

S. 196

An act to reorganize the benefits given to retired Service Members

IN THE SENATE OF THE UNITED STATES

August 1st, 2019

Mr.PatriotOperator (for himself, Mr. NauticusTheReaper, and Mr. Lacryma) introduced the following act; which was referred to the Committee on Armed Services and Veteran Affairs

A BILL

An act to reorganize the benefits given to retired Service Members

Be it enacted by the Senate and House of Representatives of the United States in Congress Assembled.

SECTION I. GENERAL PROVISIONS; SHORT TITLE; EFFECTIVE DATE

(a) Severability. — This act shall be severable, such as if any word, phrase, line, sentence, or provision in this Bill, or the application of any of them to any person or circumstance, is held invalid, their application shall continue to apply to other persons or circumstances, and the remainder of this Bill shall not be affected thereby. This act shall not be superseded by any other newer law

unless said law specifically declares its intent to supersede this Act’s provision.

(b) Short title. — This bill can be cited as the “Veteran Reform Act of 2019”

(c) Effective Date. — This bill shall take effect immediately upon enactment.

TITLE I

SEC. 101. REPEAL

(1) The Veteran Essential Thanks Act of 2019 is hereby repealed in full.

TITLE II

SEC. 201. ESTABLISHMENT

(1) The Department of Veteran Affairs is hereby established.

(2) The Department of Veteran Affairs shall handle all processes of Veteran Benefits and be considered the lead-archiving agency of the Department of Defense

(3) The Department of Veteran Affairs (hereinafter, “DVA”) shall be headed by the Secretary of Veteran Affairs and assisted by the Deputy Secretary of Veteran Affairs

SEC. 202. THE SECRETARY OF VETERAN AFFAIRS

(1) There shall be a Secretary of Veteran Affairs (hereinafter, “SECVA”) who shall serve on the President’s Cabinet and shall be the Executive Head of the DVA.

(a) The Secretary of Veteran Affairs shall be appointed by the President with the advice and consent of the Senate.

(b) The Secretary of Veteran Affairs shall be a civil office

(c) The SECVA shall also be considered the Archivist of the Department of Defense

(d) The SECVA must qualify for benefits

(2) The SECVA shall be responsible for overseeing and handling the daily operations of the DVA.

(a) The SECVA is granted the Organizational Powers to maintain the DVA

(b) The SECVA is to coordinate with other departments and agencies regarding veteran employment agreements

(3) The President may prescribe additional duties to the SECVA

SEC. 203. THE DEPUTY SECRETARY OF VETERAN AFFAIRS

(1) The SECVA shall be assisted by a Deputy known as the Deputy Secretary of Veteran Affairs (hereinafter, “DEPSECVA”)

(a) The DEPSECVA shall be appointed by the President with the Advice and Consent of the Senate

- (b) The DEPSECVA shall be a Civil Office
- (c) the DEPSECVA must qualify for benefits
- (2) The DEPSECVA shall assist the SECVA in all duties prescribed by the President.

SEC. 204. UNDER SECRETARIES OF VETERAN AFFAIRS

- (1) There shall be Under Secretaries of Veteran Affairs (hereinafter, USECVA) appointed by the SECVA who shall assist in all additional duties prescribed by the SECVA.
- (2) There shall be USECVAs for:
 - (a) Benefits & Public Relations
 - (b) Archivist Relations

SEC. 205. ASSISTANT SECRETARIES OF VETERAN AFFAIRS

- (1) There shall be Assistant Secretaries of Veteran Affairs (hereinafter, ASECVA) appointed by the SECVA who shall assist in all additional duties prescribed by the SECVA
- (2) There shall be ASECVAs for:
 - (a) Accountability
 - (b) Congressional and Legislative Affairs

SEC. 206. ORGANIZATIONAL POWERS DEFINED

- (1) As stated in SEC. 202(2)(A) the SECVA shall be delegated Organizational Powers.
- (2) Organizational Powers shall be defined as:

- (a) The SECVA has the authority to close and open any entities under the Department of Veterans Affairs.
- (b) The SECVA has the authority to de-activate and re-activate ASECVA and USECVA positions
- (3) Opening the Veterans Affairs Police shall require the the consent of the President with a letter of intent sent to Congress by the SECVA.

