

117TH CONGRESS 1ST SESSION H.R. 3730

To amend title 38, United States Code, to establish in the Department of Veterans Affairs an Advisory Committee on United States Outlying Areas and Freely Associated States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

June 4, 2021

Mr. Sablan (for himself, Ms. Brownley, Mr. San Nicolas, Mrs. Radewagen, Ms. Plaskett, Miss González-Colón, Mr. Kahele, and Mr. Grijalva) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to establish in the Department of Veterans Affairs an Advisory Committee on United States Outlying Areas and Freely Associated States, and for other purposes.

- 1 Be it enacted by the Senate and House of Representa2 tives of the United States of America in Congress assembled,
 3 SECTION 1. DEPARTMENT OF VETERANS AFFAIRS ADVI4 SORY COMMITTEE ON UNITED STATES OUT5 LYING AREAS AND FREELY ASSOCIATED
 6 STATES.
- 7 (a) Establishment of Advisory Committee.—

1	(1) In General.—Subchapter III of chapter 5
2	of title 38, United States Code, is amended by add-
3	ing at the end the following new section:
4	"§ 548. Advisory Committee on United States Out-
5	lying Areas and Freely Associated States
6	"(a) Establishment.—The Secretary shall estab-
7	lish an advisory committee, to be known as the 'Advisory
8	Committee on United States Outlying Areas and Freely
9	Associated States', to provide advice and guidance to the
10	Secretary on matters relating to covered veterans.
11	"(b) Duties.—The duties of the Committee shall be
12	the following:
13	"(1) To advise the Secretary on matters relat-
14	ing to covered veterans, including how the Secretary
15	can improve the programs and services of the De-
16	partment to better serve such veterans.
17	"(2) To identify for the Secretary evolving
18	issues of relevance to covered veterans.
19	"(3) To propose clarifications, recommenda-
20	tions, and solutions to address issues raised by cov-
21	ered veterans.
22	"(4) To provide a forum for covered veterans.
23	veterans service organizations serving covered vet-
24	erans, and the Department to discuss issues and

1	proposals for changes to regulations, policies, and
2	procedures of the Department.
3	"(5) To identify priorities for and provide ad-
4	vice to the Secretary on appropriate strategies for
5	consultation with veterans service organizations serv-
6	ing covered veterans.
7	"(6) To encourage the Secretary to work with
8	other departments and agencies of the Federal Gov-
9	ernment and Congress to ensure covered veterans
10	are provided the full benefits of their status as cov-
11	ered veterans.
12	"(7) To highlight contributions of covered vet-
13	erans in the Armed Forces.
14	"(8) To conduct other duties as determined ap-
15	propriate by the Secretary.
16	"(c) Membership.—(1) The Committee shall be
17	comprised of 15 voting members appointed by the Sec-
18	retary.
19	"(2) In appointing members pursuant to paragraph
20	(1), the Secretary shall ensure the following:
21	"(A) At least one member is appointed to rep-
22	resent covered veterans in each of the following
23	areas:
24	"(i) American Samoa.
25	"(ii) Guam.

1	"(iii) Puerto Rico.
2	"(iv) The Commonwealth of the Northern
3	Mariana Islands.
4	"(v) The Virgin Islands of the United
5	States.
6	"(vi) The Federated States of Micronesia.
7	"(vii) The Republic of the Marshall Is-
8	lands.
9	"(viii) The Republic of Palau.
10	"(B) Not fewer than half of the members ap-
11	pointed are covered veterans, unless the Secretary
12	determines that an insufficient number of qualified
13	covered veterans are available.
14	"(C) Each member appointed resides in an area
15	specified in subparagraph (A).
16	"(3) In appointing members pursuant to paragraph
17	(1), the Secretary may consult with any Member of Con-
18	gress who represents an area specified in paragraph
19	(2)(A).
20	"(d) Terms; Vacancies.—(1) A member of the
21	Committee shall be appointed for a term of two years.
22	"(2) Not later than 180 days after receiving notice
23	of a vacancy in the Committee, the Secretary shall fill the
24	vacancy in the same manner as the original appointment.

