

[DISCUSSION DRAFT]

117TH CONGRESS
1ST SESSION

H. R. _____

To amend title 38, United States Code, to extend to former members of the Armed Forces, discharged on the basis of sexual orientation or gender identity, certain benefits furnished by the Secretary of Veterans Affairs.

IN THE HOUSE OF REPRESENTATIVES

M. _____ introduced the following bill; which was referred to the Committee on _____

A BILL

To amend title 38, United States Code, to extend to former members of the Armed Forces, discharged on the basis of sexual orientation or gender identity, certain benefits furnished by the Secretary of Veterans Affairs.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Securing the Rights
5 our Veterans Earned Act” or the “SERVE Act”.

1 **SEC. 2. EXTENSION TO FORMER MEMBERS OF THE ARMED**
2 **FORCES, DISCHARGED ON THE BASIS OF SEX-**
3 **UAL ORIENTATION OR GENDER IDENTITY, OF**
4 **CERTAIN BENEFITS FURNISHED BY THE SEC-**
5 **RETARY OF VETERANS AFFAIRS.**

6 (a) HOSPITAL CARE AND MEDICAL SERVICES.—Sec-
7 tion 1710(a)(2) of title 38, United States Code, is amend-
8 ed—

9 (1) in the matter preceding subparagraph (A),
10 by striking “any veteran”;

11 (2) in subparagraph (A), by inserting “any vet-
12 eran” before “who has”;

13 (3) in subparagraph (B), by inserting “any vet-
14 eran” before “whose”;

15 (4) in subparagraphs (C), (D), and (E), by in-
16 serting “any veteran” before “who is”;

17 (5) in subparagraph (F)—

18 (A) by inserting “any veteran” before
19 “who was”; and

20 (B) by striking “; or” and inserting a
21 semicolon;

22 (6) in subparagraph (G)—

23 (A) by inserting “any veteran” before
24 “who is”; and

25 (B) by striking the period at the end and
26 inserting “; and”; and

1 (7) by adding at the end the following new sub-
2 paragraph:

3 “(H) a former member of the Armed Forces
4 who, by reason of sexual orientation or gender iden-
5 tity (including a diagnosis of gender dysphoria), re-
6 ceived—

7 “(i) an entry-level separation;

8 “(ii) a discharge under honorable condi-
9 tions; or

10 “(iii) a discharge under conditions other
11 than honorable.”.

12 (b) VET CENTER READJUSTMENT COUNSELING AND
13 RELATED MENTAL HEALTH SERVICES.—Section
14 1712A(a)(1)(C) of such title is amended by adding at the
15 end the following new clause:

16 “(viii) An individual described in section
17 1710(a)(2)(H) of this title.”.

18 (c) INTERMENT IN NATIONAL CEMETERIES.—Sec-
19 tion 2402(a) of such title is amended by adding at the
20 end the following new paragraph:

21 “(11) An individual described in section
22 1710(a)(2)(H) of this title.”.

23 (d) POST-9/11 EDUCATIONAL ASSISTANCE.—Section
24 3311(b) of such title is amended by adding at the end
25 the following new paragraph:

1 “(12) An individual described in section
2 1710(a)(2)(H) of this title.”.

3 (e) HOUSING LOANS.—Section 3702(a)(2) of such
4 title is amended by adding at the end the following new
5 subparagraph:

6 “(H) Each individual described in section
7 1710(a)(2)(H) of this title.”.