SEC. 207. LEGAL JURISDICTION

- (1) The Department of Veteran Affairs shall not file suit against any executive branch department or agency, without first requesting consultation with the Attorney General and respective head of that department or agency.
- (2) The Department of Veteran Affairs cannot provide legal assistance to file suit against any executive branch department or agency unless a complaint is filed to the respective body in charge of dealing with complaints for that entity, and the complaint is marked as resolved or rejected by that entity.
- (3) The Department of Veteran Affairs can only provide legal assistance and or litigate on the following affairs
 - (a) Denial of benefits legally attained

TITLE III

SEC. 301. FEDERAL BOARD ON VETERAN BENEFITS

- (1) There shall be a Federal Board on Veteran Benefits which shall have the authority to add and remove benefits and revoke the benefits of existing veterans
- (2) The Federal Board shall consist of 7 members:
 - (a) The Secretary of Veteran Affairs
 - (b) The Deputy Secretary of Veteran Affairs
 - (c) The Secretary of Defense
 - (d) The Deputy Secretary of Defense
 - (e) and 3 civilians appointed by the Board by a simple majority
- (3) The Chairperson of the Board must be nominated by a board member and be approved by a simple majority of the existing board
 - (a) The Chairperson cannot be the Secretary of Veteran Affairs, Secretary of Defense, or their respective deputies
 - (b) The Chairperson shall not tender a vote unless in times of a tie within the Board
- (4) There shall be a Vice-Chairperson of the Board appointed by the Chairperson who shall assist the Chairperson in all duties

TITLE IV

SEC. 401. BENEFITS & REQUISITES

- (1) There shall be 4 tiers of benefits each with their own requirements prior to permitting veterans the rights and privileges stated.
- (2) To qualify for any level of benefits, Servicemembers must:

- (a) serve in the Military for 60 days;
 - (b) be promoted to the paygrade of E3 or higher;
 - (c) and through service, remain in good standing.
- (3) Individuals who have already received benefits are not required to re-register with the Department of Veteran Affairs.

SEC. 402. PLATINUM STAR

- (1) There shall be a tier of benefits titled “Platinum Star Benefits”
- (2) To qualify for Platinum Star Benefits service members must:
 - (a) Receive the Medal of Honor;
 - (b) and Serve in the Military for 180 or more consecutive days
- (3) Individuals who qualify and are given the tier of Platinum Star shall receive benefits from lower-grades and:
 - (a) Recipients will receive an invitation to all future presidential inaugurations and inaugural balls, public government events, as well as all military special events (parades, speeches, parties).
 - (b) Receive the Flag of the Medal of Honor
 - (c) Receive the Medal of Honor lapel pin, neck order, and other ribbons or decorations on appropriate civilian clothing
 - (d) Free commercial first-class flights as well as free Class A military flights provided by the

Federal Aviation Administration on behalf of the President.

(e) Veterans qualifying for Platinum Star benefits are permitted to wear their military uniform at their pleasure while following and observing all uniform regulations and standards

SEC. 403. DIAMOND STAR

(1) There shall be a tier of benefits titled “Diamond Star Benefits”

(2) To qualify for Diamond Star Benefits service members must:

- (a) Serve as an O11 or O12;
- (b) or Serve on the Joint Chiefs of Staff;
- (c) and Serve in the Military for 120 or more consecutive days

(3) Individuals who qualify and are given the tier of Diamond Star shall receive benefits from lower-grades and:

(a) Wear the Joint Chiefs of Staff Identification Badge on their Uniform if they served 2 or more months on the Joint Chiefs of Staff.

(b) Access to any Military Installation unless prohibited by the Base Commander, Military Police, or Secretary of Defense respectively.

(i) When the Military is under Readiness Condition (“REDCON”) 1 or 1.5 and/or Defense Readiness Condition (“DEFCON”) 1

or 2, access to military installations shall be suspended.

(c) Authorized Wear of Military Uniform while observing and following Military Regulation at any military event.

SEC. 404. GOLD TIER

(1) There shall be a tier of benefits titled “Gold Tier Benefits”

(2) To qualify for Gold Tier Benefits service members must:

(a) Serve as an E6 or Higher;

(b) and Serve in the Military for 80 or more consecutive days

(3) Individuals who qualify and are given the tier of Gold Tier shall receive benefits from lower-grades and:

(a) Free Legal Counsel from BAR certified attorneys

(b) Priority listings for White House Tours

(c) Trainings from certified instructors (experts assist Veterans in finding and acquiring post-service employment)

(d) If re-enlisting or recommissioning, receive the paygrade of E4 (if enlisted) or O3 (if commissioned)

SEC. 405. SILVER BOUND

(1) There shall be a tier of benefits titled “Silver Bound Benefits”

(2) To qualify for Silver Bound Benefits service members must:

- (a) Serve as an E3 or Higher;
 - (b) and Serve in the Military for 60 or more consecutive days
- (3) Individuals who qualify receive:
- (a) A letter of recommendation from the Office of the Secretary of Veteran Affairs in order to acquire post-service employment
 - (b) If re-enlisting or recommissioning, receive the paygrade of E3 (if enlisted) or O2 (if commissioned)

TITLE V

SEC. 501. REPORTS TO CONGRESS

- (1) The SECVA in his full capacity or his designee shall send a monthly report to Congress detailing the progress of the department, employment contracts made, new policies, archiving activity, events and actions of the Federal Board on Veteran Benefits, and any legislation needed by Congress for the benefit of the department.