



S. 3023 – Veterans' Benefits Improvement Act of 2008

FLOOR SITUATION

S. 3023 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Senator Daniel Akaka (D-HI) on May 15, 2008. The Senate passed the bill, as amended, by unanimous consent on September 16, 2008.

S. 3023 is expected to be considered on the floor of the House on September 24, 2008

SUMMARY

Compensation and Pension: S. 3023 provides judicial review for adoption and revision by the VA Secretary for the reduction of veterans' claims eligibility ratings. The bill also requires the Secretary to report to Congress on variances in compensation payments for veterans' service-connected disabilities. Additionally, osteoporosis is added to disabilities presumed to be service-connected in former prisoners of war with post-traumatic stress disorder.

Modernization of VA Disability Compensation System: The bill codifies current regulations which authorize the Secretary of Veterans Affairs to provide temporary disability ratings. S. 3023 allows for substitution upon death of a claimant for the purpose of accrued benefits.

This legislation creates an Office of Survivors' Assistance which will provide assistance regarding benefits and services for survivors of veterans and deceased service members. The Secretary is required to develop IT upgrades, web portals, and support software for benefits claim processing.

Labor and Education Matters: This bill requires additional training for Federal human resources personnel regarding ways to employ veterans. The Department of Labor must report to Congress with recommendations on the employment needs of Native American veterans.

S. 3023 increases the delimiting date for surviving spouses' education assistance to twenty years. The VA Department is directed to study and make recommendations on improving the outcomes of the Vocational Rehabilitation and Employment Program.

Insurance: The bill requires a report on the inclusion of post-traumatic stress disorder among the conditions covered under traumatic injury protection. S. 3023 also provides that stillborn children will be considered dependents, for the purpose of covering funeral costs.

Housing Matters: S. 3023 extends the Stimulus Act's increased VA conforming loan limits through 2011. The equity requirements for a VA-guaranteed loan are lowered to zero percent under this provision. The VA Department's authority to guarantee Adjustable and Hybrid Adjustable home loans is extended through September 30, 2012.

The VA Department must report on the impact of home loan foreclosures on veterans.

Court Matters: The bill requires the United States Court of Appeals for Veterans Claims to prescribe rules to protect privacy and security concerns relating to document filing. The Court must also report to Congress annually on its workload.

S. 3023 directs the General Services Administration (GSA) to study and report on expanding the facilities of the Court. The bill provides a three year extension for the VA to carry out income verification operations with the Internal Revenue Service.



Other Provisions: This bill allows the Secretary to advertise to promote awareness of VA benefits. This bill specifies that any governmental entity which contracts with VA to comply with small business veterans and disabled veterans contracting rules.

S. 3203 allows service members to terminate or suspend cell phone contracts when called up for active duty.

BACKGROUND

The Department of Veterans' Affairs (VA) operates medical facilities to deliver health care benefits to our nation's veterans. Their health care system is made up of more than 153 medical centers, 732 community-based outpatient clinics, 135 nursing homes, 47 residential rehabilitation treatment programs, 232 Veterans Centers, and 121 comprehensive home-care programs. According to the most recent data released by the VA, approximately 5.5 million people received care in a VA health care facility during 2006. This represents a 29 percent increase in the number of patients treated since 2001. The Department of Veterans Affairs employs some 263,000 personnel.

According to the VA, there were over 24 million veterans in America in 2007, with over 3.58 million veterans and survivors receiving compensation and benefits under programs administered by the VA for 2006. This included more than 2.7 million veterans receiving service-related disability benefits and over 325,000 surviving relatives receiving service connected benefits.

The VA currently offers a range of benefits to the surviving spouse, dependent children and parents of deceased veteran's military service members. Benefits available for surviving spouses include a death pension, home loan guarantees, bereavement counseling, educational assistance, as well as certain medical and veteran burial benefits.

COST

The Congressional Budget Office (CBO) has not produced a cost estimate for S. 3023, as amended, as of September 23, 2008.

STAFF CONTACT

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