(d) In this section, the term ''minority group member'' means an individual who is—

(1) Asian American;

(2) Black;

(3) Hispanic;

(4) Native American (including American Indian, Alaskan Native, and Native Hawaiian); or

(5) Pacific-Islander American.

(e) The Committee shall cease to exist December 31, 2014.

(Added Pub. L. 103–446, title V, § 510(a), Nov. 2, 1994, 108 Stat. 4668; amended Pub. L. 104–275, title V, § 501(e)(2), (f), Oct. 9, 1996, 110 Stat. 3341; Pub. L. 106–117, title VIII, § 803, Nov. 30, 1999, 113 Stat. 1586; Pub. L. 108–183, title VII, § 703, Dec. 16, 2003, 117 Stat. 2671; Pub. L. 110–389, title VIII, § 808, Oct. 10, 2008, 122 Stat. 4189; Pub. L. 111–163, title II, § 204(b), May 5, 2010, 124 Stat. 1144.)

PRIOR PROVISIONS

Prior section 544, added Pub. L. 90–77, title I, § 108(a), Aug. 31, 1967, 81 Stat. 180; amended Pub. L. 91–588, § 3(a), Dec. 24, 1970, 84 Stat. 1583; Pub. L. 93–527, § 5, Dec. 21, 1974, 88 Stat. 1704; Pub. L. 94–169, title I, § 105, Dec. 23, 1975, 89 Stat. 1017; Pub. L. 94–432, title II, § 205, Sept. 30, 1976, 90 Stat. 1371; Pub. L. 95–204, title I, § 104, Dec. 2, 1977, 91 Stat. 1457, authorized an increase by $79 of the monthly rate of pension payable to the surviving spouse if the surviving spouse was entitled to pension under subchapter III of chapter 15 of this title and was in need of regular aid and attendance, prior to repeal by Pub. L. 95–588, title I, § 112(a)(1), title IV, § 401, Nov. 4, 1978, 92 Stat. 2505, 2511, effective Jan. 1, 1979.

Another prior section 544, Pub. L. 85–857, Sept. 2, 1958, 72 Stat. 1139, authorized the payment of a pension to children of World War II or Korean conflict veterans, prior to the general amendment of subchapter III of chapter 15 of this title by Pub. L. 86–211, § 4, Aug. 29, 1950, 73 Stat. 434. See sections 1542 and 1543 of this title.

AMENDMENTS

2010—Subsec. (a)(2)(A)(v). Pub. L. 111–163 added cl. (v).

2008—Subsec. (e). Pub. L. 110–389 substituted ''December 31, 2014'' for ''December 31, 2009''.

2003—Subsec. (e). Pub. L. 108–183 substituted ''December 31, 2009'' for ''December 31, 2003''.

1999—Subsec. (e). Pub. L. 106–117 substituted ''December 31, 2003'' for ''December 31, 1999''.

1996—Subsec. (b). Pub. L. 104–275, § 501(e)(2), inserted '', including the Center for Minority Veterans'' before period at end.

Subsec. (e). Pub. L. 104–275, § 501(f), substituted ''December 31, 1999'' for ''December 31, 1997''.

EFFECTIVE DATE OF 2010 AMENDMENT

Amendment by Pub. L. 111–163 applicable to appointments made on or after May 5, 2010, see section 204(c) of Pub. L. 111–163, set out as a note under section 542 of this title.

§ 545. Advisory Committee on the Readjustment of Veterans

(a)(1) There is in the Department the Advisory Committee on the Readjustment of Veterans (hereinafter in this section referred to as the ''Committee'').

(2) The Committee shall consist of not more than 18 members appointed by the Secretary from among individuals who—

(A) have demonstrated significant civic or professional achievement; and

(B) have experience with the provision of veterans benefits and services by the Department.

(3) The Secretary shall seek to ensure that members appointed to the Committee include individuals from a wide variety of geographic areas and ethnic backgrounds, individuals from veterans service organizations, individuals with combat experience, and women.

(4) The Secretary shall determine the terms of service and pay and allowances of the members of the Committee, except that a term of service may not exceed two years. The Secretary may reappoint any member for additional terms of service.

(b)(1) The Secretary shall, on a regular basis, consult with and seek the advice of the Committee with respect to the provision by the Department of benefits and services to veterans in order to assist veterans in the readjustment to civilian life.

