

Calendar No. 625

104TH CONGRESS
2^D SESSION

S. 1711

[Report No. 104-371]

A BILL

To establish a commission to evaluate the programs of the Federal Government that assist members of the Armed Forces and veterans in readjusting to civilian life, and for other purposes.

SEPTEMBER 24 (legislative day, SEPTEMBER 20), 1996

Reported with an amendment and an amendment to the title

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To establish a commission to evaluate the programs of the Federal Government that assist members of the Armed Forces and veterans in readjusting to civilian life, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 29, 1996

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

SEPTEMBER 24 (legislative day, SEPTEMBER 20), 1996

Reported by Mr. SIMPSON, with an amendment and an amendment to the title
[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To establish a commission to evaluate the programs of the Federal Government that assist members of the Armed Forces and veterans in readjusting to civilian life, 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,*

1 **SECTION 1. ESTABLISHMENT OF COMMISSION.**

2 (a) ESTABLISHMENT.—There is established a com-
3 mission to be known as the Commission on Service Mem-
4 bers and Veterans Transition Assistance (hereafter in this
5 Act referred to as the “Commission”).

6 (b) MEMBERSHIP.—

7 (1) IN GENERAL.—The Commission shall be
8 composed of 12 members appointed from among pri-
9 vate United States citizens with appropriate and di-
10 verse veterans, military, organizational, and manage-
11 ment experiences and historical perspectives, of
12 whom—

13 (A) four shall be appointed by the Chair-
14 man of the Committee on Veterans’ Affairs of
15 the Senate, in consultation with the Ranking
16 Member of that committee;

17 (B) four shall be appointed by the Chair-
18 man of the Committee on Veterans’ Affairs of
19 the House of Representatives, in consultation
20 with the Ranking Member of that committee;

21 (C) two shall be appointed by the Chair-
22 man of the Committee on Armed Services of
23 the Senate, in consultation with the Ranking
24 Member of that committee; and

25 (D) two shall be appointed by the Chair-
26 man of the Committee on National Security of

1 the House of Representatives, in consultation
2 with the Ranking Member of that committee.

3 (2) VSO MEMBERS.—One member of the Com-
4 mission appointed under each of subparagraphs (A)
5 and (B) of paragraph (1) shall be a representative
6 of a veterans service organization.

7 (3) DATE.—The appointments of the members
8 of the Commission shall be made not later than 45
9 days after the date of enactment of this Act.

10 (e) PERIOD OF APPOINTMENT; VACANCIES.—Mem-
11 bers shall be appointed for the life of the Commission. Any
12 vacancy in the Commission shall not affect its powers, but
13 shall be filled in the same manner as the original appoint-
14 ment.

15 (d) INITIAL MEETING.—Not later than 30 days after
16 the date on which all members of the Commission have
17 been appointed, the Commission shall hold its first meet-
18 ing.

19 (e) QUORUM.—A majority of the members of the
20 Commission shall constitute a quorum, but a lesser num-
21 ber may hold hearings.

22 (f) CHAIRMAN AND VICE CHAIRMAN.—The Commis-
23 sion shall select a Chairman and Vice Chairman from
24 among its members.

1 (g) MEETINGS.—The Commission shall meet at the
2 call of the Chairman.

3 (h) PANELS.—The Commission may establish panels
4 composed of less than the full membership of the Commis-
5 sion for the purpose of carrying out the Commission's du-
6 ties under this Act. The actions of such panels shall be
7 subject to the review and control of the Commission. Any
8 findings and determinations made by such a panel shall
9 not be considered the findings and determinations of the
10 Commission unless approved by the Commission.

11 (i) AUTHORITY OF INDIVIDUALS TO ACT FOR COM-
12 MISSION.—Any member or agent of the Commission may,
13 if authorized by the Commission, take any action which
14 the Commission is authorized to take under this Act.

15 **SEC. 2. DUTIES OF COMMISSION.**

16 (a) IN GENERAL.—The Commission shall—

17 (1) review the efficacy and appropriateness of
18 veterans transition and assistance programs in pro-
19 viding assistance to members of the Armed Forces
20 in making the transition and adjustment to civilian
21 life upon their separation from the Armed Forces
22 and in providing assistance to veterans in adjusting
23 to civilian life;

24 (2) evaluate proposals for improving such pro-
25 grams, including proposals to consolidate, stream-

1 line, and enhance the provision of such assistance
2 and proposals for alternative means of providing
3 such assistance; and

4 (3) make recommendations to Congress regard-
5 ing means of ensuring the continuing utility of such
6 programs and assistance and of otherwise improving
7 such programs and the provision of such assistance.

8 (b) REVIEW OF PROGRAMS TO ASSIST MEMBERS OF
9 THE ARMED FORCES AT SEPARATION.—

10 (1) IN GENERAL.—While carrying out the gen-
11 eral duties specified in subsection (a), the members
12 of the Commission appointed under subparagraphs
13 (C) and (D) of section 1(b)(1) shall review primarily
14 programs intended to assist members of the Armed
15 Forces at the time of their separation from service
16 in the Armed Forces, including programs designed
17 to assist families of such members in preparing for
18 the transition of such members from military life to
19 civilian life and to facilitate that transition.

20 (2) SPECIFIC REQUIREMENTS.—In carrying out
21 the review, such members of the Commission shall
22 determine—

23 (A) the adequacy of the programs referred
24 to in paragraph (1) for their purposes;

1 (B) the adequacy of the support of the
2 Armed Forces for such programs;

3 (C) the effect, if any, of the existence of
4 such programs on combat readiness;

5 (D) the extent to which such programs
6 provide members of the Armed Forces with job-
7 search skills;

8 (E) the extent to which such programs
9 prepare such members for employment in the
10 private sector and in the public sector;

11 (F) the effectiveness of such programs in
12 assisting such members in finding employment
13 in the public sector; and

14 (G) the means by which such programs
15 could be improved in order to assist such mem-
16 bers in securing meaningful employment in the
17 private sector upon their separation from serv-
18 ice.

19 (c) REVIEW OF PROGRAMS TO ASSIST VETERANS.—

20 (1) IN GENERAL.—While carrying out the gen-
21 eral duties specified in subsection (a), the members
22 of the Commission appointed under subparagraphs
23 (A) and (B) of section 1(b)(1) shall review primarily
24 the adequacy of programs intended to assist veter-
25 ans (including disabled veterans, homeless veterans,

1 and economically disadvantaged veterans), including
2 the programs referred to in paragraph (2).

3 ~~(2) COVERED PROGRAMS.—~~The programs re-
4 ferred to in paragraph (1) are the following:

5 ~~(A) Educational assistance programs.~~

6 ~~(B) Job counseling, job training, and job~~
7 ~~placement services programs.~~

8 ~~(C) Rehabilitation and training programs.~~

9 ~~(D) Housing loan programs.~~

10 ~~(E) Small business loan and small business~~
11 ~~assistance programs.~~

12 ~~(F) Employment and employment training~~
13 ~~programs for employment in the public sector~~
14 ~~and the private sector.~~

15 ~~(G) Federal Government personnel policies~~
16 ~~(including veterans' preference policies) and the~~
17 ~~enforcement of such policies.~~

18 ~~(H) Programs that prepare the families of~~
19 ~~veterans for their transition from military life~~
20 ~~to civilian life and facilitate that transition.~~

21 ~~(d) REPORTS.—~~

22 ~~(1) IMPLEMENTING PLAN.—~~Not later than 90
23 days after the date on which all members of the
24 Commission have been appointed, the Commission
25 shall submit to the Committees on Veterans' Affairs

1 and Armed Services of the Senate and the Commit-
2 tees on Veterans' Affairs and National Security of
3 the House of Representatives a report setting forth
4 a plan for the work of the Commission. The Com-
5 mission shall develop the plan in consultation with
6 the Secretary of Defense, the Secretary of Veterans
7 Affairs, and the heads of other appropriate depart-
8 ments and agencies of the Federal Government.

9 (2) FINAL REPORT.—

10 (A) REQUIREMENT.—Not later than one
11 year after the date of the first meeting of the
12 Commission, the Commission shall submit to
13 the committees referred to in paragraph (1),
14 and to the Secretary of Defense, the Secretary
15 of Veterans Affairs, the Secretary of Labor,
16 and the Secretary of Education, a report set-
17 ting forth the activities, findings, and rec-
18 ommendations of the Commission, including
19 any recommendations for legislative action and
20 administrative action as the Commission consid-
21 ers appropriate.

22 (B) EXECUTIVE COMMENT.—Not later
23 than 90 days after receiving the report referred
24 to in subparagraph (A), the Secretary of De-
25 fense and the Secretary of Veterans Affairs

1 shall jointly submit to Congress a report setting
2 forth the comments of such Secretaries with re-
3 spect to the report.

