

118TH CONGRESS
1ST SESSION

S. 2516

To establish the Veterans Advisory Committee on Equal Access, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 26, 2023

Mr. CASEY (for himself and Mr. SCOTT of Florida) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To establish the Veterans Advisory Committee on Equal Access, 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.**

4 This Act may be cited as the “Veterans Accessibility
5 Act of 2023”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) More than one-quarter of veterans in the
9 United States have a service-connected disability.

1 (2) Common disabilities among veterans include
2 traumatic brain injury, hearing loss, blindness or vi-
3 sion loss, and spinal cord injuries and disorders.

4 (3) More than 60,000,000 adults in the United
5 States have a disability, including veterans, employ-
6 ees of the Department of Veterans Affairs, and peo-
7 ple who might seek information from the Depart-
8 ment for a veteran.

9 (4) There were 125,763 veterans employed at
10 the Department of Veterans Affairs, including
11 70,209 veterans with a disability, in fiscal year
12 2020, according to the Office of Personnel Manage-
13 ment.

14 (5) There are projected to be at least
15 80,000,000 people age 65 or older in the United
16 States by 2040, twice the number than in 2000.
17 Older adults experience higher rates of disability
18 than younger adults.

19 (6) More than 46 percent of veterans in the
20 United States are 65 years old or older.

21 (7) Physical, electronic, information, and com-
22 munications technology must be accessible to ensure
23 equal access to information and services at the De-
24 partment of Veterans Affairs. Such accessibility will
25 grow in importance as the population of the United

1 States ages and develops disabilities and new tech-
2 nologies are deployed.

3 (8) Congress has required accessibility of daily
4 life by passing laws such as the Americans with Dis-
5 abilities Act of 1990 (42 U.S.C. 12101 et seq.), sec-
6 tions 501, 504, and 508 of the Rehabilitation Act of
7 1973 (29 U.S.C. 791, 794, and 794d), the Plain
8 Writing Act of 2010 (5 U.S.C. 301 note), the Archi-
9 tectural Barriers Act of 1968 (Public Law 90–480),
10 and the 21st Century Integrated Digital Experience
11 Act (44 U.S.C. 3501 note).

12 (9) Recent oversight conducted by the Special
13 Committee on Aging of the Senate found that the
14 Department of Veterans Affairs has not consistently
15 made its electronic information technology accessible
16 for people with disabilities, despite a requirement to
17 do so under section 508 of the Rehabilitation Act of
18 1973 (29 U.S.C. 794d).

19 (10) To ensure the Federal Government is
20 meeting the needs of veterans and employees with
21 disabilities, as well as an aging public, Congress
22 must create mechanisms to assess and gather infor-
23 mation on Federal compliance with provisions of law
24 relating to accessibility for people with disabilities.

1 **SEC. 3. VETERANS ADVISORY COMMITTEE ON EQUAL AC-**
2 **CESS.**

3 (a) ESTABLISHMENT.—

4 (1) IN GENERAL.—Not later than 180 days
5 after the date of the enactment of this Act, the Sec-
6 retary of Veterans Affairs shall establish within the
7 Department of Veterans Affairs an advisory com-
8 mittee on matters relating to accessibility of the De-
9 partment of Veterans Affairs for individuals with
10 disabilities.

11 (2) DESIGNATION.—The advisory committee es-
12 tablished by paragraph (1) shall be known as the
13 “Veterans Advisory Committee on Equal Access” (in
14 this section the “Advisory Committee”).

15 (b) MEMBERSHIP.—

16 (1) COMPOSITION.—The Advisory Committee
17 shall be composed of—

18 (A) 15 voting members appointed pursuant
19 to paragraph (2); and

20 (B) four nonvoting ex-officio members ap-
21 pointed pursuant to paragraph (3).

22 (2) VOTING MEMBERS.—The Advisory Com-
23 mittee shall be composed of 15 voting members, ap-
24 pointed by the Secretary of Veterans Affairs. In ap-
25 pointing such members, the Secretary shall ensure
26 the following:

1 (A) Four are veterans with disabilities, in-
2 cluding at least one veteran who is also em-
3 ployed in the competitive service (as defined in
4 section 2102 of title 5, United States Code) or
5 under Schedule A of the excepted service (as
6 defined in section 2103 of such title) in the
7 Veterans Health Administration, the Veterans
8 Benefits Administration, or the National Ceme-
9 tery Administration, who routinely receive bene-
10 fits from the Department of Veterans Affairs or
11 use services provided by the Department, in-
12 cluding—

13 (i) one veteran with a mobility impair-
14 ment;

15 (ii) one veteran with a hearing dis-
16 ability;

17 (iii) one veteran with a visual dis-
18 ability; and

19 (iv) one veteran with a mental or cog-
20 nitive disability.