(2)(A) In providing advice to the Secretary under this subsection, the Committee shall—

(i) assemble and review information relating to the needs of veterans in readjusting to civilian life;

(ii) provide information relating to the nature and character of psychological problems arising from service in the Armed Forces;

(iii) provide an on-going assessment of the effectiveness of the policies, organizational structures, and services of the Department in assisting veterans in readjusting to civilian life; and

(iv) provide on-going advice on the most appropriate means of responding to the readjustment needs of veterans in the future.

(B) In carrying out its duties under subparagraph (A), the Committee shall take into special account the needs of veterans who have served in a theater of combat operations.

(c)(1) Not later than March 31 of each year, the Committee shall submit to the Secretary a report on the programs and activities of the Department that relate to the readjustment of veterans to civilian life. Each such report shall include—

(A) an assessment of the needs of veterans with respect to readjustment to civilian life;

(B) a review of the programs and activities of the Department designed to meet such needs; and

(C) such recommendations (including recommendations for administrative and legislative action) as the Committee considers appropriate.

(2) Not later than 90 days after the receipt of a report under paragraph (1), the Secretary shall transmit to the Committees on Veterans' Affairs of the Senate and House of Representatives a copy of the report, together with any comments and recommendations concerning the report that the Secretary considers appropriate.

(3) The Committee may also submit to the Secretary such other reports and recommendations as the Committee considers appropriate.

(4) The Secretary shall submit with each annual report submitted to the Congress pursuant to section 529 of this title a summary of all reports and recommendations of the Committee submitted to the Secretary since the previous annual report of the Secretary submitted pursuant to that section.

(d)(1) Except as provided in paragraph (2), the provisions of the Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the activities of the Committee under this section.

(2) Section 14 of such Act shall not apply to the Committee.

(Added Pub. L. 104–262, title III, § 333(a)(1), Oct. 9, 1996, 110 Stat. 3199; amended Pub. L. 107–14, § 8(a)(16), June 5, 2001, 115 Stat. 35.)

REFERENCES IN TEXT

The Federal Advisory Committee Act, referred to in subsec. (d), is Pub. L. 92–463, Oct. 6, 1972, 86 Stat. 770, as amended, which is set out in the Appendix to Title 5, Government Organization and Employees.

PRIOR PROVISIONS

Prior section 545 of this title, Pub. L. 85–857, Sept. 2, 1958, 72 Stat. 1139, authorized the payment of a pension to children of World War II or Korean conflict veterans and prescribed income limitations, prior to the general amendment of subchapter III of chapter 15 of this title by Pub. L. 86–211, § 4, Aug. 29, 1959, 73 Stat. 434. See section 1543 of this title.

AMENDMENTS

2001—Subsec. (a)(1). Pub. L. 107–14 substituted ''hereinafter'' for ''hereafter''.

COMMISSION ON SERVICEMEMBERS AND VETERANS TRANSITION ASSISTANCE

Pub. L. 104–275, title VII, Oct. 9, 1996, 110 Stat. 3346, as amended by Pub. L. 105–368, title X, § 1005(c)(2), Nov. 11, 1998, 112 Stat. 3366, provided that:

''SEC. 701. ESTABLISHMENT OF COMMISSION.

''(a) ESTABLISHMENT.—There is established a commission to be known as the Commission on Servicemembers and Veterans Transition Assistance (hereafter in this title referred to as the 'Commission').

''(b) MEMBERSHIP.—(1) The Commission shall be composed of 12 members appointed from among private United States citizens with appropriate and diverse experiences, expertise, and historical perspectives on veterans, military, organizational, and management matters. The members shall be appointed as follows:

''(A) Four shall be appointed jointly by the chairman and ranking minority member of the Committee on Veterans' Affairs of the House of Representatives.

''(B) Four shall be appointed jointly by the chairman and ranking minority member of the Committee on Veterans' Affairs of the Senate.

''(C) Two shall be appointed jointly by the chairman and ranking minority member of the Committee on National Security of the House of Representatives [now Committee on Armed Services of the House of Representatives].

''(D) Two shall be appointed jointly by the chairman and ranking minority member of the Committee on Armed Services of the Senate.