4 **SEC. 3. POWERS OF COMMISSION.**

5 (a) HEARINGS.—The Commission may hold such
6 hearings, sit and act at such times and places, take such
7 testimony, and receive such evidence as the Commission
8 considers advisable to carry out the purposes of this Act.

9 (b) INFORMATION FROM FEDERAL AGENCIES.—The
10 Commission may secure directly from the Department of
11 Defense, the Department of Veterans Affairs, and any
12 other department or agency of the Federal Government
13 such information as the Commission considers necessary
14 to carry out its duties under this Act. Upon request of
15 the Chairman of the Commission, the head of such depart-
16 ment or agency shall furnish such information expedi-
17 tiously to the Commission.

18 **SEC. 4. MISCELLANEOUS ADMINISTRATIVE PROVISIONS.**

19 (a) POSTAL SERVICES.—The Commission may use
20 the United States mails in the same manner and under
21 the same conditions as other departments and agencies of
22 the Federal Government.

23 (b) GIFTS.—The Commission may accept, use and
24 dispose of gifts or donations of services or property.

1 (c) MISCELLANEOUS ADMINISTRATIVE SUPPORT.—

2 The Secretary of Defense and the Secretary of Veterans
3 Affairs shall, upon the request of the Chairman of the
4 Commission, furnish the Commission, on a reimbursable
5 basis, any administrative and support services as the Com-
6 mission may require.

7 **SEC. 5. COMMISSION PERSONNEL MATTERS.**

8 (a) COMPENSATION OF MEMBERS.—Each member of
9 the Commission who is not an officer or employee of the
10 Federal Government shall be compensated at a rate equal
11 to the daily equivalent of the annual rate of basic pay pre-
12 scribed for level IV of the Executive Schedule under sec-
13 tion 5315 of title 5, United States Code, for each day (in-
14 cluding travel time) during which such member is engaged
15 in performing the duties of the Commission. All members
16 of the Commission who are officers or employees of the
17 United States shall serve without compensation in addi-
18 tion to that received for their services as officers or em-
19 ployees of the United States.

20 (b) TRAVEL AND TRAVEL EXPENSES.—

21 (1) TRAVEL.—Members and personnel of the
22 Commission may travel on military aircraft, military
23 vehicles, or other military conveyances when travel is
24 necessary in the performance of a responsibility of

1 the Commission except when the cost of commercial
2 transportation is less expensive.

3 (2) EXPENSES.—The members of the Commis-
4 sion shall be allowed travel expenses, including per
5 diem in lieu of subsistence, at rates authorized for
6 employees of agencies under subchapter I of chapter
7 57 of title 5, United States Code, while away from
8 their homes or regular places of business in the per-
9 formance of services for the Commission.

10 (c) STAFF.—

11 (1) IN GENERAL.—The Chairman of the Com-
12 mission may, without regard to civil service laws and
13 regulations, appoint and terminate an executive di-
14 rector and such other additional personnel as may be
15 necessary to enable the Commission to perform its
16 duties. In appointing an individual as executive di-
17 rector, the Chairman shall, to the maximum extent
18 practicable, attempt to appoint an individual who is
19 a veteran. The employment of an executive director
20 shall be subject to confirmation by the Commission.

21 (2) COMPENSATION.—The Chairman of the
22 Commission may fix the compensation of the execu-
23 tive director and other personnel without regard to
24 the provisions of chapter 51 and subchapter III of
25 chapter 53 of title 5, United States Code, relating

1 to classification of positions and General Schedule
2 pay rates, except that the rate of pay for the execu-
3 tive director and other personnel may not exceed the
4 rate payable for level V of the Executive Schedule
5 under section 5316 of such title.

6 (d) **DETAIL OF GOVERNMENT EMPLOYEES.**—Upon
7 request of the Chairman of the Commission, the head of
8 any department or agency of the Federal Government may
9 detail, on a nonreimbursable basis, any personnel of the
10 department or agency to the Commission to assist the
11 Commission in carrying out its duties.

12 (e) **PROCUREMENT OF TEMPORARY AND INTERMIT-**
13 **TENT SERVICES.**—The Chairman of the Commission may
14 procure temporary and intermittent services under section
15 3109(b) of title 5, United States Code, at rates for individ-
16 uals which do not exceed the daily equivalent of the annual
17 rate of basic pay prescribed for level IV of the Executive
18 Schedule under section 5316 of such title.

19 **SEC. 6. TERMINATION OF COMMISSION.**

20 The Commission shall terminate 90 days after the
21 date on which the Commission submits its report under
22 section 2(d)(2).

23 **SEC. 7. DEFINITIONS.**

24 For the purposes of this Act—

1 (1) The term “veterans transition and assist-
2 ance program” means any program of the Federal
3 Government, including the Department of Defense,
4 the Department of Veterans Affairs, the Department
5 of Labor, and the Department of Education, the
6 purpose of which is—

7 (A) to assist, by rehabilitation or other
8 means, members of the Armed Forces in read-
9 justing or otherwise making the transition to ci-
10 vilian life upon their separation from service in
11 the Armed Forces; or

12 (B) to assist veterans in civilian life.

13 (2) The term “members of the Armed Forces”
14 includes individuals serving in the reserve compo-
15 nents of the Armed Forces.

16 (3) The term “veteran” has the meaning given
17 such term in section 101(2) of title 38, United
18 States Code.

19 (4) The term “veterans service organization”
20 means any organization covered by section 5902(a)
21 of title 38, United States Code.

22 **SEC. 8. FUNDING.**

23 (a) **IN GENERAL.**—The Secretary of Defense shall,
24 upon the request of the Chairman of the Commission,
25 make available to the Commission such amounts as the

1 Commission may require to carry out its duties under this
 2 Act. The Secretary shall make such amounts available
 3 from amounts appropriated for the Department of De-
 4 fense.

5 (b) AVAILABILITY.—Any sums made available to the
 6 Commission under subsection (a) shall remain available,
 7 without fiscal year limitation, until the termination of the
 8 Commission.

9 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

10 (a) *SHORT TITLE.*—This Act may be cited as the “Vet-
 11 erans’ Benefits Improvements Act of 1996”.

12 (b) *TABLE OF CONTENTS.*—The table of contents of this
 13 Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. References to title 38, United States Code.

TITLE I—COMMISSION ON TRANSITION ASSISTANCE

Sec. 101. Establishment of commission.

Sec. 102. Duties of commission.

Sec. 103. Powers of commission.

Sec. 104. Miscellaneous administrative provisions.

Sec. 105. Commission personnel matters.

Sec. 106. Termination of commission.

Sec. 107. Definitions.

Sec. 108. Funding.

TITLE II—LIFE INSURANCE PROGRAMS

Sec. 201. Short title.

Sec. 202. Removal of gender references with respect to Servicemen’s Group Life Insurance.

Sec. 203. Conversion of retired reservist Servicemembers’ Group Life Insurance to Veterans’ Group Life Insurance and extension of Veterans’ Group Life Insurance to members of the Ready Reserves.

Sec. 204. Conversion of SGLI and VGLI to commercial life insurance.

Sec. 205. Technical amendment.

TITLE III—BENEFITS PROVISIONS

Sec. 301. Expansion of period of Vietnam era for certain veterans.

- Sec. 302. Revision of authority relating to centers for minority veterans and women veterans.*
- Sec. 303. Outer burial receptacles.*
- Sec. 304. Clarification of eligibility of minors for burial in national cemeteries.*
- Sec. 305. Extension of authority to treat alternative teacher certification programs as educational institutions for certain educational assistance purposes.*
- Sec. 306. Direct loans to refinance loans under Native American Veteran Housing Loan Pilot Program.*
- Sec. 307. Clothing allowance for incarcerated veterans.*
- Sec. 308. Appointment of veterans service organizations as claimants' representatives.*
- Sec. 309. Provision of copies of Board of Veterans' Appeals decisions.*
- Sec. 310. Extension of certain authorities for services for homeless veterans.*

**TITLE IV—EMPLOYMENT AND REEMPLOYMENT RIGHTS OF
MEMBERS OF THE UNIFORMED SERVICES**

- Sec. 401. Purposes.*
- Sec. 402. Definitions.*
- Sec. 403. Discrimination against persons who serve in the uniformed services and acts of reprisal prohibited.*
- Sec. 404. Reemployment rights of persons who serve in the uniformed services.*
- Sec. 405. Reemployment positions.*
- Sec. 406. Leave.*
- Sec. 407. Health plans.*
- Sec. 408. Employee pension benefit plans.*
- Sec. 409. Enforcement of employment or reemployment rights.*
- Sec. 410. Enforcement of rights with respect to a State or private employer.*
- Sec. 411. Enforcement of rights with respect to Federal executive agencies.*
- Sec. 412. Enforcement of rights with respect to certain Federal agencies.*
- Sec. 413. Conduct of investigation; subpoenas.*
- Sec. 414. Transition rules and effective dates.*
- Sec. 415. Effective dates.*