21 (B) Four are recognized authorities in dis-
22 ability access and Federal disability discrimina-
23 tion law compliance relating to physical and
24 electronic accessibility, including the provisions

1 of law set forth under subsection (f)(1)(B).

2 These members shall be selected from—

3 (i) academic institutions;

4 (ii) law firms or legal practices that
5 specialize in Federal disability discrimina-
6 tion law; or

7 (iii) organizations that advocate for
8 individuals with physical, sensory, mental,
9 or cognitive disabilities, regardless of vet-
10 eran status.

11 (C) Two are employees of the Department,
12 one from the Section 508 Office and one from
13 the Architectural Accessibility Program, who
14 oversee the compliance of the Department with
15 Federal accessibility laws.

16 (D) Five are representatives nominated by
17 national veterans service organizations that ad-
18 vocate for veterans with physical, sensory, men-
19 tal, or cognitive disabilities.

20 (3) NONVOTING MEMBERS.—The Advisory
21 Committee shall also include four nonvoting ex-offi-
22 cio members, or their representatives, who directly
23 work on access barriers for people with disabilities,
24 including—

25 (A) the Under Secretary for Health;

1 (B) the Under Secretary for Benefits;

2 (C) the Under Secretary for Memorial Af-
3 fairs; and

4 (D) the chairperson of the Architectural
5 and Transportation Barriers Compliance Board
6 (known as the “Access Board”).

7 (4) DATE.—The appointments of the members
8 of the Advisory Committee shall be made not later
9 than 90 days after the Advisory Committee is estab-
10 lished.

11 (c) TERMS; VACANCIES.—

12 (1) TERMS.—A member of the Advisory Com-
13 mittee shall be appointed for a term of two years.
14 The Secretary may reappoint members to the Advi-
15 sory Committee for such additional two-year terms
16 as the Secretary considers appropriate.

17 (2) VACANCIES.—Not later than 30 days after
18 receiving notice of a vacancy in the Committee, the
19 Secretary shall fill the vacancy in the same manner
20 as the original appointment.

21 (d) MEETINGS.—

22 (1) INITIAL MEETING.—Not later than 30 days
23 after the Secretary has appointed all members, the
24 Advisory Committee shall hold the first meeting of
25 the Advisory Committee.

1 (2) FREQUENCY.—The Advisory Committee
2 shall meet at the call of the Chairperson, and shall
3 meet at least once every 6 months.

4 (3) SUBCOMMITTEES.—The Advisory Com-
5 mittee may form subcommittees, which shall meet as
6 often as required.

7 (4) QUORUM.—A majority of the members of
8 the Advisory Committee shall constitute a quorum.

9 (e) CHAIRPERSON.—Members of the Advisory Com-
10 mittee shall select a Chairperson from among the members
11 of the Advisory Committee. If the position of Chairperson
12 becomes vacant, the members of the Advisory Committee
13 shall select a new Chairperson not later than 30 days after
14 the date on which the position became vacant.

15 (f) DUTIES.—

16 (1) REQUIREMENT TO CONSULT AND SEEK AD-
17 VICE.—On a regular basis, the Secretary shall con-
18 sult with and seek the advice of the Advisory Com-
19 mittee—

20 (A) on improving the accessibility of the
21 Department for individuals with disabilities, in-
22 cluding improving—

23 (i) the accessibility of information of
24 the Department, including electronic infor-
25 mation;

1 (ii) the accessibility of the services
2 and benefits furnished by the Department;

3 (iii) the accessibility of the buildings,
4 facilities, and structures of the Depart-
5 ment;

6 (iv) the accessibility of facilities of
7 health care providers furnishing care or
8 services under the Veterans Community
9 Care Program under section 1703 of title
10 38, United States Code; and

11 (v) the acquisition process of the De-
12 partment to ensure that products and serv-
13 ices, including information technology and
14 information and communication technology
15 (as defined in the standards issued by the
16 Architectural and Transportation Barriers
17 Compliance Board pursuant to section 508
18 of the Rehabilitation Act of 1973 (29
19 U.S.C. 794d)), are accessible when pur-
20 chased; and

21 (B) for ensuring the compliance of the De-
22 partment with provisions of law relating to dis-
23 ability and accessibility, including—

24 (i) the Americans with Disabilities Act
25 of 1990 (42 U.S.C. 12101 et seq.);

1 (ii) sections 501, 504, and 508 of the
2 Rehabilitation Act of 1973 (29 U.S.C. 791,
3 794, and 794d);

4 (iii) the Plain Writing Act of 2010 (5
5 U.S.C. 301 note);

6 (iv) the 21st Century Integrated Dig-
7 ital Experience Act (44 U.S.C. 3501 note);

8 (v) the Architectural Barriers Act of
9 1968 (Public Law 90–480); and

10 (vi) such other provisions of Federal
11 law as may be that ensure equal access to
12 Federal buildings, benefits, or services for
13 individuals with disabilities.

