secretary, has a disability per-  
19 manent in nature incurred or aggravated in the line of  
20 duty in the active military, naval, or air service, the Sec-  
21 retary may furnish improvements and structural alter-  
22 ations for such member for such disability or as otherwise  
23 described in subsection (a)(2) while such member is hos-  
24 pitalized or receiving outpatient medical care, services, or  
25 treatment for such disability if the Secretary determines

1 that such member is likely to be discharged or released  
2 from the Armed Forces for such disability.

3 “(2) The furnishing of improvements and alterations  
4 under paragraph (1) in connection with the furnishing of  
5 medical services described in subparagraph (A) or (B) of  
6 subsection (a)(2) shall be subject to the limitation speci-  
7 fied in the applicable subparagraph.”.

## 8 **TITLE III—LABOR AND** 9 **EDUCATION MATTERS**

### 10 **SEC. 301. COORDINATION OF APPROVAL ACTIVITIES IN THE** 11 **ADMINISTRATION OF EDUCATION BENEFITS.**

12 (a) COORDINATION.—

13 (1) IN GENERAL.—Section 3673 is amended—

14 (A) by redesignating subsection (b) as sub-  
15 section (c); and

16 (B) by inserting after subsection (a) the  
17 following new subsection (b):

18 “(b) COORDINATION OF ACTIVITIES.—The Secretary  
19 shall take appropriate actions to ensure the coordination  
20 of approval activities performed by State approving agen-  
21 cies under this chapter and chapters 34 and 35 of this  
22 title and approval activities performed by the Department  
23 of Labor, the Department of Education, and other entities  
24 in order to reduce overlap and improve efficiency in the  
25 performance of such activities.”.

1           (2) CONFORMING AND CLERICAL AMEND-  
2           MENTS.—

3           (A) HEADING.—The heading of such sec-  
4           tion is amended to read as follows:

5   **“§ 3673. Approval activities: cooperation and coordi-  
6           nation of activities”.**

7           (B) TABLE OF SECTIONS.—The table of  
8           sections at the beginning of chapter 36 is  
9           amended by striking the item relating to section  
10          3673 and inserting the following new item:

        “3673. Approval activities: cooperation and coordination of activities.”.

11          (3) STYLISTIC AMENDMENTS.—Such section is  
12          further amended—

13               (A) in subsection (a), by inserting “CO-  
14               OPERATION IN ACTIVITIES.—” after “(a)”; and

15               (B) in subsection (c), as redesignated by  
16               paragraph (1)(A) of this subsection, by insert-  
17               ing “AVAILABILITY OF INFORMATION MATE-  
18               RIAL.—” after “(c)”.

19          (b) REPORT.—Not later than 120 days after the date  
20          of the enactment of this Act, the Secretary of Veterans  
21          Affairs shall submit to the Committee on Veterans’ Affairs  
22          of the Senate and the Committee on Veterans’ Affairs of  
23          the House of Representatives a report setting forth the  
24          following:

1           (1) The actions taken to establish outcome-ori-  
2           ented performance standards for State approving  
3           agencies created or designated under section 3671 of  
4           title 38, United States Code, including a description  
5           of any plans for, and the status of the implementa-  
6           tion of, such standards as part of the evaluations of  
7           State approving agencies required by section 3674A  
8           of title 38, United States Code.

9           (2) The actions taken to implement a tracking  
10          and reporting system for resources expended for ap-  
11          proval and outreach activities by such agencies.

12          (3) Any recommendations for legislative action  
13          that the Secretary considers appropriate to achieve  
14          the complete implementation of the standards de-  
15          scribed in paragraph (1).

16 **SEC. 302. WAIVER OF RESIDENCY REQUIREMENT FOR DI-**  
17                           **RECTORS FOR VETERANS' EMPLOYMENT AND**  
18                           **TRAINING.**

19          Section 4103(a)(2) is amended—

20           (1) by inserting “(A)” after “(2)”; and

21           (2) by adding at the end the following new sub-  
22          paragraph:

23          “(B) The Secretary may waive the requirement in  
24          subparagraph (A) with respect to a Director for Veterans’  
25          Employment and Training if the Secretary determines



1 that the waiver is in the public interest. Any such waiver  
2 shall be made on a case-by-case basis.”.

