

103^D CONGRESS
2^D SESSION

S. 2429

To amend title 38, United States Code, to establish in the Department of Veterans Affairs an Office for Women Veterans and an Office for Minority Veterans, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 25 (legislative day, AUGUST 18), 1994

Mr. AKAKA introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to establish in the Department of Veterans Affairs an Office for Women Veterans and an Office for Minority Veterans, 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. OFFICE FOR MINORITY VETERANS.**

4 (a) IN GENERAL.—Section 317 of title 38, United
5 States Code, is amended to read as follows:

6 **“§ 317. Office for Minority Veterans**

7 “(a) There is in the Department an Office for Minor-
8 ity Veterans.

1 “(b)(1) There is at the head of the Office a Director
2 who shall be appointed by the Secretary. The Director
3 shall be a career appointee in the Senior Executive Serv-
4 ice. In appointing the Director, the Secretary shall give
5 preference to the appointment of a veteran. The Director
6 shall be appointed for a term of six years and may be
7 reappointed for an additional term.

8 “(2) There is in the Office a Deputy Director who
9 is the principal assistant of the Director. The Deputy Di-
10 rector shall perform such functions as the Director shall
11 prescribe.

12 “(c) The Director reports directly to the Secretary
13 or the Deputy Secretary concerning the activities of the
14 Office.

15 “(d) The Director shall perform the following func-
16 tions with respect to veterans who are minority group
17 members:

18 “(1) Serve as principal adviser to the Secretary
19 on the adoption and implementation of policies and
20 programs affecting veterans who are minority group
21 members.

22 “(2) Make recommendations to the Secretary,
23 the Under Secretary for Health, the Under Sec-
24 retary for Benefits, and other Department officials
25 for the establishment or improvement of programs in

1 the Department for which veterans who are minority
2 group members are eligible.

3 “(3) Promote the use of benefits authorized by
4 this title by veterans who are minority group mem-
5 bers and the conduct of outreach activities to veter-
6 ans who are minority group members, in conjunction
7 with outreach activities carried out under chapter 77
8 of this title.

9 “(4) Disseminate information and serve as a re-
10 source center for the exchange of information re-
11 garding innovative and successful programs which
12 improve the services available to veterans who are
13 minority group members.

14 “(5) Conduct and sponsor appropriate social
15 and demographic research on the needs of veterans
16 who are minority group members and the extent to
17 which programs authorized under this title meet the
18 needs of those veterans, without regard to any law
19 concerning the collection of information from the
20 public.

21 “(6) Analyze and evaluate complaints made by
22 or on behalf of veterans who are minority group
23 members about the adequacy and timeliness of serv-
24 ices provided by the Department and advise the ap-

1 appropriate official of the Department of the results of
2 such analysis or evaluation.

3 “(7) Consult with, and provide assistance and
4 information to, officials responsible for administering
5 Federal, State, local, and private programs that as-
6 sist veterans, to encourage those officials to adopt
7 policies which promote the use of those programs by
8 veterans who are minority group members.

9 “(8) Advise the Secretary when laws or policies
10 have the effect of discouraging the use of benefits by
11 veterans who are minority group members.

12 “(9) Publicize the results of medical research
13 which are of particular significance to veterans who
14 are minority group members.

15 “(10) Advise the Secretary and other appro-
16 priate officials on the effectiveness of the Depart-
17 ment’s efforts to accomplish the goals of section
18 492B of the Public Health Service Act (relating to
19 the inclusion of women and minorities in clinical re-
20 search) and of particular health conditions affecting
21 the health or minority group members which should
22 be studied as part of the Department’s medical re-
23 search program and promote cooperation between
24 the Department and other sponsors of medical re-

1 search of potential benefit to veterans who are mi-
2 nority group members.

3 “(11) Perform such other duties consistent with
4 this section as the Secretary shall prescribe.

5 “(e) The Secretary shall ensure that the Director is
6 furnished sufficient resources to enable the Director to
7 carry out the functions of the Office in a timely manner.

8 “(f) The Secretary shall include in documents sub-
9 mitted to Congress by the Secretary in support of the
10 President’s budget for each fiscal year—

11 “(1) detailed information on the budget for the
12 Office;

13 “(2) the Secretary’s opinion as to whether the
14 resources (including the number of employees) pro-
15 posed in the budget for that fiscal year are adequate
16 to enable the Office to comply with its statutory and
17 regulatory duties; and

18 “(3) a report on the activities and significant
19 accomplishments of the Office during the preceding
20 fiscal year.

21 “(g) In this section, the term ‘minority group mem-
22 ber’ means an individual who is—

23 “(1) Asian American;

24 “(2) Black;

25 “(3) Hispanic;

1 “(4) Native American (including American In-
2 dian, Alaskan Native, and Native Hawaiian); or

3 “(5) Pacific-Islander American.”.

4 (b) CLERICAL AMENDMENT.—The table of sections
5 at the beginning of such chapter is amended by striking
6 out the item relating to section 317 and inserting in lieu
7 thereof the following:

 “317. Office for Minority Veterans.”.