1 SEC. 2. REFERENCES TO TITLE 38, UNITED STATES CODE.

2 *Except as otherwise expressly provided, whenever in*
3 *this Act an amendment or repeal is expressed in terms of*
4 *an amendment to or repeal of a section or other provision,*
5 *the reference shall be considered to be made to a section or*
6 *other provision of title 38, United States Code.*

1 **TITLE I—COMMISSION ON**
2 **TRANSITION ASSISTANCE**

3 **SEC. 101. ESTABLISHMENT OF COMMISSION.**

4 (a) *ESTABLISHMENT.*—*There is established a commis-*
5 *sion to be known as the Commission on Service Members*
6 *and Veterans Transition Assistance (hereafter in this title*
7 *referred to as the “Commission”).*

8 (b) *MEMBERSHIP.*—(1) *The Commission shall be com-*
9 *posed of 12 members appointed from among private United*
10 *States citizens with appropriate and diverse experiences,*
11 *expertise, and historical perspectives on veterans, military,*
12 *organizational, and management matters, of whom—*

13 (A) *four shall be appointed by the Chairman of*
14 *the Committee on Veterans’ Affairs of the Senate, in*
15 *consultation with the Ranking Member of that com-*
16 *mittee;*

17 (B) *four shall be appointed by the Chairman of*
18 *the Committee on Veterans’ Affairs of the House of*
19 *Representatives, in consultation with the Ranking*
20 *Member of that committee;*

21 (C) *two shall be appointed by the Chairman of*
22 *the Committee on Armed Services of the Senate, in*
23 *consultation with the Ranking Member of that com-*
24 *mittee; and*

1 (D) *two shall be appointed by the Chairman of*
2 *the Committee on National Security of the House of*
3 *Representatives, in consultation with the Ranking*
4 *Member of that committee.*

5 (2)(A) *One member of the Commission appointed*
6 *under each of subparagraphs (A) and (B) of paragraph (1)*
7 *shall be a representative of a veterans service organization.*

8 (B) *To the maximum extent practicable, the individ-*
9 *uals appointed as members of the Commission shall be vet-*
10 *erans.*

11 (C) *Not more than seven of the members of the Com-*
12 *mission may be members of the same political party.*

13 (3) *The appointments of members of the Commission*
14 *shall, to the maximum extent practicable, be made after*
15 *consultation with representatives of veterans service organi-*
16 *zations.*

17 (4) *The appointments of the members of the Commis-*
18 *sion shall be made not later than 45 days after the date*
19 *of enactment of this Act.*

20 (c) *PERIOD OF APPOINTMENT; VACANCIES.—Members*
21 *shall be appointed for the life of the Commission. Any va-*
22 *cancy in the Commission shall not affect its powers, but*
23 *shall be filled in the same manner as the original appoint-*
24 *ment.*

1 (d) *INITIAL MEETING.*—Not later than 30 days after
2 the date on which all members of the Commission have been
3 appointed, the Commission shall hold its first meeting.

4 (e) *QUORUM.*—A majority of the members of the Com-
5 mission shall constitute a quorum, but a lesser number may
6 hold hearings.

7 (f) *CHAIRMAN AND VICE CHAIRMAN.*—The Commis-
8 sion shall select a Chairman and Vice Chairman from
9 among its members.

10 (g) *MEETINGS.*—The Commission shall meet at the call
11 of the Chairman of the Commission.

12 (h) *PANELS.*—The Commission may establish panels
13 composed of less than the full membership of the Commis-
14 sion for the purpose of carrying out the Commission's du-
15 ties. The actions of such panels shall be subject to the review
16 and control of the Commission. Any findings and deter-
17 minations made by such a panel shall not be considered
18 the findings and determinations of the Commission unless
19 approved by the Commission.

20 (i) *AUTHORITY OF INDIVIDUALS TO ACT FOR COMMIS-*
21 *SION.*—Any member or agent of the Commission may, if
22 authorized by the Commission, take any action which the
23 Commission is authorized to take under this title.

24 **SEC. 102. DUTIES OF COMMISSION.**

25 (a) *IN GENERAL.*—The Commission shall—

1 (1) *review the efficacy and appropriateness of*
2 *veterans transition and assistance programs in pro-*
3 *viding assistance to members of the Armed Forces in*
4 *making the transition and adjustment to civilian life*
5 *upon their separation from the Armed Forces and in*
6 *providing assistance to veterans in making the transi-*
7 *tion to, and adjusting to, civilian life;*

8 (2) *review the allocation under law of respon-*
9 *sibility for the administration of veterans transition*
10 *and assistance programs among the various depart-*
11 *ments and agencies of the Federal Government and*
12 *determine the feasibility and desirability of consoli-*
13 *dating such administration in one such department*
14 *or agency;*

15 (3) *evaluate proposals for improving such pro-*
16 *grams, including proposals to consolidate, streamline,*
17 *and enhance the provision of such assistance and pro-*
18 *posals for alternative means of providing such assist-*
19 *ance; and*

20 (4) *make recommendations to Congress regarding*
21 *means of ensuring the continuing utility of such pro-*
22 *grams and assistance and of otherwise improving*
23 *such programs and the provision of such assistance.*

24 (b) *REVIEW OF PROGRAMS TO ASSIST MEMBERS OF*
25 *THE ARMED FORCES AT SEPARATION.—(1) While carrying*

1 *out the general duties specified in subsection (a), the mem-*
2 *bers of the Commission appointed under subparagraphs (C)*
3 *and (D) of section 101(b)(1) shall review primarily the pro-*
4 *grams intended to assist members of the Armed Forces at*
5 *the time of their separation from service in the Armed*
6 *Forces, including programs designed to assist families of*
7 *such members in preparing for the transition of such mem-*
8 *bers from military life to civilian life and to facilitate that*
9 *transition.*

10 *(2) In carrying out the review, such members of the*
11 *Commission shall determine—*

12 *(A) the adequacy of the programs referred to in*
13 *paragraph (1) for their purposes;*

14 *(B) the adequacy of the support of the Armed*
15 *Forces for such programs;*

16 *(C) the effect, if any, of the existence of such pro-*
17 *grams on military readiness;*

18 *(D) the extent to which such programs provide*
19 *members of the Armed Forces with job-search skills;*

20 *(E) the extent to which such programs prepare*
21 *such members for employment in the private sector*
22 *and in the public sector;*

23 *(F) the effectiveness of such programs in assist-*
24 *ing such members in finding employment in the pub-*
25 *lic sector upon their separation from service; and*

1 (G) *the ways in which such programs could be*
2 *improved in order to assist such members in securing*
3 *meaningful employment in the private sector upon*
4 *their separation from service.*

5 (c) *REVIEW OF PROGRAMS TO ASSIST VETERANS.—*

6 (1) *While carrying out the general duties specified in sub-*
7 *section (a), the members of the Commission appointed*
8 *under subparagraphs (A) and (B) of section 101(b)(1)*
9 *shall—*

10 (A) *review the adequacy of programs intended to*
11 *assist veterans (including disabled veterans, homeless*
12 *veterans, and economically disadvantaged veterans)*
13 *in adjusting to civilian life, including the programs*
14 *referred to in paragraph (2); and*

15 (B) *consider—*

16 (i) *whether the scope, focus, or content of*
17 *such programs should be changed as a result of*
18 *the conversion of the Armed Forces to an all-vol-*
19 *unteer force; and*

20 (ii) *whether responsibility for administra-*
21 *tion of such programs should be transferred to a*
22 *department or agency other than the Department*
23 *of Veterans Affairs as a result of such conversion*
24 *and, if so, the department or agency to which the*
25 *administration should be transferred.*

1 (2) *The programs referred to in paragraph (1)(A) are*
2 *the following:*

3 (A) *Educational assistance programs.*

4 (B) *Job counseling, job training, and job place-*
5 *ment services programs.*

6 (C) *Rehabilitation and training programs.*

7 (D) *Housing loan programs.*

8 (E) *Small business loan and small business as-*
9 *sistance programs.*

10 (F) *Employment and employment training pro-*
11 *grams for employment in the public sector and the*
12 *private sector, including employer training programs*
13 *and union apprenticeship programs.*