3 **SEC. 303. MODIFICATION OF SPECIAL UNEMPLOYMENT**  
4 **STUDY TO COVER VETERANS OF POST 9/11**  
5 **GLOBAL OPERATIONS.**

6 (a) MODIFICATION OF STUDY.—Subsection (a)(1) of  
7 section 4110A is amended—

8 (1) in the matter before subparagraph (A), by  
9 striking “a study every two years” and inserting “an  
10 annual study”;

11 (2) by redesignating subparagraph (A) as sub-  
12 paragraph (F);

13 (3) by striking subparagraph (B) and inserting  
14 the following new subparagraphs:

15 “(A) Veterans who were called to active duty  
16 while members of the National Guard or a Reserve  
17 Component.

18 “(B) Veterans who served in combat or in a  
19 war zone in the Post 9/11 Global Operations thea-  
20 ters.”; and

21 (4) in subparagraph (C)—

22 (A) by striking “Vietnam era” and insert-  
23 ing “Post 9/11 Global Operations period”; and

1 (B) by striking “the Vietnam theater of  
2 operations” and inserting “the Post 9/11 Global  
3 Operations theaters”.

4 (b) DEFINITIONS.—Such section is further amended  
5 by adding at the end the following new subsection:

6 “(c) In this section:

7 “(1) The term ‘Post 9/11 Global Operations pe-  
8 riod’ means the period of the Persian Gulf War be-  
9 ginning on September 11, 2001, and ending on the  
10 date thereafter prescribed by Presidential proclama-  
11 tion or law.

12 “(2) The term ‘Post 9/11 Global Operations  
13 theaters’ means Afghanistan, Iraq, or any other the-  
14 ater in which the Global War on Terrorism Expedi-  
15 tionary Medal is awarded for service.”.

## 16 **TITLE IV—COURT MATTERS**

### 17 **SEC. 401. RECALL OF RETIRED JUDGES OF THE UNITED** 18 **STATES COURT OF APPEALS FOR VETERANS** 19 **CLAIMS.**

20 (a) REPEAL OF LIMIT ON SERVICE OF RECALLED  
21 RETIRED JUDGES WHO VOLUNTARILY SERVE MORE  
22 THAN 90 DAYS.—Section 7257(b)(2) is amended by strik-  
23 ing “or for more than a total of 180 days (or the equiva-  
24 lent) during any calendar year”.

1 (b) NEW JUDGES RECALLED AFTER RETIREMENT  
2 RECEIVE PAY OF CURRENT JUDGES ONLY DURING PE-  
3 RIOD OF RECALL.—

4 (1) IN GENERAL.—Section 7296(c) is amended  
5 by striking paragraph (1) and inserting the following  
6 new paragraph:

7 “(1)(A) A judge who is appointed on or after the date  
8 of the enactment of the Veterans’ Benefits Enhancement  
9 Act of 2008 and who retires under subsection (b) and  
10 elects under subsection (d) to receive retired pay under  
11 this subsection shall (except as provided in paragraph (2))  
12 receive retired pay as follows:

13 “(i) In the case of a judge who is a recall-eli-  
14 ble retired judge under section 7257 of this title, the  
15 retired pay of the judge shall (subject to section  
16 7257(d)(2) of this title) be the rate of pay applicable  
17 to that judge at the time of retirement, as adjusted  
18 from time to time under subsection (f)(3).

19 “(ii) In the case of a judge other than a recall-  
20 eligible retired judge, the retired pay of the judge  
21 shall be the rate of pay applicable to that judge at  
22 the time of retirement.