8 **SEC. 2. ADVISORY COMMITTEE ON MINORITY VETERANS.**

9 (a) ESTABLISHMENT.—Subchapter III of chapter 5
10 of title 38, United States Code, is amended by adding at
11 the end the following:

12 **“§ 544. Advisory Committee on Minority Veterans**

13 “(a)(1) The Secretary shall establish an advisory
14 committee to be known as the Advisory Committee on Mi-
15 nority Veterans (hereinafter in this section referred to as
16 “the Committee”).

17 “(2)(A) The Committee shall consist of members ap-
18 pointed by the Secretary from the general public, includ-
19 ing—

20 “(i) representatives of veterans who are minor-
21 ity group members;

22 “(ii) individuals who are recognized authorities
23 in fields pertinent to the needs of veterans who are
24 minority group members;

1 “(iii) veterans who are minority group members
2 and who have experience in a military theater of op-
3 erations; and

4 “(iv) veterans who are minority group members
5 and who do not have such experience.

6 “(B) The Committee shall include, as ex officio mem-
7 bers—

8 “(i) the Secretary of Labor (or a representative
9 of the Secretary of Labor designated by the Sec-
10 retary after consultation with the Assistant Sec-
11 retary of Labor for Veterans’ Employment);

12 “(ii) the Secretary of Defense (or a representa-
13 tive of the Secretary of Defense designated by the
14 Secretary of Defense);

15 “(iii) the Secretary of the Interior (or a rep-
16 resentative of the Secretary of the Interior des-
17 ignated by the Secretary of the Interior);

18 “(iv) the Secretary of Commerce (or a rep-
19 resentative of the Secretary of Commerce designated
20 by the Secretary of Commerce);

21 “(v) the Secretary of Health and Human Serv-
22 ices (or a representative of the Secretary of Health
23 and Human Services designated by the Secretary of
24 Health and Human Services); and

1 “(vi) the Under Secretary for Health and the
2 Under Secretary for Benefits, or their designees.

3 “(C) The Secretary may invite representatives of
4 other departments and agencies of the United States to
5 participate in the meetings and other activities of the
6 Committee.

7 “(3) The Secretary shall determine the number,
8 terms of service, and pay and allowances of members of
9 the Committee appointed by the Secretary, except that a
10 term of service of any such member may not exceed three
11 years. The Secretary may reappoint any such member for
12 additional terms of service.

13 “(4) The Committee shall meet as often as the Sec-
14 retary considers necessary or appropriate, but not less
15 often than twice each fiscal year.

16 “(b) The Secretary shall, on a regular basis, consult
17 with and seek the advice of the Committee with respect
18 to the administration of benefits by the Department for
19 veterans who are minority group members, reports and
20 studies pertaining to such veterans and the needs of such
21 veterans with respect to compensation, health care, reha-
22 bilitation, outreach, and other benefits and programs ad-
23 ministered by the Department.

24 “(c)(1) Not later than July 1 of each even-numbered
25 year, the Committee shall submit to the Secretary a report

1 on the programs and activities of the Department that
2 pertain to veterans who are minority group members.

3 Each such report shall include—

4 “(A) an assessment of the needs of veterans
5 who are minority group members with respect to
6 compensation, health care, rehabilitation, outreach,
7 and other benefits and programs administered by
8 the Department;

9 “(B) a review of the programs and activities of
10 the Department designed to meet such needs; and

11 “(C) such recommendations (including rec-
12 ommendations for administrative and legislative ac-
13 tion) as the Committee considers appropriate.

14 “(2) The Secretary shall, within 60 days after receiv-
15 ing each report under paragraph (1), submit to Congress
16 a copy of the report, together with any comments concern-
17 ing the report that the Secretary considers appropriate.

18 “(3) The Committee may also submit to the Sec-
19 retary such other reports and recommendations as the
20 Committee considers appropriate.

21 “(4) The Secretary shall submit with each annual re-
22 port submitted to the Congress pursuant to section 529
23 of this title a summary of all reports and recommendations
24 of the Committee submitted to the Secretary since the pre-

1 vious annual report of the Secretary submitted pursuant
2 to such section.

3 “(d) In this section, the term ‘minority group mem-
4 ber’ means an individual who is—

5 “(1) Asian American;

6 “(2) Black;

7 “(3) Hispanic;

8 “(4) Native American (including American In-
9 dian, Alaskan Native, and Native Hawaiian); or

10 “(5) Pacific-Islander American.”.

11 (b) CLERICAL AMENDMENT.—The table of sections
12 at the beginning of such chapter is amended by adding
13 after the item relating to section 543 the following new
14 item:

“544. Advisory Committee on Minority Veterans.”.

15 **SEC. 3. REPRESENTATIVES FOR MINORITY VETERANS AT**
16 **DEPARTMENT FACILITIES.**

17 The Secretary of Veterans Affairs shall designate an
18 appropriate official at each regional office of the Depart-
19 ment of Veterans Affairs and at each medical facility of
20 the Department to serve as the minority affairs officer of
21 the Department at the office or facility. The officials shall
22 perform such functions as the Secretary shall prescribe.