14 (G) *Federal Government personnel policies (in-*
15 *cluding veterans' preference policies) and the enforce-*
16 *ment of such policies.*

17 (H) *Programs that prepare the families of mem-*
18 *bers of the Armed Forces for their transition from*
19 *military life to civilian life and facilitate that transi-*
20 *tion.*

21 (d) *REPORTS.—(1) Not later than 90 days after the*
22 *date on which all members of the Commission have been*
23 *appointed, the Commission shall submit to the Committees*
24 *on Veterans' Affairs and Armed Services of the Senate and*
25 *the Committees on Veterans' Affairs and National Security*

1 *of the House of Representatives a report setting forth a plan*
2 *for the work of the Commission. The Commission shall de-*
3 *velop the plan in consultation with the Secretary of Defense,*
4 *the Secretary of Veterans Affairs, and the heads of other*
5 *appropriate departments and agencies of the Federal Gov-*
6 *ernment.*

7 (2)(A) *Not later than one year after the date of the*
8 *first meeting of the Commission, the Commission shall sub-*
9 *mit to the committees referred to in paragraph (1), and*
10 *to the Secretary of Defense, the Secretary of Veterans Af-*
11 *fairs, the Secretary of Labor, and the Secretary of Edu-*
12 *cation, a report setting forth the activities, findings, and*
13 *recommendations of the Commission, including any rec-*
14 *ommendations for legislative action and administrative ac-*
15 *tion as the Commission considers appropriate.*

16 (B) *Not later than 90 days after receiving the report*
17 *referred to in subparagraph (A), the Secretary of Defense*
18 *and the Secretary of Veterans Affairs shall jointly transmit*
19 *the report to Congress, together with the Secretaries' com-*
20 *ments on the report.*

21 **SEC. 103. POWERS OF COMMISSION.**

22 (a) *HEARINGS.*—*The Commission may hold such hear-*
23 *ings, sit and act at such times and places, take such testi-*
24 *mony, and receive such evidence as the Commission consid-*
25 *ers advisable to carry out the purposes of this title.*

1 (b) *INFORMATION FROM FEDERAL AGENCIES.*—The
2 *Commission may secure directly from the Department of*
3 *Defense, the Department of Veterans Affairs, and any other*
4 *department or agency of the Federal Government such in-*
5 *formation as the Commission considers necessary to carry*
6 *out its duties under this title. Upon request of the Chairman*
7 *of the Commission, the head of such department or agency*
8 *shall furnish such information expeditiously to the Commis-*
9 *sion.*

10 **SEC. 104. MISCELLANEOUS ADMINISTRATIVE PROVISIONS.**

11 (a) *POSTAL SERVICES.*—The Commission may use the
12 *United States mails in the same manner and under the*
13 *same conditions as other departments and agencies of the*
14 *Federal Government.*

15 (b) *GIFTS.*—The Commission may accept, use, and
16 *dispose of gifts or donations of services or property.*

17 (c) *MISCELLANEOUS ADMINISTRATIVE SUPPORT.*—The
18 *Secretary of Defense and the Secretary of Veterans Affairs*
19 *shall, upon the request of the Chairman of the Commission,*
20 *furnish the Commission, on a reimbursable basis, any ad-*
21 *ministrative and support services as the Commission may*
22 *require.*

23 **SEC. 105. COMMISSION PERSONNEL MATTERS.**

24 (a) *COMPENSATION OF MEMBERS.*—Each member of
25 *the Commission shall be compensated at a rate equal to the*

1 *daily equivalent of the annual rate of basic pay prescribed*
2 *for level IV of the Executive Schedule under section 5315*
3 *of title 5, United States Code, for each day (including travel*
4 *time) during which such member is engaged in performing*
5 *the duties of the Commission.*

6 (b) *TRAVEL AND TRAVEL EXPENSES.—(1) Members*
7 *and personnel of the Commission may travel on military*
8 *aircraft, military vehicles, or other military conveyances*
9 *when travel is necessary in the performance of a duty of*
10 *the Commission except when the cost of commercial trans-*
11 *portation is less expensive.*

12 (2) *The members of the Commission shall be allowed*
13 *travel expenses, including per diem in lieu of subsistence,*
14 *at rates authorized for employees of agencies under sub-*
15 *chapter I of chapter 57 of title 5, United States Code, while*
16 *away from their homes or regular places of business in the*
17 *performance of services for the Commission.*

18 (c) *STAFF.—(1) The Chairman of the Commission*
19 *may, without regard to civil service laws and regulations,*
20 *appoint and terminate an executive director and such other*
21 *additional personnel as may be necessary to enable the*
22 *Commission to perform its duties. In appointing an indi-*
23 *vidual as executive director, the Chairman shall, to the*
24 *maximum extent practicable, attempt to appoint an indi-*

1 *vidual who is a veteran. The employment of an executive*
2 *director shall be subject to confirmation by the Commission.*

3 (2) *The Chairman of the Commission may fix the com-*
4 *pen-sation of the executive director and other personnel with-*
5 *out regard to the provisions of chapter 51 and subchapter*
6 *III of chapter 53 of title 5, United States Code, relating*
7 *to classification of positions and General Schedule pay*
8 *rates, except that the rate of pay for the executive director*
9 *and other personnel may not exceed the rate payable for*
10 *level V of the Executive Schedule under section 5316 of such*
11 *title.*

12 (d) *DETAIL OF GOVERNMENT EMPLOYEES.—Upon re-*
13 *quest of the Chairman of the Commission, the head of any*
14 *department or agency of the Federal Government may de-*
15 *tail, on a nonreimbursable basis, any personnel of the de-*
16 *partment or agency to the Commission to assist the Com-*
17 *mission in carrying out its duties.*

18 (e) *PROCUREMENT OF TEMPORARY AND INTERMIT-*
19 *TENT SERVICES.—The Chairman of the Commission may*
20 *procure temporary and intermittent services under section*
21 *3109(b) of title 5, United States Code, at rates for individ-*
22 *uals which do not exceed the daily equivalent of the annual*
23 *rate of basic pay prescribed for level IV of the Executive*
24 *Schedule under section 5316 of such title.*

1 **SEC. 106. TERMINATION OF COMMISSION.**

2 *The Commission shall terminate 90 days after the date*
3 *on which the Commission submits its report under section*
4 *102(d)(2).*

5 **SEC. 107. DEFINITIONS.**

6 *For the purposes of this title—*

7 (1) *The term “veterans transition and assistance*
8 *program” means any program of the Federal Govern-*
9 *ment, including the Department of Defense, the De-*
10 *partment of Veterans Affairs, the Department of*
11 *Labor, and the Department of Education, the purpose*
12 *of which is—*

13 (A) *to assist, by rehabilitation or other*
14 *means, members of the Armed Forces in readjust-*
15 *ing or otherwise making the transition to civil-*
16 *ian life upon their separation from service in the*
17 *Armed Forces; or*

18 (B) *to assist veterans in making the transi-*
19 *tion to civilian life.*

20 (2) *The term “Armed Forces” has the meaning*
21 *given such term in section 101(10) of title 38, United*
22 *States Code.*

23 (3) *The term “veteran” has the meaning given*
24 *such term in section 101(2) of title 38, United States*
25 *Code.*

1 (4) *The term “veterans service organization”*
 2 *means any organization covered by section 5902(a) of*
 3 *title 38, United States Code.*

4 **SEC. 108. FUNDING.**

5 (a) *IN GENERAL.—The Secretary of Defense shall,*
 6 *upon the request of the Chairman of the Commission, make*
 7 *available to the Commission such amounts as the Commis-*
 8 *sion may require to carry out its duties under this title.*
 9 *The Secretary shall make such amounts available from*
 10 *amounts appropriated for the Department of Defense.*

11 (b) *AVAILABILITY.—Any sums made available to the*
 12 *Commission under subsection (a) shall remain available,*
 13 *without fiscal year limitation, until the termination of the*
 14 *Commission.*

15 **TITLE II—LIFE INSURANCE**
 16 **PROGRAMS**

17 **SEC. 201. SHORT TITLE.**

18 *This title may be cited as the “Veterans’ Insurance Re-*
 19 *form Act of 1996”.*

20 **SEC. 202. REMOVAL OF GENDER REFERENCES WITH RE-**
 21 **SPECT TO SERVICEMEN’S GROUP LIFE INSUR-**
 22 **ANCE.**

23 (a) *IN GENERAL.—The following provisions are*
 24 *amended by striking out “Servicemen’s Group Life Insur-*

1 *ance” each place it appears and inserting in lieu thereof*
 2 *“Servicemembers’ Group Life Insurance”:*

3 *(1) Subsections (a), (c), and (e) of section 1967.*

4 *(2) Subsections (a) through (d) of section 1969.*

5 *(3) Subsections (a), (f), and (g) of section 1970.*

6 *(4) Section 1971(b).*

7 *(5) Section 1973.*

8 *(6) The text of section 1974(a).*

9 *(7) Subsections (a) (other than the third and*
 10 *fourth sentences), (d), and (g) of section 1977.*

11 *(8) Section 3017(a)(2)(A)(i).*

12 *(9) Section 3224(1).*

13 *(b) CONFORMING AND CLERICAL AMENDMENTS.—(1)*

14 *Section 1315(f)(1)(F) is amended by striking out “service-*

15 *men’s group life insurance” and inserting in lieu thereof*

16 *“servicemembers’ group life insurance”.*

17 *(2)(A) The heading of subchapter III of chapter 19 is*

18 *amended to read as follows:*

19 *“SUBCHAPTER III—SERVICEMEMBERS’ GROUP*

20 *LIFE INSURANCE”.*

21 *(B) The item relating to such subchapter in the table*

22 *of sections at the beginning of such chapter is amended to*

23 *read as follows:*

“SUBCHAPTER III—SERVICEMEMBERS’ GROUP LIFE INSURANCE”.