23 “(B) A judge who retired before the date of the en-  
24 actment of the Veterans’ Benefits Enhancement Act of  
25 2008 and elected under subsection (d) to receive retired

1 pay under this subsection, or a judge who retires under  
2 subsection (b) and elects under subsection (d) to receive  
3 retired pay under this subsection, shall (except as provided  
4 in paragraph (2)) receive retired pay as follows:

5           “(i) In the case of a judge who is a recall-eli-  
6           ble retired judge under section 7257 of this title or  
7           who was a recall-eligible retired judge under that  
8           section and was removed from recall status under  
9           subsection (b)(4) of that section by reason of dis-  
10          ability, the retired pay of the judge shall be the pay  
11          of a judge of the court.

12           “(ii) In the case of a judge who at the time of  
13          retirement did not provide notice under section 7257  
14          of this title of availability for service in a recalled  
15          status, the retired pay of the judge shall be the rate  
16          of pay applicable to that judge at the time of retire-  
17          ment.

18           “(iii) In the case of a judge who was a recall-  
19          eligible retired judge under section 7257 of this title  
20          and was removed from recall status under subsection  
21          (b)(3) of that section, the retired pay of the judge  
22          shall be the pay of the judge at the time of the re-  
23          moval from recall status.”.

24           (2) COST-OF-LIVING ADJUSTMENT FOR RE-  
25          TIRED PAY OF NEW JUDGES WHO ARE RECALL-ELI-

1 GIBLE.—Section 7296(f)(3)(A) is amended by strik-  
2 ing “paragraph (2) of subsection (c)” and inserting  
3 “paragraph (1)(A)(i) or (2) of subsection (c)”.

4 (3) PAY DURING PERIOD OF RECALL.—Sub-  
5 section (d) of section 7257 is amended to read as  
6 follows:

7 “(d)(1) The pay of a recall-eligible retired judge to  
8 whom section 7296(c)(1)(B) of this title applies is the pay  
9 specified in that section.

10 “(2) A judge who is recalled under this section who  
11 retired under chapter 83 or 84 of title 5 or to whom sec-  
12 tion 7296(c)(1)(A) of this title applies shall be paid, dur-  
13 ing the period for which the judge serves in recall status,  
14 pay at the rate of pay in effect under section 7253(e) of  
15 this title for a judge performing active service, less the  
16 amount of the judge’s annuity under the applicable provi-  
17 sions of chapter 83 or 84 of title 5 or the judge’s annuity  
18 under section 7296(c)(1)(A) of this title, whichever is ap-  
19 plicable.”.

20 (4) NOTICE.—The last sentence of section  
21 7257(a)(1) is amended to read as follows: “Such a  
22 notice provided by a retired judge to whom section  
23 7296(c)(1)(B) of this title applies is irrevocable.”.

24 (c) LIMITATION ON INVOLUNTARY RECALLS.—Sec-  
25 tion 7257(b)(3) is amended by adding at the end the fol-

1 lowing new sentence: “This paragraph shall not apply to  
2 a judge to whom section 7296(c)(1)(A) or 7296(c)(1)(B)  
3 of this title applies and who has, in the aggregate, served  
4 at least five years of recalled service on the Court under  
5 this section.”.

6 **SEC. 402. ADDITIONAL DISCRETION IN IMPOSITION OF**  
7 **PRACTICE AND REGISTRATION FEES.**

8 Section 7285(a) is amended—

9 (1) in the first sentence, by inserting “reason-  
10 able” after “impose a”;

11 (2) in the second sentence, by striking “, except  
12 that such amount may not exceed \$30 per year”;  
13 and

14 (3) in the third sentence, by inserting “reason-  
15 able” after “impose a”.

16 **SEC. 403. ANNUAL REPORTS ON WORKLOAD OF UNITED**  
17 **STATES COURT OF APPEALS FOR VETERANS**  
18 **CLAIMS.**

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

21 **“§ 7288. Annual report**

22 “(a) IN GENERAL.—The chief judge of the Court  
23 shall submit annually to the appropriate committees of  
24 Congress a report summarizing the workload of the Court  
25 for the last fiscal year that ended before the submission

1 of such report. Such report shall include, with respect to  
2 such fiscal year, the following information:

3 “(1) The number of appeals filed.