23 **SEC. 4. OFFICE FOR WOMEN VETERANS.**

24 (a) IN GENERAL.—(1) Chapter 3 of title 38, United
25 States Code, as amended by section 1(a) of this Act, is

1 further amended by adding at the end the following new
2 section:

3 **“§ 318. Office for Women Veterans**

4 “(a) There is in the Department an Office for Women
5 Veterans.

6 “(b)(1) There is at the head of the Office a Director
7 who shall be appointed by the Secretary. The Director
8 shall be a career appointee in the Senior Executive Serv-
9 ice. In appointing the Director, the Secretary shall give
10 preference to the appointment of a veteran. The Director
11 shall be appointed for a term of six years and may be
12 reappointed for an additional term.

13 “(2) There is in the Office a Deputy Director who
14 is the principal assistant of the Director. The Deputy Di-
15 rector shall perform such functions as the Director shall
16 prescribe.

17 “(c) The Director reports directly to the Secretary
18 or the Deputy Secretary concerning the activities of the
19 Office.

20 “(d) The Director shall perform the following func-
21 tions with respect to veterans who are women:

22 “(1) Serve as principal adviser to the Secretary
23 on the adoption and implementation of policies and
24 programs affecting veterans who are women.

1 “(2) Make recommendations to the Secretary,
2 the Under Secretary for Health, the Under Sec-
3 retary for Benefits, and other Department officials
4 for the establishment or improvement of programs in
5 the Department for which veterans who are women
6 are eligible.

7 “(3) Promote the use of benefits authorized by
8 this title by veterans who are women and the con-
9 duct of outreach activities to veterans who are
10 women, in conjunction with outreach activities car-
11 ried out under chapter 77 of this title.

12 “(4) Disseminate information and serve as a re-
13 source center for the exchange of information re-
14 garding innovative and successful programs which
15 improve the services available to veterans who are
16 women.

17 “(5) Conduct and sponsor appropriate social
18 and demographic research on the needs of veterans
19 who are women and the extent to which programs
20 authorized under this title meet the needs of those
21 veterans, without regard to any law concerning the
22 collection of information from the public.

23 “(6) Analyze and evaluate complaints made by
24 or on behalf of veterans who are women about the
25 adequacy and timeliness of services provided by the

1 Department and advise the appropriate official of
2 the Department of the results of such analysis or
3 evaluation.

4 “(7) Consult with, and provide assistance and
5 information to, officials responsible for administering
6 Federal, State, local, and private programs that as-
7 sist veterans, to encourage those officials to adopt
8 policies which promote the use of those programs by
9 veterans who are women.

10 “(8) Advise the Secretary when laws or policies
11 have the effect of discouraging the use of benefits by
12 veterans who are women.

13 “(9) Publicize the results of medical research
14 which are of particular significance to veterans who
15 are women.

16 “(10) Advise the Secretary and other appro-
17 priate officials on the effectiveness of the Depart-
18 ment’s efforts to accomplish the goals of section
19 492B of the Public Health Service Act (relating to
20 the inclusion of women and minorities in clinical re-
21 search) and of particular health conditions affecting
22 womens’ health which should be studied as part of
23 the Department’s medical research program and
24 promote cooperation between the Department and

1 other sponsors of medical research of potential bene-
2 fit to veterans who are women.

3 “(11) Provide support and administrative serv-
4 ices to the Advisory Committee on Women Veterans
5 established under section 542 of this title.

6 “(12) Perform such other duties consistent with
7 this section as the Secretary shall prescribe.

8 “(e) The Secretary shall ensure that the Director is
9 furnished sufficient resources to enable the Director to
10 carry out the functions of the Office in a timely manner.

11 “(f) The Secretary shall include in documents sub-
12 mitted to Congress by the Secretary in support of the
13 President’s budget for each fiscal year—

14 “(1) detailed information on the budget for the
15 Office;

16 “(2) the Secretary’s opinion as to whether the
17 resources (including the number of employees) pro-
18 posed in the budget for that fiscal year are adequate
19 to enable the Office to comply with its statutory and
20 regulatory duties; and

21 “(3) a report on the activities and significant
22 accomplishments of the Office during the preceding
23 fiscal year.”.

24 (b) CLERICAL AMENDMENT.—The table of sections
25 at the beginning of such chapter, as amended by section

1 1(b) of this Act, is further amended by adding at the end
2 the following new item:

“318. Office for Women Veterans.”.

3 **SEC. 5. ADVISORY COMMITTEE ON WOMEN VETERANS.**

4 (a) MEMBERS.—Paragraph (2)(A) of section 542(a)
5 of title 38, United States Code, is amended—

6 (1) by striking out “and” at the end of clause
7 (ii);

8 (2) by striking out the period at the end of
9 clause (iii) and inserting in lieu a semicolon; and

10 (3) by adding at the end the following:

11 “(iii) women veterans who have experience in a
12 military theater of operations; and

13 “(iv) women veterans who do not have such ex-
14 perience.”.

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