1 (3)(A) *The section head of section 1974 is amended to*
2 *read as follows:*

3 **“§1974. Advisory Council on Servicemembers’ Group**
4 **Life Insurance”.**

5 (B) *The item relating to such section in the table of*
6 *sections at the beginning of chapter 19 is amended to read*
7 *as follows:*

“1974. Advisory Council on Servicemembers’ Group Life Insurance.”.

8 (d) *REFERENCES.—(1) Any reference to Servicemen’s*
9 *Group Life Insurance in any Federal law, Executive order,*
10 *regulation, delegation of authority, or other document of the*
11 *Federal Government shall be deemed to refer to*
12 *Servicemembers’ Group Life Insurance.*

13 (2) *Any reference to the Advisory Council on Service-*
14 *men’s Group Life Insurance in any Federal law, Executive*
15 *order, regulation, delegation of authority, or other document*
16 *of the Federal Government shall be deemed to refer to the*
17 *Advisory Council on Servicemembers’ Group Life Insur-*
18 *ance.*

1 **SEC. 203. CONVERSION OF RETIRED RESERVIST**
2 **SERVICEMEMBERS' GROUP LIFE INSURANCE**
3 **TO VETERANS' GROUP LIFE INSURANCE AND**
4 **EXTENSION OF VETERANS' GROUP LIFE IN-**
5 **SURANCE TO MEMBERS OF THE READY RE-**
6 **SERVES.**

7 *(a) DEFINITIONS.—Section 1965(5) is amended—*

8 *(1) by adding “and” at the end of subparagraph*
9 *(B);*

10 *(2) by striking out subparagraphs (C) and (D);*
11 *and*

12 *(3) by redesignating subparagraph (E) as sub-*
13 *paragraph (C).*

14 *(b) PERSONS INSURED.—Section 1967 is amended—*

15 *(1) in subsection (a)—*

16 *(A) by adding “and” at the end of para-*
17 *graph (1);*

18 *(B) by striking out paragraphs (3) and (4);*
19 *and*

20 *(C) in the full sentence in the matter follow-*
21 *ing paragraph (2), by striking out “or the first*
22 *day a member of the Reserves, whether or not as-*
23 *signed to the Retired Reserve of a uniformed*
24 *service, meets the qualifications of section*
25 *1965(5)(C) of this title, or the first day a mem-*

1 *ber of the Reserves meets the qualifications of sec-*
2 *tion 1965(5)(D) of this title,”;*

3 *(2) by striking out subsection (d); and*

4 *(3) by redesignating subsection (e) as subsection*
5 *(d).*

6 *(c) DURATION AND TERMINATION OF COVERAGE.—*

7 *Section 1968(a) is amended—*

8 *(1) by striking out “subparagraph (B), (C), or*
9 *(D) of section 1965(5)” in the matter preceding para-*
10 *graph (1) and inserting in lieu thereof “section*
11 *1965(5)(B)”;*

12 *(2) by striking out paragraph (4) and inserting*
13 *in lieu thereof the following new paragraph (4):*

14 *“(4) with respect to a member of the Ready Re-*
15 *serve of a uniformed service who meets the qualifica-*
16 *tions set forth in section 1965(5)(B) of this title, one*
17 *hundred and twenty days after separation or release*
18 *from such assignment, unless on the date of such sepa-*
19 *ration or release the member is totally disabled, under*
20 *criteria established by the Secretary, in which event*
21 *the insurance shall cease one year after the date of*
22 *separation or release from such assignment, or on the*
23 *date the insured ceases to be totally disabled, which-*
24 *ever is the earlier date, but in no event prior to the*

1 *expiration of one hundred and twenty days after sep-*
 2 *aration or release from such assignment.”; and*

3 *(3) by striking out paragraphs (5) and (6).*

4 *(d) DEDUCTIONS.—Section 1969 is amended—*

5 *(1) in subsection (a)(2), by striking out “is as-*
 6 *signed to the Reserve (other than the Retired Re-*
 7 *serve)” and all that follows through “section*
 8 *1965(5)(D) of this title,”;*

9 *(2) by striking out subsection (e); and*

10 *(3) by redesignating subsections (f) and (g) as*
 11 *subsections (e) and (f), respectively.*

12 *(e) CONVERSION OF SGLI TO VGLI.—The*
 13 *Servicemembers’ Group Life Insurance of any member of*
 14 *the Retired Reserve of a uniformed service shall be converted*
 15 *to Veterans’ Group Life Insurance effective 90 days after*
 16 *the date of enactment of this Act.*

17 **SEC. 204. CONVERSION OF SGLI AND VGLI TO COMMERCIAL**
 18 **LIFE INSURANCE.**

19 *(a) OPTION TO CONVERT SGLI.—Subsection (b) of*
 20 *section 1968 is amended to read as follows:*

21 *“(b)(1) Each policy purchased under this subchapter*
 22 *shall contain a provision, in terms approved by the Sec-*
 23 *retary, that, except as hereinafter provided,*
 24 *Servicemembers’ Group Life Insurance which is continued*
 25 *in force after expiration of the period of duty or travel*

1 *under section 1967(b) or 1968(a) of this title, effective the*
 2 *day after the date such insurance would cease, shall, at the*
 3 *election of the member or former member concerned—*

4 “(A) *be automatically converted to Veterans’*
 5 *Group Life Insurance subject to (i) the timely pay-*
 6 *ment of the initial premium under terms prescribed*
 7 *by the Secretary, and (ii) the terms and conditions*
 8 *set forth in section 1977 of this title; or*

9 “(B) *be converted to an individual policy of in-*
 10 *surance as described in section 1977(e) of this title*
 11 *upon written application for conversion made to the*
 12 *participating company selected by the member and*
 13 *payment of the required premiums.*

14 “(2) *Automatic conversion under paragraph (1)(A)*
 15 *shall be effective only in the case of an otherwise eligible*
 16 *member or former member who is separated or released from*
 17 *a period of active duty or active duty for training or inac-*
 18 *tive duty training on or after the date on which the Veter-*
 19 *ans’ Group Life Insurance program (provided for under*
 20 *section 1977 of this title) becomes effective.”.*

21 (b) *CONVERSION OF VGLI.—Section 1977 is amend-*
 22 *ed—*

23 (1) *in subsection (a), by striking out the fourth*
 24 *and fifth sentences and inserting in lieu thereof the*
 25 *following sentence: “If any person insured under Vet-*

1 *erans' Group Life Insurance again becomes insured*
 2 *under Servicemembers' Group Life Insurance but dies*
 3 *before terminating or converting such person's Veter-*
 4 *ans' Group Life Insurance to Servicemembers' Group*
 5 *Life Insurance, Veterans' Group Life Insurance will*
 6 *be payable only if such person is insured for less than*
 7 *\$200,000 under Servicemembers' Group Life Insur-*
 8 *ance, and then only in an amount which when added*
 9 *to the amount of Servicemembers' Group Life Insur-*
 10 *ance payable shall not exceed \$200,000.”; and*

11 *(2) in subsection (e), by striking out the third*
 12 *sentence and inserting in lieu thereof the following*
 13 *new sentence: “A Veterans' Group Life Insurance pol-*
 14 *icy converted to an individual policy under this sub-*
 15 *section shall terminate on the date before the date on*
 16 *which the individual policy becomes effective.”.*

17 **SEC. 205. TECHNICAL AMENDMENT.**

18 *Section 1977(a) is amended by striking out “and (e)”*
 19 *each place it appears in the first and second sentences.*