4 “(2) The number of petitions filed.

5 “(3) The number of applications filed under  
6 section 2412 of title 28.

7 “(4) The number and type of dispositions.

8 “(5) The median time from filing to disposition.

9 “(6) The number of oral arguments.

10 “(7) The number and status of pending appeals  
11 and petitions and of applications described in para-  
12 graph (3).

13 “(8) A summary of any service performed by  
14 recalled retired judges during the fiscal year.

15 “(b) APPROPRIATE COMMITTEES OF CONGRESS DE-  
16 FINED.—In this section, the term ‘appropriate committees  
17 of Congress’ means the Committee on Veterans’ Affairs  
18 of the Senate and the Committee on Veterans’ Affairs of  
19 the House of Representatives.”.

20 (b) CLERICAL AMENDMENT.—The table of sections  
21 at the beginning of chapter 72 is amended by inserting  
22 after the item related to section 7287 the following new  
23 item:

“7288. Annual report.”.

1 **SEC. 404. REPORT ON EXPANSION OF FACILITIES FOR**  
2 **UNITED STATES COURT OF APPEALS FOR**  
3 **VETERANS CLAIMS.**

4 (a) FINDINGS.—Congress makes the following find-  
5 ings:

6 (1) The United States Court of Appeals for  
7 Veterans Claims is currently located in the District  
8 of Columbia in a commercial office building that is  
9 also occupied by other Federal tenants.

10 (2) In February 2006, the General Services Ad-  
11 ministration provided Congress with a preliminary  
12 feasibility analysis of a dedicated Veterans Court-  
13 house and Justice Center that would house the  
14 Court and other entities that work with the Court.

15 (3) In February 2007, the Court notified Con-  
16 gress that the “most cost-effective alternative ap-  
17 pears to be leasing substantial additional space in  
18 the current location”, which would “require relo-  
19 cating other current government tenants” from that  
20 building.

21 (4) The February 2006 feasibility report of the  
22 General Services Administration does not include an  
23 analysis of whether it would be feasible or desirable  
24 to locate a Veterans Courthouse and Justice Center  
25 at the current location of the Court.



1 (b) SENSE OF CONGRESS.—It is the sense of Con-  
2 gress that—

3 (1) the United States Court of Appeals for Vet-  
4 erans Claims should be provided with appropriate of-  
5 fice space to meet its needs, as well as to provide the  
6 image, security, and stature befitting a court that  
7 provides justice to the veterans of the United States;  
8 and

9 (2) in providing that space, Congress should  
10 avoid undue disruption, inconvenience, or cost to  
11 other Federal entities.

12 (c) REPORT.—

13 (1) IN GENERAL.—Not later than 180 days  
14 after the date of the enactment of this Act, the Ad-  
15 ministrator of General Services shall submit to the  
16 Committee on Veterans' Affairs of the Senate and  
17 the Committee on Veterans' Affairs of the House of  
18 Representatives a report on the feasibility of—

19 (A) leasing additional space for the United  
20 States Court of Appeals for Veterans Claims  
21 within the building where the Court was located  
22 on the date of the enactment of this Act; and

23 (B) using the entirety of such building as  
24 a Veterans Courthouse and Justice Center.

1           (2) CONTENTS.—The report required by para-  
2           graph (1) shall include a detailed analysis of the fol-  
3           lowing:

4                   (A) The impact that the matter analyzed  
5                   in accordance with paragraph (1) would have  
6                   on Federal tenants of the building used by the  
7                   Court.

8                   (B) Whether it would be feasible to relo-  
9                   cate such Federal tenants into office space that  
10                  offers similar or preferable cost, convenience,  
11                  and usable square footage.

12                  (C) If relocation of such Federal tenants is  
13                  found to be feasible and desirable, an analysis  
14                  of what steps should be taken to convert the  
15                  building into a Veterans Courthouse and Jus-  
16                  tice Center and a timeline for such conversion.

