

118TH CONGRESS
1ST SESSION

S. 3352

To provide for outreach to build awareness among former members of the Armed Forces of the process established pursuant to section 527 of the National Defense Authorization Act for Fiscal Year 2020 for the review of discharge characterizations, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 28, 2023

Mr. SCHATZ (for himself, Mrs. GILLIBRAND, Mr. YOUNG, and Ms. COLLINS) introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL

To provide for outreach to build awareness among former members of the Armed Forces of the process established pursuant to section 527 of the National Defense Authorization Act for Fiscal Year 2020 for the review of discharge characterizations, 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 “Restore Honor to Serv-
5 ice Members Act of 2023”.

1 **SEC. 2. TIGER TEAM FOR OUTREACH TO FORMER MEM-**
2 **BERS.**

3 (a) ESTABLISHMENT OF TIGER TEAM.—

4 (1) IN GENERAL.—Not later than 60 days after
5 the date of the enactment of this Act, the Secretary
6 of Defense shall establish a team (commonly known
7 as a “tiger team” and referred to in this section as
8 the “Tiger Team”) responsible for conducting out-
9 reach to build awareness among former members of
10 the Armed Forces of the process established pursu-
11 ant to section 527 of the National Defense Author-
12 ization Act for Fiscal Year 2020 (Public Law 116–
13 92; 10 U.S.C. 1552 note) for the review of discharge
14 characterizations by appropriate discharge boards.
15 The Tiger Team shall consist of appropriate per-
16 sonnel of the Department of Defense assigned to the
17 Tiger Team by the Secretary for purposes of this
18 section.

19 (2) TIGER TEAM LEADER.—One of the individ-
20 uals assigned to the Tiger Team under paragraph
21 (1) shall be a senior-level officer or employee of the
22 Department who shall serve as the lead official of
23 the Tiger Team (in this section referred to as the
24 “Tiger Team Leader”) and who shall be accountable
25 for the activities of the Tiger Team under this sec-
26 tion.

1 (3) REPORT ON COMPOSITION.—Not later than
2 90 days after the date of the enactment of this Act,
3 the Secretary shall submit to Congress a report set-
4 ting forth the names of the personnel of the Depart-
5 ment assigned to the Tiger Team pursuant to this
6 subsection, including the positions to which such
7 personnel are assigned. The report shall specify the
8 name of the individual assigned as Tiger Team
9 Leader.

10 (b) DUTIES.—

11 (1) IN GENERAL.—The Tiger Team shall con-
12 duct outreach to build awareness among veterans of
13 the process established pursuant to section 527 of
14 the National Defense Authorization Act for Fiscal
15 Year 2020 for the review of discharge characteriza-
16 tions by appropriate discharge boards.

17 (2) COLLABORATION.—In conducting activities
18 under this subsection, the Tiger Team Leader shall
19 identify appropriate external stakeholders with
20 whom the Tiger Team shall work to carry out such
21 activities. Such stakeholders shall include the fol-
22 lowing:

23 (A) The Secretary of Veterans Affairs.

24 (B) The Archivist of the United States.

1 (C) Representatives of veterans service or-
2 ganizations.

3 (D) Such other stakeholders as the Tiger
4 Team Leader considers appropriate.

5 (3) INITIAL REPORT.—Not later than 210 days
6 after the date of the enactment of this Act, the Sec-
7 retary of Defense shall submit to Congress the fol-
8 lowing:

9 (A) A plan setting forth the following:

10 (i) A description of the manner in
11 which the Secretary, working through the
12 Tiger Team and in collaboration with ex-
13 ternal stakeholders described in paragraph
14 (2), shall identify individuals who meet the
15 criteria in section 527(b) of the National
16 Defense Authorization Act for Fiscal Year
17 2020 for review of discharge characteriza-
18 tion.

19 (ii) A description of the manner in
20 which the Secretary, working through the
21 Tiger Team and in collaboration with the
22 external stakeholders, shall improve out-
23 reach to individuals who meet the criteria
24 in section 527(b) of the National Defense
25 Authorization Act for Fiscal Year 2020 for

1 review of discharge characterization, in-
2 cluding through—

3 (I) obtaining contact information
4 on such individuals; and

5 (II) contacting such individuals
6 on the process established pursuant to
7 section 527 of the National Defense
8 Authorization Act for Fiscal Year
9 2020 for the review of discharge char-
10 acterizations.

11 (B) A description of the manner in which
12 the work described in clauses (i) and (ii) of sub-
13 paragraph (A) will be carried out, including an
14 allocation of the work among the Tiger Team
15 and the external stakeholders.

16 (C) A schedule for the implementation,
17 carrying out, and completion of the plan re-
18 quired under subparagraph (A).

19 (D) A description of the additional fund-
20 ing, personnel, or other resources of the De-
21 partment required to carry out the plan re-
22 quired under subparagraph (A), including any
23 modification of applicable statutory or adminis-
24 trative authorities.