20 **TITLE III—BENEFITS**
 21 **PROVISIONS**

22 **SEC. 301. EXPANSION OF PERIOD OF VIETNAM ERA FOR**
 23 **CERTAIN VETERANS.**

24 *(a) IN GENERAL.—Section 101(29) of title 38, United*
 25 *States Code, is amended to read as follows:*

1 “(29) *The term ‘Vietnam era’ means the following:*

2 “(A) *The period beginning on February 28,*
3 *1961, and ending on May 7, 1975, in the case of a*
4 *veteran who served in the Republic of Vietnam during*
5 *such period.*

6 “(B) *The period beginning on August 5, 1964,*
7 *and ending on May 7, 1975, in all other cases.”.*

8 (b) *LIMITED EXPANSION FOR SPECIFIC PURPOSES.—*

9 (1)(A) *Paragraphs (1)(B) and (3) of section 1116(a) of such*
10 *title are each amended by striking out “during the Vietnam*
11 *era” and inserting in lieu thereof “during the period begin-*
12 *ning on January 9, 1962, and ending on May 7, 1975,”.*

13 (B) *Paragraphs (1)(A), (2)(C), (2)(E), (2)(F), and (4)*
14 *of such section are each amended by striking out “during*
15 *the Vietnam era” and inserting in lieu thereof “during the*
16 *period beginning on January 9, 1962, and ending on May*
17 *7, 1975”.*

18 (2) *Section 1710(e)(1)(A) of such title is amended—*

19 (A) *in clause (i), by striking out “during the*
20 *Vietnam era,” and inserting in lieu thereof “during*
21 *the period beginning on January 9, 1962, and ending*
22 *on May 7, 1975,”; and*

23 (B) *in clause (ii), by striking out “such era” and*
24 *inserting in lieu thereof “such period”.*

1 (c) *EFFECTIVE DATE.*—*The amendments made by this*
 2 *section shall take effect on January 1, 1997. No benefit may*
 3 *be paid or provided by reason of such amendments for any*
 4 *period before such date.*

5 **SEC. 302. REVISION OF AUTHORITY RELATING TO CENTERS**
 6 **FOR MINORITY VETERANS AND WOMEN VET-**
 7 **ERANS.**

8 (a) *SES STATUS OF DIRECTORS.*—*Sections 317(b)*
 9 *and 318(b) are each amended by inserting “career or” be-*
 10 *fore “noncareer”.*

11 (b) *ADDITIONAL FUNCTIONS OF CENTER FOR MINOR-*
 12 *ITY VETERANS.*—*Section 317(d) is amended—*

13 (1) *by redesignating paragraph (10) as para-*
 14 *graph (12); and*

15 (2) *by inserting after paragraph (9) the follow-*
 16 *ing new paragraphs (10) and (11):*

17 “(10) *Advise the Secretary and other appro-*
 18 *priate officials on the effectiveness of the Department’s*
 19 *efforts to accomplish the goals of section 492B of the*
 20 *Public Health Service Act (42 U.S.C. 289a–2) with*
 21 *respect to the inclusion of minorities in clinical re-*
 22 *search and on particular health conditions affecting*
 23 *the health of members of minority groups which*
 24 *should be studied as part of the Department’s medical*
 25 *research program and promote cooperation between*

1 *the Department and other sponsors of medical re-*
2 *search of potential benefit to veterans who are minori-*
3 *ties.*

4 “(11) *Provide support and administrative serv-*
5 *ices to the Advisory Committee on Minority Veterans*
6 *provided for under section 544 of this title.*”.

7 (c) *DEFINITION OF MINORITY VETERANS.*—Section
8 317 is amended by adding at the end the following:

9 “(g) *In this section—*

10 “(1) *The term ‘veterans who are minorities’*
11 *means veterans who are minority group members.*

12 “(2) *The term ‘minority group member’ has the*
13 *meaning given such term in section 544(d) of this*
14 *title.*”.

15 (d) *CLARIFICATION OF FUNCTIONS OF CENTER FOR*
16 *WOMEN VETERANS.*—Section 318(d)(10) is amended by
17 striking out “(relating to” and all that follows through
18 “and of” and inserting in lieu thereof “(42 U.S.C.
19 289a–2) with respect to the inclusion of women in clinical
20 research and on”.

21 (e) *ADDITIONAL FUNCTIONS OF ADVISORY COMMIT-*
22 *TEES.*—(1) Section 542(b) is amended by inserting “, in-
23 cluding the Center for Women Veterans” before the period
24 at the end.

1 (2) *Section 544(b) is amended by inserting “, includ-*
 2 *ing the Center for Minority Veterans” before the period at*
 3 *the end.*

4 (f) *TERMINATION DATE OF ADVISORY COMMITTEE ON*
 5 *MINORITY VETERANS.—Section 544(e) is amended by strik-*
 6 *ing out “December 31, 1997” and inserting in lieu thereof*
 7 *“December 31, 1999”.*

8 **SEC. 303. OUTER BURIAL RECEPTACLES.**

9 (a) *IN GENERAL.—Subsection (d) of section 2306 is*
 10 *amended—*

11 (1) *in paragraph (1), by striking out “a grave*
 12 *liner” each place it appears and inserting in lieu*
 13 *thereof “an outer burial receptacle”;*

14 (2) *in paragraph (2)—*

15 (A) *by striking out “grave liners” and in-*
 16 *serting in lieu thereof “outer burial receptacles”;*
 17 *and*

18 (B) *by striking out “specifications and pro-*
 19 *cedures” and inserting in lieu thereof “regula-*
 20 *tions or procedures”;* *and*

21 (3) *by adding at the end the following:*

22 “*(3) Regulations or procedures under paragraph (2)*
 23 *may specify that—*

1 “(A) *an outer burial receptacle other than a*
2 *grave liner be provided in lieu of a grave liner at the*
3 *election of the survivors of the interred veteran; and*

4 “(B) *if an outer burial receptacle other than a*
5 *grave liner is provided in lieu of a grave liner upon*
6 *an election of such survivors, such survivors be re-*
7 *quired—*

8 “(i) *to pay the amount by which the cost of*
9 *the outer burial receptacle exceeds the cost of the*
10 *grave liner that would otherwise have been pro-*
11 *vided in the absence of the election; and*

12 “(ii) *to pay the amount of the administra-*
13 *tive costs incurred by the Secretary concerned in*
14 *providing the outer burial receptacle in lieu of*
15 *such grave liner.*

16 “(4) *Regulations or procedures under paragraph (2)*
17 *may provide for the use of a voucher system, or other system*
18 *of reimbursement approved by the Secretary concerned, for*
19 *payment for outer burial receptacles other than grave liners*
20 *provided under such regulations or procedures.”.*

21 (b) *CONFORMING AMENDMENTS.—(1) The section*
22 *heading of such section is amended to read as follows:*

1 **“§2306. Headstones, markers, and burial receptacles”.**

2 (2) *The table of sections at the beginning of chapter*
 3 *23 is amended by striking out the item relating to section*
 4 *2306 and inserting in lieu thereof the following new item:*
 “2306. Headstones, markers, and burial receptacles.”.

5 **SEC. 304. CLARIFICATION OF ELIGIBILITY OF MINORS FOR**
 6 **BURIAL IN NATIONAL CEMETERIES.**

7 *Section 2402(5) is amended by inserting after “minor*
 8 *child” the following: “(which for purposes of this chapter*
 9 *includes a child under 21 years of age, or under 23 years*
 10 *of age if pursuing a course of instruction at an approved*
 11 *educational institution)”.*

12 **SEC. 305. EXTENSION OF AUTHORITY TO TREAT ALTER-**
 13 **NATIVE TEACHER CERTIFICATION PROGRAMS**
 14 **AS EDUCATIONAL INSTITUTIONS FOR CER-**
 15 **TAIN EDUCATIONAL ASSISTANCE PURPOSES.**

16 *Section 3452(c) is amended in the second sentence by*
 17 *striking out “September 30, 1996” and inserting in lieu*
 18 *thereof “December 31, 1998”.*

19 **SEC. 306. DIRECT LOANS TO REFINANCE LOANS UNDER NA-**
 20 **TIVE AMERICAN VETERAN HOUSING LOAN**
 21 **PILOT PROGRAM.**

22 (a) *AUTHORITY.*—*Section 3762 is amended—*

23 (1) *by redesignating subsection (h) as subsection*
 24 *(i); and*

1 (2) by inserting after subsection (g) the following
2 new subsection (h):

3 “(h)(1) *The Secretary may make direct loans to Native*
4 *American veterans in order to enable such veterans to refi-*
5 *nance existing loans made under this section.*