17           (3) COMMENT PERIOD.—The Administrator  
18           shall provide an opportunity to such Federal ten-  
19           ants—

20                   (A) before the completion of the report re-  
21                   quired by paragraph (1), to comment on the  
22                   subject of the report required by such para-  
23                   graph; and

24                   (B) before the Administrator submits the  
25                   report required by paragraph (1) to the con-

1           gressional committees specified in such para-  
2           graph, to comment on a draft of such report.

### 3           **TITLE V—OTHER MATTERS**

#### 4   **SEC. 501. CLARIFICATION OF PURPOSE OF THE OUTREACH** 5                   **SERVICES PROGRAM OF THE DEPARTMENT** 6                   **OF VETERANS AFFAIRS.**

7           (a) CLARIFICATION OF INCLUSION OF MEMBERS OF  
8 THE NATIONAL GUARD AND RESERVE IN PROGRAM.—  
9 Subsection (a)(1) of section 6301 is amended by inserting  
10 “, or from the National Guard or Reserve,” after “active  
11 military, naval, or air service”.

12           (b) DEFINITION OF OUTREACH.—Subsection (b) of  
13 such section is amended—

14                   (1) by redesignating paragraphs (1) and (2) as  
15 paragraphs (2) and (3), respectively; and

16                   (2) by inserting before paragraph (2) the fol-  
17 lowing new paragraph (1):

18                   “(1) the term ‘outreach’ means the act or proc-  
19 ess of reaching out in a systematic manner to  
20 proactively provide information, services, and bene-  
21 fits counseling to veterans, and to the spouses, chil-  
22 dren, and parents of veterans who may be eligible to  
23 receive benefits under the laws administered by the  
24 Secretary, to ensure that such individuals are fully

1 informed about, and assisted in applying for, any  
2 benefits and programs under such laws;”.

3 **SEC. 502. TERMINATION OR SUSPENSION OF CONTRACTS**  
4 **FOR CELLULAR TELEPHONE SERVICE FOR**  
5 **SERVICEMEMBERS UNDERGOING DEPLOY-**  
6 **MENT OUTSIDE THE UNITED STATES.**

7 (a) IN GENERAL.—Title III of the Servicemembers  
8 Civil Relief Act (50 U.S.C. App. 531 et seq.) is amended  
9 by inserting after section 305 the following new section:  
10 **“SEC. 305A. TERMINATION OR SUSPENSION OF CONTRACTS**  
11 **FOR CELLULAR TELEPHONE SERVICE.**

12 “(a) IN GENERAL.—A servicemember who receives  
13 orders to deploy outside of the continental United States  
14 for not less than 90 days may request the termination or  
15 suspension of any contract for cellular telephone service  
16 entered into by the servicemember before that date if the  
17 servicemember’s ability to satisfy the contract or to utilize  
18 the service will be materially affected by that period of  
19 deployment. The request shall include a copy of the  
20 servicemember’s military orders.

21 “(b) RELIEF.—Upon receiving the request of a  
22 servicemember under subsection (a), the cellular telephone  
23 service contractor concerned shall, at the election of the  
24 contractor—

1           “(1) grant the requested relief without imposi-  
2           tion of an early termination fee for termination of  
3           the contract or a reactivation fee for suspension of  
4           the contract; or

5           “(2) permit the servicemember to suspend the  
6           contract at no charge until the end of the deploy-  
7           ment without requiring, whether as a condition of  
8           suspension or otherwise, that the contract be ex-  
9           tended.”.

10          (b) CLERICAL AMENDMENT.—The table of contents  
11 for that Act is amended by inserting after the item relat-  
12 ing to section 305 the following new item:

“Sec. 305A. Termination or suspension of contracts for cellular telephone serv-  
ice.”.

13   **SEC. 503. MAINTENANCE, MANAGEMENT, AND AVAIL-**  
14                   **ABILITY FOR RESEARCH OF ASSETS OF AIR**  
15                   **FORCE HEALTH STUDY.**

16          (a) PURPOSE.—The purpose of this section is to en-  
17           sure that the assets transferred to the Medical Follow-Up  
18           Agency from the Air Force Health Study are maintained,  
19           managed, and made available as a resource for future re-  
20           search for the benefit of veterans and their families, and  
21           for other humanitarian purposes.

