

118TH CONGRESS
2D SESSION

H. R. 9734

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, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 20, 2024

Mr. PAPPAS (for himself, Mr. LEVIN, Ms. JACOBS, Mr. JOHNSON of Georgia, Mr. TORRES of New York, Ms. WILLIAMS of Georgia, Mr. COSTA, Mr. MCGOVERN, Ms. BROWNLEY, Mr. CARTER of Louisiana, Ms. UNDERWOOD, Mr. ROBERT GARCIA of California, and Mr. POCAN) introduced the following bill; which was referred to the Committee on Veterans' Affairs

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, and for other purposes.

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 is”; 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 1712A
14 of such title is amended—

15 (1) by striking “clauses (i) through (vii)” both
16 places it appears and inserting “clauses (i) through
17 (ix)”;

18 (2) by striking “in clause (viii)” both places it
19 appears and inserting “in clause (ix)”;

20 (3) in subsection (a)(1)(C)—

21 (A) by redesignating clause (viii) as clause
22 (ix); and

23 (B) by inserting after clause (vii) the fol-
24 lowing new clause (viii):

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

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

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

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

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

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

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

18 (f) OUTREACH.—The Secretary of Veterans Affairs
19 shall conduct outreach to notify individuals described in
20 section 1710(a)(2)(H) of such title, as added by sub-
21 section (a), and entities including veterans service organi-
22 zations and military service organizations, of benefits
23 available to such individuals under the amendments made
24 by this section.

1 (g) REPORT.—Not later than 15 months after the
2 date of the enactment of this Act, the Secretary shall sub-
3 mit to the Committees on Veterans' Affairs of the Senate
4 and House of Representatives a report on benefits pro-
5 vided individuals pursuant to amendments made by this
6 Act during the year after such date. Such report shall in-
7 clude the number of such individuals who received such
8 benefits, disaggregated by demographic categories.

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