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

''(B) To the maximum extent practicable, the individuals appointed under paragraph (1) as members of the Commission shall be veterans.

''(C) Not more than seven of the members of the Commission may be members of the same political party.

''(3) In addition to the members appointed under paragraph (1), the following shall be nonvoting members of the Commission:

''(A) The Under Secretary for Benefits of the Department of Veterans Affairs.

''(B) The Assistant Secretary of Defense for Force Management and Personnel.

''(C) The Assistant Secretary of Labor for Veterans' Employment and Training.

''(4) The appointments of members of the Commission shall, to the maximum extent practicable, be made after consultation with representatives of veterans service organizations.

''(5) The appointments of the members of the Commission shall be made not later than 45 days after the date of the enactment of this Act [Oct. 9, 1996].

''(c) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

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

''(e) QUORUM.—A majority of the members of the Commission shall constitute a quorum, but a lesser number may hold hearings.

''(f) CHAIRMAN AND VICE CHAIRMAN.—The Commission shall select a chairman and vice chairman from among its members.

''(g) MEETINGS.—The Commission shall meet at the call of the chairman of the Commission.

''(h) PANELS.—The Commission may establish panels composed of less than the full membership of the Commission for the purpose of carrying out the Commission's duties. The actions of such panels shall be subject to the review and control of the Commission. Any findings and determinations made by such a panel shall not be considered the findings and determinations of the Commission unless approved by the Commission.

''(i) AUTHORITY OF INDIVIDUALS TO ACT FOR COMMISSION.—Any member or agent of the Commission may, if authorized by the Commission, take any action which the Commission is authorized to take under this title.

''SEC. 702. DUTIES OF COMMISSION.

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

''(1) review the adequacy and effectiveness of veterans transition assistance and benefits programs in providing assistance to members of the Armed Forces in making the transition and adjustment to civilian life;

''(2) review the allocation under law of responsibility for the administration of veterans transition assistance and benefits programs among the various departments and agencies of the Government and determine the feasibility and desirability of consolidating such administration;

''(3) evaluate proposals for improving such programs, including proposals for alternative means of providing services delivered by such programs; and

''(4) make recommendations to Congress regarding the need for improvements in such programs.

''(b) REVIEW OF PROGRAMS TO ASSIST MEMBERS OF THE ARMED FORCES AT SEPARATION.—(1) While carrying out the general duties specified in subsection (a), the members of the Commission appointed under subparagraphs (C) and (D) of section 701(b)(1) and the member specified in subparagraph (B) of section 701(b)(3) shall review primarily the programs intended to assist members of the Armed Forces at the time of their separation from service in the Armed Forces, including programs designed to assist families of such members.

''(2) In carrying out the review, those members of the Commission shall determine the following:

''(A) The adequacy of the programs referred to in paragraph (1) for their purposes.

''(B) The adequacy of the support of the Armed Forces for such programs.

''(C) The adequacy of funding levels for such programs.

''(D) The effect, if any, of the existence of such programs on military readiness.

''(E) The extent to which such programs provide members of the Armed Forces with job-search skills.

''(F) The extent to which such programs prepare such members for employment in the private sector and in the public sector.

''(G) The effectiveness of such programs in assisting such members in finding employment in the public sector upon their separation from service.

''(H) The ways in which such programs could be improved.

''(3) In carrying out the review, the Commission shall make use of previous studies which have been made of such programs.

''(c) REVIEW OF PROGRAMS TO ASSIST VETERANS.—(1) While carrying out the general duties specified in subsection (a), the members of the Commission appointed under subparagraphs (A) and (B) of section 701(b)(1) and the members specified in subparagraphs (A) and (C) of section 701(b)(3) shall review the following programs:

''(A) Educational assistance programs.

''(B) Job counseling, job training, and job placement services programs.

''(C) Rehabilitation and training programs.

''(D) Housing loan programs.

''(E) Small business loan and small business assistance programs.

''(F) Employment and employment training programs for employment in the public sector and the private sector, including employer training programs and union apprenticeship programs.

''(G) Government personnel policies (including veterans' preference policies) and the enforcement of such policies.

''(H) Programs that prepare the families of members of the Armed Forces for their transition from military life to civilian life and facilitate that transition.