22          (b) ASSETS FROM AIR FORCE HEALTH STUDY.—For  
23           purposes of this section, the assets transferred to the Med-  
24           ical Follow-Up Agency from the Air Force Health Study

1 are the assets of the Air Force Health Study transferred  
2 to the Medical Follow-Up Agency under section 714 of the  
3 John Warner National Defense Authorization Act for Fis-  
4 cal Year 2007 (Public Law 109–364; 120 Stat. 2290), in-  
5 cluding electronic data files and biological specimens on  
6 all participants in the study (including control subjects).

7 (c) MAINTENANCE AND MANAGEMENT OF TRANS-  
8 FERRED ASSETS.—The Medical Follow-Up Agency shall  
9 maintain and manage the assets transferred to the Agency  
10 from the Air Force Health Study.

11 (d) ADDITIONAL NEAR-TERM RESEARCH.—

12 (1) IN GENERAL.—The Medical Follow-Up  
13 Agency may, during the period beginning on October  
14 1, 2008, and ending on September 30, 2012, con-  
15 duct such additional research on the assets trans-  
16 ferred to the Agency from the Air Force Health  
17 Study as the Agency considers appropriate toward  
18 the goal of understanding the determinants of  
19 health, and promoting wellness, in veterans.

20 (2) RESEARCH.—In carrying out research au-  
21 thorized by this subsection, the Medical Follow-Up  
22 Agency may, utilizing amounts available under sub-  
23 section (f)(1)(B), make grants for such pilot studies  
24 for or in connection with such research as the Agen-  
25 cy considers appropriate.

1 (e) ADDITIONAL MEDIUM-TERM RESEARCH.—

2 (1) REPORT.—Not later than March 31, 2012,  
3 the Medical Follow-Up Agency shall submit to Con-  
4 gress a report assessing the feasibility and advis-  
5 ability of conducting additional research on the as-  
6 sets transferred to the Agency from the Air Force  
7 Health Study after September 30, 2012.

8 (2) DISPOSITION OF ASSETS.—If the report re-  
9 quired by paragraph (1) includes an assessment that  
10 the research described in that paragraph would be  
11 feasible and advisable, the Agency shall, utilizing  
12 amounts available under subsection (f)(2), make any  
13 disposition of the assets transferred to the Agency  
14 from the Air Force Health Study as the Agency con-  
15 siders appropriate in preparation for such research.

16 (f) FUNDING.—

17 (1) IN GENERAL.—From amounts available for  
18 each of fiscal years 2009 through 2012 for the De-  
19 partment of Veterans Affairs for Medical and Pros-  
20 thetic Research, amounts shall be available as fol-  
21 lows:

22 (A) \$1,200,000 shall be available in each  
23 such fiscal year for maintenance, management,  
24 and operation (including maintenance of bio-  
25 logical specimens) of the assets transferred to

1 the Medical Follow-Up Agency from the Air  
2 Force Health Study.

3 (B) \$250,000 shall be available in each  
4 such fiscal year for the conduct of additional re-  
5 search authorized by subsection (d), including  
6 the funding of pilot studies authorized by para-  
7 graph (2) of that subsection.

8 (2) MEDIUM-TERM RESEARCH.—From amounts  
9 available for fiscal year 2012 for the Department of  
10 Veterans Affairs for Medical and Prosthetic Re-  
11 search, \$200,000 shall be available for the prepara-  
12 tion of the report required by subsection (e)(1) and  
13 for the disposition, if any, of assets authorized by  
14 subsection (e)(2).