6 “(2)(A) *The Secretary may not make a loan under this*
7 *subsection unless the loan meets the requirements set forth*
8 *in subparagraphs (B), (C), and (E) of paragraph (1) of*
9 *section 3710(e) of this title.*

10 “(B) *The Secretary may not make a loan under this*
11 *subsection unless the loan will bear an interest rate at least*
12 *one percentage point less than the interest rate borne by*
13 *the loan being refinanced.*

14 “(C) *Paragraphs (2) and (3) of such section 3710(e)*
15 *shall apply to any loan made under this subsection, except*
16 *that for the purposes of this subsection the reference to sub-*
17 *section (a)(8) of section 3710 of this title in such para-*
18 *graphs (2) and (3) shall be deemed to be a reference to this*
19 *subsection.”.*

20 (b) *LOAN FEE.*—*Section 3729(a)(2)(E) of such title is*
21 *amended by striking out “or 3712(a)(1)(F)” and inserting*
22 *in lieu thereof “3712(a)(1)(F), or 3762(h)”.*

1 **SEC. 307. CLOTHING ALLOWANCE FOR INCARCERATED VET-**
 2 **ERANS.**

3 (a) *IN GENERAL.*—Chapter 53 is amended by insert-
 4 *ing after section 5313 the following new section:*

5 **“§5313A. Limitation on payment of clothing allow-**
 6 **ance to incarcerated veterans**

7 *“In the case of a veteran incarcerated in a Federal,*
 8 *State, or local penal institution for a period in excess of*
 9 *sixty days and furnished clothing without charge by the in-*
 10 *stitution, the amount of any clothing allowance payable to*
 11 *the veteran under section 1162 of this title shall be reduced*
 12 *by an amount equal to $\frac{1}{365}$ th of the amount of the allow-*
 13 *ance otherwise payable under that section for each day dur-*
 14 *ing the 12-month period preceding the date of the payment*
 15 *of the allowance on which the veteran was so incarcerated.”.*

16 (b) *CLERICAL AMENDMENT.*—The table of sections at
 17 the beginning of such chapter is amended by inserting after
 18 the item relating to section 5313 the following new item:

“5313A. *Limitation on payment of clothing allowance to incarcerated veterans.*”

19 **SEC. 308. APPOINTMENT OF VETERANS SERVICE ORGANIZA-**
 20 **TIONS AS CLAIMANTS’ REPRESENTATIVES.**

21 (a) *POWER OF ATTORNEY NAMING A VETERANS SERV-*
 22 *ICE ORGANIZATION.*—Section 5902 is amended—

23 (1) *by redesignating subsection (c) as subsection*

24 *(d); and*

1 (2) *by inserting after subsection (b) the following*
2 *new subsection (c):*

3 “(c)(1) *Unless a claimant specifically indicates in a*
4 *power of attorney filed with the Department a desire to ap-*
5 *point only a recognized representative of an organization*
6 *listed in or approved under subsection (a), the Secretary*
7 *may, for any purpose, treat the power of attorney naming*
8 *such an organization, a specific office of such an organiza-*
9 *tion, or a recognized representative of such an organization*
10 *as the claimant’s representative as an appointment of the*
11 *entire organization as the claimant’s representative.*

12 “(2) *Whenever the Secretary is required or permitted*
13 *to notify a claimant’s representative, and the claimant has*
14 *named in a power of attorney an organization listed in*
15 *or approved under subsection (a), a specific office of such*
16 *an organization, or a recognized representative of such an*
17 *organization without specifically indicating a desire to ap-*
18 *point only a recognized representative of the organization,*
19 *the Secretary shall notify the organization at the address*
20 *designated by the organization for the purpose of receiving*
21 *the notification concerned.”.*

22 (b) *APPLICABILITY.—The amendments made by this*
23 *section apply to any power of attorney filed with the De-*
24 *partment of Veterans Affairs, regardless of the date of its*
25 *execution.*

1 **SEC. 309. PROVISION OF COPIES OF BOARD OF VETERANS'**
 2 **APPEALS DECISIONS.**

3 *Section 7104(e) is amended to read as follows:*

4 *“(e)(1) After reaching a decision on a case, the Board*
 5 *shall promptly mail a copy of its written decision to the*
 6 *claimant at the last known address of the claimant.*

7 *“(2) If the claimant has an authorized representative,*
 8 *the Board shall—*

9 *“(A) mail a copy of its written decision to the*
 10 *authorized representative at the last known address of*
 11 *the authorized representative; or*

12 *“(B) send a copy of its written decision to the*
 13 *authorized representative by any means reasonably*
 14 *likely to provide the authorized representative with a*
 15 *copy of the decision within the same time a copy*
 16 *would be expected to reach the authorized representa-*
 17 *tive if sent by first-class mail.”.*

18 **SEC. 310. EXTENSION OF CERTAIN AUTHORITIES FOR SERV-**
 19 **ICES FOR HOMELESS VETERANS.**

20 *(a) AUTHORITY FOR COMMUNITY-BASED RESIDENTIAL*
 21 *CARE FOR HOMELESS CHRONICALLY MENTALLY ILL VET-*
 22 *ERANS AND OTHER VETERANS.—Section 115(d) of the Vet-*
 23 *erans' Benefits and Services Act of 1988 (38 U.S.C. 1712*
 24 *note) is amended by striking out “December 31, 1997” and*
 25 *inserting in lieu thereof “December 31, 1998”.*

1 (b) *AUTHORIZATIONS OF APPROPRIATIONS FOR HOME-*
 2 *LESS VETERANS REINTEGRATION PROJECTS.*—Section
 3 738(e)(1) of the *Stewart B. McKinney Homeless Assistance*
 4 *Act (42 U.S.C. 11448(e)(1))* is amended by adding at the
 5 end the following:

6 “(E) \$10,000,000 for fiscal year 1997.

7 “(F) \$10,000,000 for fiscal year 1998.”.

8 **TITLE IV—EMPLOYMENT AND**
 9 **REEMPLOYMENT RIGHTS OF**
 10 **MEMBERS OF THE UNI-**
 11 **FORMED SERVICES**

12 **SEC. 401. PURPOSES.**

13 Section 4301(a)(2) is amended by striking out “under
 14 honorable conditions”.

15 **SEC. 402. DEFINITIONS.**

16 Section 4303(16) is amended by inserting “national”
 17 before “emergency”.

18 **SEC. 403. DISCRIMINATION AGAINST PERSONS WHO SERVE**
 19 **IN THE UNIFORMED SERVICES AND ACTS OF**
 20 **REPRISAL PROHIBITED.**

21 Section 4311 is amended by striking out subsections
 22 (b) and (c) and inserting in lieu thereof the following:

23 “(b) An employer may not discriminate in employ-
 24 ment against or take any adverse employment action
 25 against any person because such person (1) has taken an

1 *action to enforce a protection afforded any person under*
2 *this chapter, (2) has testified or otherwise made a statement*
3 *in or in connection with any proceeding under this chapter,*
4 *(3) has assisted or otherwise participated in an investiga-*
5 *tion under this chapter, or (4) has exercised a right pro-*
6 *vided for in this chapter. This subsection shall apply with*
7 *respect to a person regardless of whether the person has per-*
8 *formed service in the uniformed services.*

9 “(c) *An employer shall be considered to have engaged*
10 *in actions prohibited—*

11 “(1) *under subsection (a), if the person’s*
12 *membership, application for membership, service,*
13 *application for service, or obligation for service in the*
14 *uniformed services is a motivating factor in the em-*
15 *ployer’s action, unless the employer can prove that the*
16 *action would have been taken in the absence of such*
17 *membership, application for membership, service, ap-*
18 *plication for service, or obligation for service; or*

19 “(2) *under subsection (b), if the person’s (A) ac-*
20 *tion to enforce a protection afforded any person under*
21 *this chapter, (B) testimony or making of a statement*
22 *in or in connection with any proceeding under this*
23 *chapter, (C) assistance or other participation in an*
24 *investigation under this chapter, or (D) exercise of a*
25 *right provided for in this chapter, is a motivating*

1 *factor in the employer’s action, unless the employer*
 2 *can prove that the action would have been taken in*
 3 *the absence of such person’s enforcement action, testi-*
 4 *mony, statement, assistance, participation, or exercise*
 5 *of a right.*

6 “(d) *The prohibitions in subsections (a) and (b) shall*
 7 *apply to any position of employment, including a position*
 8 *covered by section 4312(d)(1)(C).”.*

9 **SEC. 404. REEMPLOYMENT RIGHTS OF PERSONS WHO**
 10 **SERVE IN THE UNIFORMED SERVICES.**

11 (a) *INCLUSION OF PREPARATION AND TRAVEL TIME*
 12 *PRIOR TO SERVICE.*—Section 4312(a) is amended by strik-
 13 ing out “*who is absent from a position of employment*” and
 14 inserting in lieu thereof “*whose absence from a position of*
 15 *employment is necessitated*”.