14 (2) PROVISION OF ADVICE.—In providing ad-
15 vice to the Secretary, the Advisory Committee shall,
16 focusing on the areas of greatest need for the De-
17 partment—

18 (A) assess the disability access needs of
19 veterans, the public, and Department employees
20 for full access to the Department’s information,
21 services, and benefits by reviewing relevant in-
22 formation, such as filed complaints by people
23 with disabilities and physical assessments of the
24 Department’s buildings, facilities, and struc-
25 tures;

1 (B) provide an ongoing assessment of ac-
2 cessibility at the Department and the compli-
3 ance of the Department with applicable provi-
4 sions of law relating to disability and accessi-
5 bility; and

6 (C) provide on-going advice on improving
7 accessibility at the Department, including the
8 accessibility of all—

9 (i) communications, internal and pub-
10 lic facing;

11 (ii) services; and

12 (iii) buildings, facilities, and struc-
13 tures.

14 (3) REPORTS.—

15 (A) REPORTS TO THE SECRETARY.—Not
16 later than 18 months after the date of the first
17 meeting of the Advisory Committee, and not
18 less frequently than once every 18 months
19 thereafter, the Advisory Committee shall submit
20 to the Secretary a report that, focusing on
21 areas of greatest need for the Department—

22 (i) identifies and assesses access bar-
23 riers affecting veterans, the public, and
24 Federal workers;

1 (ii) determines the extent to which the
2 programs and activities of the department
3 address the barriers identified in clause (i),
4 including compliance of the Department
5 with provisions of law relating to accessi-
6 bility law and reporting;

7 (iii) provides recommendations and
8 access priorities to improve the accessi-
9 bility of the Department's services, infor-
10 mation, technology, and buildings, facili-
11 ties, and structures;

12 (iv) provides a description of access
13 improvements and assesses the Depart-
14 ment's follow-through with recommenda-
15 tions from previous reports of the Advisory
16 Committee, including any unmet rec-
17 ommendations that remain necessary for
18 improving accessibility for the Department;

19 (v) provides any recommendations for
20 legislation, administrative action, or other
21 actions that the Advisory Committee con-
22 siders appropriate; and

23 (vi) carries out such other activities
24 that are necessary to make the assess-

1 ments and recommendations referred to in
2 subsection (a).

3 (B) REPORTS TO CONGRESS AND FEDERAL
4 AGENCIES.—

5 (i) IN GENERAL.—Not later than 60
6 days after receiving a report under sub-
7 paragraph (A), the Secretary shall submit
8 to the appropriate committees of Congress,
9 the Attorney General, the Director of the
10 Office of Management and Budget, the Ad-
11 ministrators of the General Services Admin-
12 istration, and the Inspector General of the
13 Department of Veterans Affairs a copy of
14 the report, along with such comments or
15 recommendations concerning the report as
16 the Secretary considers appropriate.

17 (ii) AVAILABILITY TO THE PUBLIC.—
18 Not later than one day after submitting a
19 report pursuant to clause (i), the Secretary
20 shall make available to the public on an ac-
21 cessible website of the Department such re-
22 port and such comments and recommenda-
23 tions as may have been submitted along
24 with such report.

1 (iii) DEFINITION OF APPROPRIATE
2 COMMITTEES OF CONGRESS.—In this sub-
3 paragraph, the term “appropriate commit-
4 tees of Congress” means—

5 (I) the Committee on Veterans’
6 Affairs, the Special Committee on
7 Aging, and the Committee on Appro-
8 priations of the Senate; and

9 (II) the Committee on Veterans’
10 Affairs and the Committee on Appro-
11 priations of the House of Representa-
12 tives.

13 (g) ADVISORY COMMITTEE PERSONNEL AND RE-
14 SOURCE MATTERS.—

15 (1) COMPENSATION OF MEMBERS.—A member
16 of the Commission who is not an officer or employee
17 of the Federal Government shall not be compensated
18 for the performance of the duties of the Advisory
19 Committee.

20 (2) TRAVEL EXPENSES.—A member of the Ad-
21 visory Committee shall be allowed travel expenses,
22 including per diem in lieu of subsistence, at rates
23 authorized for employees of agencies under sub-
24 chapter I of chapter 57 of title 5, United States
25 Code, while away from their homes or regular places

1 of business in the performance of services for the
2 Commission.

3 (3) RESOURCES.—The Secretary shall ensure
4 that such personnel, funding, and other resources
5 are made available to the Advisory Committee as the
6 Secretary considers appropriate to carry out the du-
7 ties of the Advisory Committee.

8 (4) INFORMATION.—The Secretary shall furnish
9 to the Advisory Committee such information as the
10 Advisory Committee may request from the Sec-
11 retary, subject to applicable provisions of law.

12 (h) TERMINATION OF ADVISORY COMMITTEE.—The
13 Advisory Committee shall terminate on the date that is
14 10 years after the date of the enactment of this Act.

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