

AMENDMENT TO H.R. 4306
OFFERED BY Mr. Pappas of New Hampshire

At the end, add the following:

1 (c) **EFFECTIVE DATE AND APPLICABILITY.**—Subject
2 to subsection (d), the amendments made by this section
3 shall take effect on the date of the enactment of this Act
4 and shall apply as follows:

5 (1) On the date of the enactment of this Act for
6 a claimant for dependency and indemnity compensa-
7 tion under chapter 13 of such title, or a veteran,
8 who the Secretary of Veterans Affairs determines
9 is—

10 (A) terminally ill;

11 (B) homeless;

12 (C) under extreme financial hardship;

13 (D) more than 85 years old; or

14 (E) capable of demonstrating other suffi-
15 cient cause.

16 (2) On such date for a person not described in
17 paragraph (1), with respect to paragraphs (6), (7),
18 (10), and (15) of section 1120A(b) of such title, as
19 added by subsection (a).

1 (3) On the day that is two years after such
2 date, for a person not described in paragraph (1),
3 with respect to paragraphs (2), (4), (11), and (14)
4 of such section.

5 (4) On the day that is four years after such
6 date, for a person not described in paragraph (1),
7 with respect to paragraphs (3), (5), (9), and (16) of
8 such section.

9 (5) On the day that is six years after such date,
10 for a person not described in paragraph (1), with re-
11 spect to paragraphs (1), (8), (12), (13), and (17) of
12 such section.

13 (d) ACCELERATED PHASE IN.—

14 (1) AUTHORITY.—The Secretary may apply an
15 amendment made by this section before the respec-
16 tive date of applicability specified in subsection (c)
17 if the Secretary determines it appropriate based
18 on—

19 (A) the number of veterans receiving hos-
20 pital care, medical services, and nursing home
21 care under subparagraphs (G), (H), and (I) of
22 section 1710(e)(1) of such title; and

23 (B) the resources available to the Sec-
24 retary.

1 (2) NOTICE.—If the Secretary determines to
2 exercise the authority under paragraph (1), the Sec-
3 retary shall—

4 (A) notify the Committees on Veterans' Af-
5 fairs of the Senate and House of Representa-
6 tives of the new date of applicability established
7 by the Secretary; and

8 (B) publish such new date in the Federal
9 Register.

10 (e) RULE OF CONSTRUCTION.—

11 (1) GENERALLY.—Nothing in this section shall
12 be construed to prevent the Secretary of Veterans
13 Affairs from processing a claim for a benefit under
14 title 38, United States Code, for a condition or dis-
15 ease for which the amendments made by this section
16 establish a presumption of service connection, as a
17 claim for a benefit for a condition or disease with di-
18 rect service connection.

19 (2) EFFECTIVE DATES AND APPLICABILITY.—
20 The Secretary shall not deny a claim for a benefit
21 under title 38, United States Code, for a condition
22 or disease for which the amendments made by this
23 section establish a presumption of service connection
24 because the claimant filed the claim prior to the ef-

- 1 fective date or date of applicability for that par-
- 2 ticular condition or disease.