''(2) In carrying out the review, such members of the Commission shall determine the following:

''(A) The adequacy of the programs referred to in paragraph (1) for their purposes.

''(B) The adequacy of the support of the Department of Veterans Affairs for such programs.

''(C) The adequacy of funding levels for such programs.

''(D) The extent to which such programs provide veterans with job-search skills.

''(E) The extent to which such programs prepare veterans for employment in the private sector and in the public sector.

''(F) The effectiveness of such programs in assisting veterans in finding employment in the public sector upon their separation from service.

''(G) The ways in which such programs could be improved.

''(d) REPORTS.—(1) Not later than 90 days after the date on which all members of the Commission have been appointed under section 701(b)(1), the Commission shall submit to the Committees on Veterans' Affairs and Armed Services of the Senate and the Committees on Veterans' Affairs and National Security of the House of Representatives [now Committees on Veterans' Affairs and Armed Services of the House of Representatives] a report setting forth a plan for the work of the Commission. The Commission shall develop the plan in consultation with the Secretary of Defense, the Secretary of Veterans Affairs, the Secretary of Labor, and the heads of other appropriate departments and agencies of the Government.

''(2)(A) Not later than 18 months after the date of the first meeting of the Commission, the Commission shall submit to the committees referred to in paragraph (1), and to the Secretary of Defense, the Secretary of Veterans Affairs, and the Secretary of Labor, a report setting forth the activities, findings, and recommendations of the Commission, including any recommendations for legislative action and administrative action as the Commission considers appropriate.

''(B) Not later than 90 days after receiving the report referred to in subparagraph (A), the Secretary of Defense, the Secretary of Veterans Affairs, and the Secretary of Labor shall jointly transmit the report to Congress, together with the Secretaries' comments on the report.

''SEC. 703. POWERS OF COMMISSION.

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

''(b) INFORMATION FROM FEDERAL AGENCIES.—The Commission may secure directly from the Department of Defense, the Department of Veterans Affairs, and any other department or agency of the Government such information as the Commission considers necessary to carry out its duties under this title. Upon request of the chairman of the Commission, the head of such department or agency shall furnish such information expeditiously to the Commission.

''SEC. 704. MISCELLANEOUS ADMINISTRATIVE PROVISIONS.

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

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

''(c) MISCELLANEOUS ADMINISTRATIVE SUPPORT.—The Secretary of Defense, the Secretary of Veterans Affairs, and the Secretary of Labor shall, upon the request of the chairman of the Commission, furnish the Commission, on a reimbursable basis, any administrative and support services as the Commission may require.

''SEC. 705. COMMISSION PERSONNEL MATTERS.

''(a) COMPENSATION OF MEMBERS.—Each member of the Commission may be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which such member is engaged in performing the duties of the Commission.

''(b) TRAVEL AND TRAVEL EXPENSES.—(1) Members and personnel of the Commission may travel on military aircraft, military vehicles, or other military conveyances when travel is necessary in the performance of a duty of the Commission except when the cost of commercial transportation is less expensive.

''(2) The members of the Commission may be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

''(c) STAFF.—(1) The chairman of the Commission may, without regard to civil service laws and regulations, appoint and terminate an executive director and up to five additional staff members as may be necessary to enable the Commission to perform its duties. In appointing an individual as executive director, the chairman shall, to the maximum extent practicable, attempt to appoint an individual who is a veteran. The employment of an executive director shall be subject to confirmation by the Commission.

''(2) The chairman of the Commission may fix the compensation of the executive director and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director and other staff members may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

''(d) DETAIL OF GOVERNMENT EMPLOYEES.—Upon request of the chairman of the Commission, the head of any department or agency of the Government may detail, on a nonreimbursable basis, any personnel of the department or agency to the Commission to assist the Commission in carrying out its duties.

''(e) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The chairman of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of such title.

''SEC. 706. TERMINATION OF COMMISSION.

''The Commission shall terminate 90 days after the date on which it submits its report under section 702(d)(2).

''SEC. 707. DEFINITIONS.

''For the purposes of this title:

''(1) The term 'veterans transition assistance and benefits program' means any program of the Government the purpose of which is—

''(A) to assist, by rehabilitation or other means, members of the Armed Forces in readjusting or otherwise making the transition to civilian life upon their separation from service in the Armed Forces; or

''(B) to assist veterans in making the transition to civilian life.

