

AMENDMENT TO RULES COMMITTEE PRINT

119-33

OFFERED BY MS. BROWNLEY OF CALIFORNIA

At the end of subtitle A of title XVII, add the following new section:

1 **SEC. 17___ . PROGRAMS TO PROVIDE COMPENSATION BEN-**
2 **EFIT AND DISCHARGE STATUS UPGRADES**
3 **FOR CERTAIN VETERANS WHO ARE WOMEN**
4 **DISCHARGED PURSUANT TO EXECUTIVE**
5 **ORDER 10240.**

6 (a) DISCHARGE STATUS UPGRADE PROGRAM.—

7 (1) IN GENERAL.—Subject to the availability of
8 amounts made available in advance in appropriations
9 Acts, the Secretary of Veterans Affairs, in coordina-
10 tion with the Secretary of Defense, shall establish
11 and carry out a program to, subject to the eligibility
12 criteria under subsection (c) and conditions to be
13 prescribed by the Secretary of Defense, upgrade the
14 discharge status of covered veterans.

15 (2) APPLICATIONS.—A covered veteran desiring
16 to participate in such program shall submit to the
17 Secretary of Veterans Affairs and the Secretary of
18 Defense an application in such form, at such time,

1 and containing such information and assurances as
2 such Secretaries determine appropriate.

3 (3) TREATMENT OF CERTAIN COVERED VET-
4 ERANS.—With respect to the provision of benefits
5 under the laws administered by the Secretary of Vet-
6 erans Affairs, such Secretary shall treat a covered
7 veteran who receives a discharge status upgrade pur-
8 suant to such program as if such covered veteran
9 completed the duty to which such covered veteran
10 was assigned at the time such covered veteran was
11 separated from active military, naval, air, or space
12 service.

13 (b) COMPENSATION BENEFIT PROGRAM.—

14 (1) IN GENERAL.—The Secretary of Defense
15 shall establish and carry out a program to provide
16 to covered veterans, subject to the eligibility criteria
17 under subsection (c) and paragraph (2), a one-time
18 compensation benefit in the amount of \$25,000.

19 (2) SURVIVING SPOUSE ELIGIBILITY.—If a cov-
20 ered veteran who satisfies the eligibility criteria
21 under subsection (c) dies after the date of the enact-
22 ment of this Act, the surviving spouse of such cov-
23 ered veteran shall be eligible for participation in the
24 program under paragraph (1).

1 (3) APPLICATIONS.—A covered veteran, or the
2 surviving spouse of a covered veteran, desiring to
3 participate in such program shall submit to the Sec-
4 retary of Defense an application in such form, at
5 such time, and containing such information and as-
6 surances as the Secretary determines appropriate.

7 (4) AUTHORIZATION OF APPROPRIATIONS.—
8 There are authorized to be appropriated to the Sec-
9 retary of Defense such sums as may be necessary to
10 carry out this subsection.

11 (c) ELIGIBILITY CRITERIA.—

12 (1) IRREBUTTABLE PRESUMPTION.—There is
13 an irrebuttable presumption of eligibility for partici-
14 pation in the programs under subsections (a) and
15 (b) for a covered veteran who was involuntarily sepa-
16 rated from active military, naval, air, or space serv-
17 ice pursuant to Executive Order 10240.

18 (2) REBUTTABLE PRESUMPTIONS.—There is a
19 rebuttable presumption for eligibility for participa-
20 tion in such programs for a covered veteran who—

21 (A) gave birth to a child, obtained legal or
22 physical custody of a child, or adopted a child
23 during the 10-month period beginning after the
24 date the veteran was separated from active mili-
25 tary, naval, air, or space service; or

1 (B) experienced an incomplete pregnancy
2 (including due to an abortion or miscarriage)
3 during such 10-month period.

4 (d) DEFINITIONS.—In this section:

5 (1) The term “active military, naval, air, or
6 space service” has the meaning given such term in
7 section 101 of title 10, United States Code.

8 (2) The term “covered veteran” means a vet-
9 eran who—

10 (A) is a woman; and

11 (B) performed active military, naval, air,
12 or space service during the period beginning on
13 April 27, 1951 and ending on February 23,
14 1976.