- 1 "(e) Meeting Format and Frequency.—(1) Ex-
- 2 cept as provided in paragraph (2), the Committee shall
- 3 meet in-person with the Secretary not less frequently than
- 4 twice each year and hold monthly conference calls as nec-
- 5 essary.
- 6 "(2) Meetings held under paragraph (1) may be con-
- 7 ducted virtually during a public health emergency declared
- 8 by the Secretary of Health and Human Services pursuant
- 9 to section 319 of the Public Health Service Act (42 U.S.C.
- 10 247d) or any renewal of such declaration.
- 11 "(f) Additional Representation.—(1) Rep-
- 12 resentatives of relevant departments and agencies of the
- 13 Federal Government may attend meetings of the Com-
- 14 mittee and provide information to the Committee.
- 15 "(2) One representative of the Department shall at-
- 16 tend each meeting of the Committee.
- 17 "(3) Representatives attending meetings under this
- 18 subsection—
- 19 "(A) shall not be considered voting members of
- the Committee; and
- 21 "(B) may not receive additional compensation
- for services performed with respect to the Com-
- 23 mittee.
- 24 "(g) Subcommittees.—(1) The Committee may es-
- 25 tablish subcommittees.

- 1 "(2) The Secretary may, in consultation with the
- 2 Committee, appoint a member to a subcommittee estab-
- 3 lished under paragraph (1) who is not a member of the
- 4 Committee.
- 5 "(3) A subcommittee established under paragraph (1)
- 6 may enhance the function of the Committee, but may not
- 7 supersede the authority of the Committee or provide direct
- 8 advice or work products to the Secretary.
- 9 "(h) Reports.—(1) Not less frequently than once
- 10 each year, the Committee shall submit to the Secretary
- 11 and the appropriate committees of Congress a report con-
- 12 taining such recommendations as the Committee may have
- 13 for legislative or administrative action.
- 14 "(2) Not later than 90 days after the date on which
- 15 the Secretary receives a report under paragraph (1), the
- 16 Secretary shall submit to the appropriate committees of
- 17 Congress a written response to the report after—
- 18 "(A) giving the Committee an opportunity to
- 19 review such written response; and
- 20 "(B) including in such written response any
- 21 comments the Committee considers appropriate.
- 22 "(3) Not less frequently than once every two years,
- 23 the Committee shall submit to the Secretary and the ap-
- 24 propriate committees of Congress a report describing the
- 25 activities of the Committee during the previous two years.

"(4) The Secretary shall make publicly available on 1 2 an internet website of the Department— 3 "(A) each report the Secretary receives under paragraph (1); 4 "(B) each written response the Secretary sub-5 6 mits under paragraph (2); and "(C) each report the Secretary receives under 7 8 paragraph (3). 9 "(i) COMMITTEE PERSONNEL MATTERS.—A member of the Committee shall be allowed travel expenses, includ-10 ing per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5 while away from the home or regular place 14 of business of the member in the performance of the duties 15 of the Committee. "(j) Consultation.—In carrying out this section, 16 the Secretary shall consult with veterans service organizations serving covered veterans. 18 19 "(k) FEDERAL ADVISORY COMMITTEE ACT EXEMP-TION.—Section 14 of the Federal Advisory Committee Act 20 21 (5 U.S.C. App.) shall not apply to the Committee. 22 "(1) DEFINITIONS.—In this section: "(1) The term 'appropriate committees of Con-

gress' means—

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1	"(A) the Committee on Veterans' Affairs
2	of the House of Representatives; and
3	"(B) the Committee on Veterans' Affairs
4	of the Senate.
5	"(2) The term 'Committee' means the Advisory
6	Committee on United States Outlying Areas and
7	Freely Associated States established under sub-
8	section (a).
9	"(3) The term 'covered veteran' means a vet-
10	eran residing in an area specified in subsection
11	(c)(2)(A).
12	"(4) The term 'veterans service organization
13	serving covered veterans' means any organization
14	that—
15	"(A) serves the interests of covered vet-
16	erans;
17	"(B) has covered veterans in substantive
18	and policymaking positions within the organiza-
19	tion; and
20	"(C) has demonstrated experience working
21	with covered veterans.".
22	(2) CLERICAL AMENDMENT.—The table of sec-
23	tions at the beginning of chapter 5 of such title is
24	amended by inserting after the item relating to sec-
25	tion 547 the following new item:

"548. Advisory Committee on United States Outlying Areas and Freely Associated States".

- 1 (b) Deadline for Establishment.—Not later
- 2 than 180 days after the date of the enactment of this Act,
- 3 the Secretary of Veterans Affairs shall establish the advi-
- 4 sory committee required by section 548 of title 38, United
- 5 States Code, as added by subsection (a)(1) of this section.
- 6 (c) Deadline for Initial Appointments.—Not
- 7 later than 90 days after the date on which the Secretary
- 8 establishes the advisory committee required by such sec-
- 9 tion 548, the Secretary shall appoint the members of such
- 10 advisory committee.
- 11 (d) Initial Meeting.—Not later than 120 days
- 12 after the date on which the Secretary establishes the advi-
- 13 sory committee required by such section 548, such advi-
- 14 sory committee shall hold its first meeting.

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