''(2) The term 'Armed Forces' has the meaning given such term in section 101(10) of title 38, United States Code.

''(3) The term 'veteran' has the meaning given such term in section 101(2) of title 38, United States Code.

''(4) The term 'veterans service organization' means any organization covered by section 5902(a) of title 38, United States Code.

''SEC. 708. FUNDING.

''(a) IN GENERAL.—The Secretary of Defense shall, upon the request of the chairman of the Commission, make available to the Commission such amounts as the Commission may require to carry out its duties under this title. The Secretary shall make such amounts available from amounts appropriated for the Department of Defense, except that such amounts may not be from amounts appropriated for the transition assistance program (TAP), the Army career alumni program (ACAP), or any similar program.

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

ORIGINAL MEMBERS OF ADVISORY COMMITTEE

Section 333(b) of Pub. L. 104–262 provided that:

''(1) Notwithstanding subsection (a)(2) of section 545 of title 38, United States Code (as added by subsection (a)), the members of the Advisory Committee on the Readjustment of Vietnam and Other War Veterans on the date of the enactment of this Act [Oct. 9, 1996] shall be the original members of the advisory committee recognized under such section.

''(2) The original members shall so serve until the Secretary of Veterans Affairs carries out appointments under such subsection (a)(2). The Secretary of Veterans Affairs shall carry out such appointments as soon after such date as is practicable. The Secretary may make such appointments from among such original members.''

§ 546. Advisory Committee on Disability Compensation

(a) ESTABLISHMENT.—(1) There is in the Department the Advisory Committee on Disability Compensation (in this section referred to as the ''Committee'').

(2) The Committee shall consist of not more than 18 members appointed by the Secretary from among individuals who—

(A) have experience with the provision of disability compensation by the Department; or

(B) are leading medical or scientific experts in relevant fields.

(3)(A) Except as provided in subparagraph (B), the Secretary shall determine the terms of service and pay and allowances of the members of the Committee.

(B) A term of service may not exceed four years and shall be staggered to ensure that the dates for the termination of the members' terms are not all the same.

(C) The Secretary may reappoint any member for one or more additional terms of service.

(4) The Secretary shall select a Chair from among the members of the Committee.

(b) RESPONSIBILITIES OF COMMITTEE.—(1) The Secretary shall, on a regular basis, consult with and seek the advice of the Committee with respect to the maintenance and periodic readjustment of the schedule for rating disabilities under section 1155 of this title.

(2)(A) In providing advice to the Secretary under this subsection, the Committee shall—

(i) assemble and review relevant information relating to the needs of veterans with disabilities;

(ii) provide information relating to the nature and character of disabilities arising from service in the Armed Forces;

(iii) provide an on-going assessment of the effectiveness of the schedule for rating disabilities; and

(iv) provide on-going advice on the most appropriate means of responding to the needs of veterans relating to disability compensation in the future.

(B) In carrying out its duties under subparagraph (A), the Committee shall take into special account the needs of veterans who have served in a theater of combat operations.

(c) RESOURCES.—The Secretary shall ensure that appropriate personnel, funding, and other resources are provided to the Committee to carry out its responsibilities.

(d) BIENNIAL REPORTS TO THE SECRETARY.—(1) Not later than October 31, 2010, and not less frequently than every two years thereafter, the Committee shall submit to the Secretary a report on the programs and activities of the Department that relate to the payment of disability compensation. Each such report shall include—

(A) an assessment of the needs of veterans with respect to disability compensation; and

(B) such recommendations (including recommendations for administrative or legislative action) as the Committee considers appropriate.

(2) The Committee may submit to the Secretary such other reports and recommendations as the Committee considers appropriate.

(e) BIENNIAL REPORTS TO CONGRESS.—(1) Not later than 90 days after the receipt of a report required under subsection (d)(1), the Secretary shall transmit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a copy of such report, together with such comments and recommendations concerning such report as the Secretary considers appropriate.

(2) The Secretary shall submit with each report required under paragraph (1) a summary of all reports and recommendations of the Committee submitted to the Secretary under subsection (d)(2) since the previous report transmitted by the Secretary under paragraph (1) of this subsection.