

111TH CONGRESS
2^D SESSION

H. R. 4559

To establish a commission to review benefits provided by each State to disabled veterans.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 2, 2010

Mr. KISSELL (for himself, Mr. MEEKS of New York, Ms. FUDGE, Mrs. MALONEY, Ms. JACKSON LEE of Texas, Ms. GIFFORDS, Mr. MASSA, Ms. KILPATRICK of Michigan, Mr. OWENS, Mr. MCMAHON, and Ms. PINGREE of Maine) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To establish a commission to review benefits provided by each State to disabled veterans.

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. COMMISSION TO REVIEW BENEFITS PROVIDED**

4 **BY EACH STATE TO DISABLED VETERANS.**

5 (a) **ESTABLISHMENT.**—There is established a com-
6 mission to be known as the “State Veterans’ Benefits
7 Commission”.

8 (b) **DUTIES.**—The Commission shall evaluate—

1 (1) the total amount of benefits provided by
2 each State to a covered veteran residing in such
3 State (including those benefits that a State provides
4 to a resident regardless of whether the resident is a
5 covered veteran); and

6 (2) the method in which each State establishes
7 the amount of benefits for veterans based on the dis-
8 ability rating of the veteran.

9 (c) MEMBERSHIP.—

10 (1) IN GENERAL.—The Commission shall be
11 composed of seven members appointed as follows:

12 (A) One individual appointed by the
13 Speaker of the House of Representatives.

14 (B) One individual appointed jointly by the
15 President of the Senate and the President pro
16 tempore of the Senate.

17 (C) One individual appointed by the minor-
18 ity leader of the House of Representatives.

19 (D) One individual appointed by the mi-
20 nority leader of the Senate.

21 (E) Three individuals appointed by the
22 President.

23 (2) APPOINTMENTS.—Appointments under
24 paragraph (1) shall be made not later than 30 days
25 after the date of the enactment of this Act.

1 (3) QUALIFICATIONS.—Of the seven individuals
2 appointed under paragraph (1)—

3 (A) not less than three shall be disabled
4 veterans; and

5 (B) not less than one shall be a medical
6 doctor.

7 (4) CHAIRPERSON AND VICE CHAIRPERSON.—
8 The Chairperson and Vice Chairperson of the Com-
9 mission shall be elected by the members.

10 (5) TERMS.—Each member shall be appointed
11 for the life of the Commission.

12 (6) VACANCY.—A vacancy in the Commission
13 shall be filled in the manner in which the original
14 appointment was made.

15 (d) MEETINGS.—

16 (1) INITIAL MEETING.—Not later than 30 days
17 after each member is appointed under subsection
18 (c)(1), the Commission shall hold its initial meeting.

19 (2) MEETINGS.—The Commission shall meet at
20 the call of the Chairperson or a majority of its mem-
21 bers.

22 (3) QUORUM.—A majority of the Commission
23 shall constitute a quorum but a lesser number may
24 hold hearings.

25 (e) PAY.—

1 (1) RATES OF PAY.—Except as provided in
2 paragraph (2), members shall serve without pay.

3 (2) TRAVEL EXPENSE.—Each member shall re-
4 ceive travel expenses, including per diem in lieu of
5 subsistence, in accordance with applicable provisions
6 under subchapter I of chapter 57 of title 5, United
7 States Code.

8 (f) STAFF.—

9 (1) DIRECTOR.—The Commission shall have a
10 director who shall be appointed by the Chairperson.

11 (2) STAFF.—Subject to rules prescribed by the
12 Commission, the Chairperson may appoint additional
13 personnel as the Chairperson considers appropriate.

14 (3) APPLICABILITY OF CERTAIN CIVIL SERVICE
15 LAWS.—The director and staff of the Commission
16 shall be appointed subject to the provisions of title
17 5, United States Code, governing appointments in
18 the competitive service, and shall be paid in accord-
19 ance with the provisions of chapter 51 and sub-
20 chapter III of chapter 53 of that title relating to
21 classification and General Schedule pay rates.

22 (4) EXPERTS AND CONSULTANTS.—Subject to
23 rules prescribed by the Commission, the Chairperson
24 may procure temporary and intermittent services
25 under section 3109(b) of title 5, United States Code.

1 (5) STAFF TO FEDERAL AGENCIES.—Upon re-
2 quest of the Chairperson, the head of any Federal
3 department or agency may detail, on a reimbursable
4 basis, any of the personnel of that department or
5 agency to the Commission to assist it in carrying out
6 its duties under this section.

7 (g) POWERS OF COMMISSION.—

8 (1) HEARINGS AND SESSIONS.—The Commis-
9 sion may, for the purpose of carrying out this Act,
10 hold hearings, sit and act at times and places, take
11 testimony, and receive evidence as the Commission
12 considers appropriate. The Commission may admin-
13 ister oaths or affirmations to witnesses appearing
14 before it.

15 (2) POWERS OF MEMBERS AND AGENTS.—Any
16 member or agent of the Commission may, if author-
17 ized by the Commission, take any action which the
18 Commission is authorized to take by this section.

19 (3) OBTAINING OFFICIAL DATA.—The Commis-
20 sion may secure directly from any department or
21 agency of the United States information necessary
22 to enable it to carry out this Act. Upon request of
23 the Chairperson of the Commission, the head of that
24 department or agency shall furnish that information
25 to the Commission.

1 (4) **MAILS.**—The Commission may use the
2 United States mails in the same manner and under
3 the same conditions as other departments and agen-
4 cies of the United States.

5 (5) **ADMINISTRATIVE SUPPORT SERVICES.**—
6 Upon the request of the Commission, the Adminis-
7 trator of General Services shall provide to the Com-
8 mission, on a reimbursable basis, the administrative
9 support services necessary for the Commission to
10 carry out its responsibilities under this Act.

11 (h) **REPORT.**—Not later than 60 days after the initial
12 meeting under subsection (d)(1), the Commission shall
13 submit to the Committee on Veterans' Affairs of the
14 House of Representatives and the Committee on Veterans'
15 Affairs of the Senate a report on the evaluation made
16 under subsection (b), including—

17 (1) the results of the evaluation;

18 (2) a list of States ranked in order of the
19 amount of benefits provided to covered veterans re-
20 siding in the State;

21 (3) the recommended amount of benefits the
22 Commission determines necessary for a State to pro-
23 vide covered veterans residing in the State to ensure
24 that such veterans have adequate care, assistance,
25 and financial security;

1 (4) recommendations as to how States can im-
2 prove the benefits provided to covered veterans re-
3 siding in the State;

4 (5) relevant background and statistical informa-
5 tion associated with the recommendations under
6 paragraphs (3) and (4); and

7 (6) other information the Commission deter-
8 mines appropriate.

9 (i) TERMINATION.—The Commission shall terminate
10 on the date that is two months after the date on which
11 the Commission submits the report pursuant to subsection
12 (h).

13 (j) COVERED VETERAN DEFINED.—In this section,
14 the term “covered veteran” means a veteran with a dis-
15 ability that is—

16 (1) rated total for the purposes of disability
17 compensation under chapter 11 of title 38, United
18 States Code; and

19 (2) based upon an impairment reasonably cer-
20 tain to continue throughout the life of the veteran.

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