16 (b) *LIMITATION ON SERVICE EXEMPTION TO WAR OR*
 17 *NATIONAL EMERGENCY.*—Section 4312(c)(4)(B) is amend-
 18 ed to read as follows:

19 “(B) *ordered to or retained on active duty*
 20 *(other than for training) under any provision of*
 21 *law because of a war or national emergency de-*
 22 *clared by the President or the Congress, as deter-*
 23 *mined by the Secretary concerned;”.*

24 (c) *BRIEF, NONRECURRENT PERIODS OF SERVICE.*—
 25 Section 4312(d)(2)(C) is amended by striking out “*is brief*”

1 *or for a nonrecurrent period and without a reasonable ex-*
 2 *pectation” and inserting in lieu thereof “is for a brief, non-*
 3 *recurrent period and there is no reasonable expectation”.*

4 *(d) CONFORMING AMENDMENTS TO REDESIGNATIONS*
 5 *IN TITLE 10.—Section 4312(c) is amended—*

6 *(1) in paragraph (3), by striking out “section*
 7 *270” and inserting in lieu thereof “section 10147”;*
 8 *and*

9 *(2) in paragraph (4)—*

10 *(A) by striking out “section 672(a), 672(g),*
 11 *673, 673b, 673c, or 688” in subparagraph (A)*
 12 *and inserting in lieu thereof “section 688,*
 13 *12301(a), 12301(g), 12302, 12304, or 12305”;*

14 *(B) by striking out “section 673b” in sub-*
 15 *paragraph (C) and inserting in lieu thereof “sec-*
 16 *tion 12304”; and*

17 *(C) by striking out “section 3500 or 8500”*
 18 *in subparagraph (E) and inserting in lieu there-*
 19 *of “section 12406”.*

20 **SEC. 405. REEMPLOYMENT POSITIONS.**

21 *Section 4313(a)(4) is amended—*

22 *(1) by striking out “uniform services” in sub-*
 23 *paragraph (A)(ii) and inserting in lieu thereof “uni-*
 24 *formed services”; and*

1 (2) by striking out “of lesser status and pay
2 which” and inserting in lieu thereof “which is the
3 nearest approximation to a position referred to first
4 in clause (A)(i) and then in clause (A)(ii) which”.

5 **SEC. 406. LEAVE.**

6 Section 4316(d) is amended by adding at the end the
7 following new sentence: “No employer may require any such
8 person to use vacation, annual, or similar leave during such
9 period of service.”.

10 **SEC. 407. HEALTH PLANS.**

11 Section 4317(a) is amended—

12 (1) by striking out “(a)(1)(A) Subject to para-
13 graphs (2) and (3), in” and inserting in lieu thereof
14 “(a)(1) In”;

15 (2) by redesignating clauses (i) and (ii) of para-
16 graph (1) (as amended by paragraph (1) of this sec-
17 tion) as subparagraphs (A) and (B), respectively;

18 (3) by redesignating subparagraph (B) as para-
19 graph (2); and

20 (4) by redesignating subparagraph (C) as para-
21 graph (3), and in that paragraph by redesignating
22 clauses (i) and (ii) as subparagraphs (A) and (B), re-
23 spectively, and by redesignating subclauses (I) and
24 (II) as clauses (i) and (ii), respectively.

1 **SEC. 408. EMPLOYEE PENSION BENEFIT PLANS.**

2 *The last sentence of section 4318(b)(2) is amended by*
 3 *striking out “services,” and inserting in lieu thereof “serv-*
 4 *ices, such payment period”.*

5 **SEC. 409. ENFORCEMENT OF EMPLOYMENT OR REEMPLOY-**
 6 **MENT RIGHTS.**

7 (a) *TECHNICAL AMENDMENT.*—*The second sentence of*
 8 *section 4322(d) is amended by inserting “attempt to” before*
 9 *“resolve”.*

10 (b) *NOTIFICATION.*—*Section 4322(e) is amended—*

11 (1) *in the matter preceding paragraph (1), by*
 12 *striking out “with respect to a complaint under sub-*
 13 *section (d) are unsuccessful,” and inserting in lieu*
 14 *thereof “with respect to any complaint filed under*
 15 *subsection (a) do not resolve the complaint,”; and*

16 (2) *in paragraph (2), by inserting “or the Office*
 17 *of Personnel Management” after “Federal executive*
 18 *agency”.*

19 **SEC. 410. ENFORCEMENT OF RIGHTS WITH RESPECT TO A**
 20 **STATE OR PRIVATE EMPLOYER.**

21 *Section 4323(a) is amended—*

22 (1) *in paragraph (1), by striking out “of an un-*
 23 *successful effort to resolve a complaint”; and*

24 (2) *in paragraph (2)(A), by striking out “re-*
 25 *garding the complaint under section 4322(c)” and in-*
 26 *serting in lieu thereof “under section 4322(a)”.*

1 **SEC. 411. ENFORCEMENT OF RIGHTS WITH RESPECT TO**
2 **FEDERAL EXECUTIVE AGENCIES.**

3 (a) *REFERRAL.*—Section 4324(a)(1) is amended by
4 striking out “of an unsuccessful effort to resolve a complaint
5 relating to a Federal executive agency”.

6 (b) *ALTERNATIVE SUBMISSION OF COMPLAINT.*—Sec-
7 tion 4324(b) is amended—

8 (1) in the matter preceding paragraph (1), by
9 inserting “or the Office of Personnel Management”
10 after “Federal executive agency”; and

11 (2) in paragraph (1), by striking out “regarding
12 a complaint under section 4322(c)” and inserting in
13 lieu thereof “under section 4322(a)”.

14 (c) *RELIEF.*—Section 4324(c)(2) is amended—

15 (1) by inserting “or the Office of Personnel Man-
16 agement” after “Federal executive agency”; and

17 (2) by striking out “employee” and inserting in
18 lieu thereof “Office”.

19 **SEC. 412. ENFORCEMENT OF RIGHTS WITH RESPECT TO**
20 **CERTAIN FEDERAL AGENCIES.**

21 Section 4325(d)(1) is amended—

22 (1) by striking out “, alternative employment in
23 the Federal Government under this chapter,”; and

24 (2) by striking out “employee” the last place it
25 appears and inserting in lieu thereof “employees”.

1 **SEC. 413. CONDUCT OF INVESTIGATION; SUBPOENAS.**

2 Section 4326(a) is amended by inserting “have reason-
3 able access to and the right to interview persons with infor-
4 mation relevant to the investigation and shall” after “at
5 all reasonable times,”.

6 **SEC. 414. TRANSITION RULES AND EFFECTIVE DATES.**

7 (a) *REEMPLOYMENT*.—Section 8(a) of the Uniformed
8 Services Employment and Reemployment Rights Act of
9 1994 (Public Law 103–353; 108 Stat. 3175; 38 U.S.C. 4301
10 note) is amended—

11 (1) in paragraph (3), by adding at the end
12 thereof the following: “Any service begun up to 60
13 days after the date of enactment of this Act, which is
14 served up to 60 days after the date of enactment of
15 this Act pursuant to orders issued under section
16 502(f) of title 32, United States Code, shall be consid-
17 ered under chapter 43 of title 38, United States Code,
18 as in effect on the day before such date of enactment.
19 Any service pursuant to orders issued under such sec-
20 tion 502(f) served after 60 days after the date of en-
21 actment of this Act, regardless of when begun, shall be
22 considered under the amendments made by this Act.”;
23 and

24 (2) in paragraph (4), by striking out “such pe-
25 riod” and inserting in lieu thereof “such 60-day pe-
26 riod”.

1 (b) *INSURANCE.*—Section 8(c)(2) of such Act is amend-
2 ed by striking out “person on active duty” and inserting
3 in lieu thereof “person serving a period of service in the
4 uniformed services”.

5 **SEC. 415. EFFECTIVE DATES.**

6 (a) *IN GENERAL.*—Except as provided in subsection
7 (b), the amendments made by this title shall take effect as
8 of October 13, 1994.

9 (b) *REORGANIZED TITLE 10 REFERENCES.*—The
10 amendments made by section 404(d) of this Act shall take
11 effect as of December 1, 1994.

12 Amend the title to read as follows: “To amend title
13 38, United States Code, to improve the benefits programs
14 administered by the Secretary of Veterans Affairs, to pro-
15 vide for a study of the Federal programs for veterans, and
16 for other purposes.”.