15 **SEC. 504. NATIONAL ACADEMIES STUDY ON RISK OF DE-**  
16 **VELOPING MULTIPLE SCLEROSIS AS A RE-**  
17 **SULT OF CERTAIN SERVICE IN THE PERSIAN**  
18 **GULF WAR AND POST 9/11 GLOBAL OPER-**  
19 **ATIONS THEATERS.**

20 (a) IN GENERAL.—The Secretary of Veterans Affairs  
21 shall enter into a contract with the Institute of Medicine  
22 of the National Academies to conduct a comprehensive ep-  
23 idemiological study for purposes of identifying any in-  
24 creased risk of developing multiple sclerosis as a result of  
25 service in the Armed Forces during the Persian Gulf War



1 in the Southwest Asia theater of operations or in the Post  
2 9/11 Global Operations theaters.

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

6 (1) Determine whether service in the Armed  
7 Forces during the Persian Gulf War in the South-  
8 west Asia theater of operations, or in the Post 9/11  
9 Global Operations theaters, increased the risk of de-  
10 veloping multiple sclerosis.

11 (2) Identify the incidence and prevalence of di-  
12 agnosed neurological diseases, including multiple  
13 sclerosis, Parkinson's disease, amyotrophic lateral  
14 sclerosis, and brain cancers, as well as central nerv-  
15 ous system abnormalities that are difficult to pre-  
16 cisely diagnose, in each group as follows:

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

20 (B) Members of the Armed Forces who  
21 served in the Post 9/11 Global Operations thea-  
22 ters.

23 (C) A non-deployed comparison group for  
24 those who served in the Persian Gulf War in

1 the Southwest Asia theater of operations and  
2 the Post 9/11 Global Operations theaters.

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

11 (4) Collect information on risk factors, such as  
12 pesticide and other toxic exposures, to which vet-  
13 erans were exposed while serving during the Persian  
14 Gulf War in the Southwest Asia theater of oper-  
15 ations or the Post 9/11 Global Operations theaters,  
16 or thereafter.

17 (c) REPORTS.—

18 (1) INTERIM REPORT.—The contract required  
19 by subsection (a) shall require the Institute of Medi-  
20 cine to submit to the Secretary, and to appropriate  
21 committees of Congress, interim progress reports on  
22 the study required under subsection (a). Such re-  
23 ports shall not be required to include a description  
24 of interim results on the work under the study.

1           (2) FINAL REPORT.—The contract shall require  
2           the Institute of Medicine to submit to the Secretary,  
3           and to appropriate committees of Congress, a final  
4           report on the study by not later than December 31,  
5           2011. The final report shall include such rec-  
6           ommendations for legislative or administrative action  
7           as the Institute considers appropriate in light of the  
8           results of the study.

9           (d) FUNDING.—The Secretary shall provide the Insti-  
10          tute of Medicine with such funds as are necessary to en-  
11          sure the timely completion of the study required under  
12          subsection (a).

13          (e) DEFINITIONS.—In this section:

14               (1) The term “appropriate committees of Con-  
15               gress” means—

16                       (A) the Committee on Veterans’ Affairs of  
17                       the Senate; and

18                       (B) the Committee on Veterans’ Affairs of  
19                       the House of Representatives.

20               (2) The term “Persian Gulf War” has the  
21               meaning given that term in section 101(33) of title  
22               38, United States Code.

23               (3) The term “Post 9/11 Global Operations the-  
24               aters” means Afghanistan, Iraq, or any other the-

1           ater in which the Global War on Terrorism Expedi-  
2           tionary Medal is awarded for service.

3   **SEC. 505. COMPTROLLER GENERAL REPORT ON ADEQUACY**  
4                   **OF DEPENDENCY AND INDEMNITY COM-**  
5                   **PENSATION TO MAINTAIN SURVIVORS OF**  
6                   **VETERANS WHO DIE FROM SERVICE-CON-**  
7                   **NECTED DISABILITIES.**

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

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

21                   (1) a description of the current system for the  
22                   payment of dependency and indemnity compensation  
23                   to surviving spouses and dependents described in  
24                   subsection (a), including a statement of the rates of  
25                   such compensation so payable;

1           (2) an assessment of the adequacy of such pay-  
2           ments in replacing the deceased veteran's income;  
3           and

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