25 (4) IMPLEMENTATION OF PLAN.—

1 (A) IN GENERAL.—The Secretary shall im-
2 plement and carry out the plan submitted under
3 subparagraph (A) of paragraph (3) in accord-
4 ance with the schedule submitted under sub-
5 paragraph (C) of that paragraph.

6 (B) UPDATES.—Not less frequently than
7 once every 90 days after the submittal of the
8 report under paragraph (3), the Tiger Team
9 shall submit to Congress an update on the car-
10 rying out of the plan submitted under subpara-
11 graph (A) of that paragraph.

12 (5) FINAL REPORT.—Not later than 3 years
13 after the date of the enactment of this Act, the
14 Tiger Team shall submit to the Committees on
15 Armed Services of the Senate and the House of Rep-
16 resentatives a final report on the activities of the
17 Tiger Team under this subsection. The report shall
18 set forth the following:

19 (A) The number of individuals discharged
20 under former section 654 or a similar policy
21 prior to the enactment of former section 654.

22 (B) The number of individuals described in
23 subparagraph (A) who availed themselves of a
24 review of discharge characterization (whether
25 through discharge review or correction of mili-

1 tary records) through a process established
2 prior to the enactment of this Act.

3 (C) The number of individuals contacted
4 through outreach conducted pursuant to this
5 section.

6 (D) The number of individuals described in
7 subparagraph (A) who availed themselves of a
8 review of discharge characterization through the
9 process established pursuant to section 527 of
10 the National Defense Authorization Act for Fis-
11 cal Year 2020.

12 (E) The number of individuals described in
13 subparagraph (D) whose review of discharge
14 characterization resulted in a change of charac-
15 terization to honorable discharge.

16 (F) The total number of individuals de-
17 scribed in subparagraph (A), including individ-
18 uals also covered by subparagraph (E), whose
19 review of discharge characterization since Sep-
20 tember 20, 2011, resulted in a change of char-
21 acterization to honorable discharge.

22 (6) TERMINATION.—On the date that is 60
23 days after the date on which the final report re-
24 quired by paragraph (5) is submitted, the Secretary
25 shall terminate the Tiger Team.

1 (c) ADDITIONAL REPORTS.—

2 (1) REVIEW.—The Secretary of Defense shall
3 conduct a review of the consistency and uniformity
4 of the reviews conducted pursuant to section 527 of
5 the National Defense Authorization Act for Fiscal
6 Year 2020.

7 (2) REPORTS.—Not later than 270 days after
8 the date of the enactment of this Act, and each year
9 thereafter for a four-year period, the Secretary of
10 Defense shall submit to Congress a report on the re-
11 views under paragraph (1). Such reports shall in-
12 clude any comments or recommendations for contin-
13 ued actions.

14 (d) FORMER SECTION 654 DEFINED.—In this sec-
15 tion, the term “former section 654” means section 654
16 of title 10, United States Code, as in effect before such
17 section was repealed pursuant to Public Law 111–321 (10
18 U.S.C. 654 note).

19 **SEC. 3. RELIEF FOR IMPACTED FORMER MEMBERS.**

20 (a) REVIEW OF DISCHARGE.—

21 (1) IN GENERAL.—The Secretary of Defense
22 shall review and update existing guidance to ensure
23 that the appropriate discharge board for the military
24 departments concerned shall review a discharge
25 characterization of the covered member as required

1 under section 527 of the National Defense Author-
2 ization Act for Fiscal Year 2020 at the request of
3 a covered member, or their representative, notwith-
4 standing any requirements to provide documentation
5 necessary to initiate a review of a discharge charac-
6 terization.

7 (2) EXCEPTION.—The appropriate discharge
8 board for the military departments concerned shall
9 not be required to initiate a request for a review of
10 a discharge as described in paragraph (1) if there is
11 evidence available to the discharge board that is un-
12 related to the material request of the covered mem-
13 ber or the representative of the covered member but
14 that would have reasonably substantiated the dis-
15 charge decision of the military department.

16 (b) VETERANS BENEFITS.—

17 (1) EFFECTIVE DATE OF CHANGE OF CHARAC-
18 TERIZATION FOR VETERANS BENEFITS.—For pur-
19 poses of the provision of benefits to which veterans
20 are entitled under the laws administered by the Sec-
21 retary of Veterans Affairs to a covered member
22 whose discharge characterization is changed pursu-
23 ant to section 527 of the National Defense Author-
24 ization Act for Fiscal Year 2020 (Public Law 116–
25 92; 10 U.S.C. 1552 note), the date of discharge of

1 the member from the Armed Forces shall be deemed
2 to be the effective date of the change of discharge
3 characterization under that section.

4 (2) RULE OF CONSTRUCTION.—Nothing in this
5 subsection shall be construed to authorize any ben-
6 efit to a covered member in connection with the
7 change of discharge characterization of the member
8 under section 527 of the National Defense Author-
9 ization Act for Fiscal Year 2020 (Public Law 116–
10 92; 10 U.S.C. 1552 note) for any period before the
11 effective date of the change of discharge character-
12 ization.

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