

AMENDMENT TO
RULES COMMITTEE PRINT 117-54
OFFERED BY MISS GONZÁLEZ-COLÓN OF PUERTO
RICO

At the end of subtitle D of title VII, add the following new section:

1 **SEC. 7___.** **IMPROVEMENTS TO DOCUMENTATION AND**
2 **COMPENSATION OF DISABILITIES RELATED**
3 **TO COMBAT OR MILITARY SEXUAL TRAUMA**
4 **FOR MEMBERS OF ARMED FORCES AND VET-**
5 **ERANS.**

6 (a) DOCUMENTATION AND PROVISION OF INFORMA-
7 TION.—

8 (1) IN GENERAL.—Section 1216a of title 10,
9 United States Code, is amended by adding at the
10 end the following new subsections:

11 “(c) DOCUMENTATION REQUIRED.—(1) In making a
12 determination of disability of a member of the armed
13 forces for purposes of this chapter, the Secretary con-
14 cerned shall—

15 “(A) to the extent practicable, determine wheth-
16 er the disability is related to combat or military sex-
17 ual trauma; and

1 “(B) document each instance in which the dis-
2 ability is determined by the Secretary concerned to
3 be so related.

4 “(2) Information collected pursuant to paragraph (1)
5 shall be stored in the electronic health record maintained
6 for the member by the Secretary concerned and may be
7 shared with the Secretary of Veterans Affairs for purposes
8 of updating the health record maintained by the Secretary
9 of Veterans Affairs for the same individual.

10 “(3) In carrying out paragraph (1), the Secretary
11 concerned may not require a member of the armed forces
12 to sign a statement relating to the origin of the disability
13 in contravention of section 1219 of this title.

14 “(d) INFORMATION ON COMBAT-RELATED SPECIAL
15 COMPENSATION.—Prior to making a determination of dis-
16 ability of a member of the armed forces for purposes of
17 this chapter, the Secretary concerned shall provide to the
18 member information relating to combat-related special
19 compensation under section 1413a of this title.”.

20 (2) APPLICABILITY.—The amendments made
21 by paragraph (1) shall apply with respect to deter-
22 minations made on or after the date that is one year
23 after the date of the enactment of this Act.

1 (b) EXTENSION OF ELIGIBILITY FOR COMBAT-RE-
2 LATED SPECIAL COMPENSATION.—Section 1413a(c) of
3 such title is amended—

4 (1) in the matter preceding paragraph (1), by
5 striking “who”;

6 (2) in paragraph (1), by inserting “who” before
7 “is entitled”; and

8 (3) in paragraph (2)—

9 (A) by striking “has” and inserting “(A)
10 has”;

11 (B) by striking the period and inserting “;
12 or”;

13 (C) by adding at the end the following new
14 subparagraph:

15 “(B) has a disability relating to military sexual
16 trauma.”.

17 (c) RESOLUTION OF CONFLICTING DETERMINA-
18 TIONS.—

19 (1) RESOLUTION.—Section 1413a of such title,
20 as amended by subsection (b), is further amended—

21 (A) by redesignating subsection (i) as sub-
22 section (j); and

23 (B) by inserting after subsection (h) the
24 following new subsection:

1 “(i) RESOLUTION OF CERTAIN CONFLICTING DETER-
2 MINATIONS.—(1) In the case of conflicting determinations
3 described in paragraph (2) made by the Secretary con-
4 cerned with respect to an individual under this section or
5 section 1216a(c) of this title, or by the Secretary of Vet-
6 erans Affairs under title 38 with respect to the same indi-
7 vidual, the findings that will result in a determination
8 most favorable to the individual for purposes of qualifica-
9 tion for combat-related special compensation under this
10 section or eligibility for benefits under title 38, as the case
11 may be, shall be considered as determinative.

12 “(2) A determination described in this paragraph is
13 a determination relating to whether a disability is related
14 to combat or military sexual trauma.”.

15 (2) APPLICABILITY.—The amendments made
16 by paragraph (1) shall apply with respect to deter-
17 minations made on or after the date that is one year
18 after the date of the enactment of this Act.

19 (d) MILITARY SEXUAL TRAUMA DEFINED.—Section
20 101(a) of such title is amended by adding at the end the
21 following new paragraph:

22 “(21) The term ‘military sexual trauma’ means, with
23 respect to an individual, a physical assault of a sexual na-
24 ture, battery of a sexual nature, or sexual harassment dur-

1 ing the active military, naval, or air service of the indi-
2 vidual.”.

3 (e) DOCUMENTATION BY SECRETARY OF VETERANS
4 AFFAIRS.—

5 (1) DOCUMENTATION.—Subchapter VI of chap-
6 ter 11 of title 38, United States Code, is amended
7 by adding at the end the following new section (and
8 conforming the table of sections at the beginning of
9 such chapter accordingly):

10 **“§ 1167. Documentation relating to military sexual**
11 **trauma and combat-related disabilities**

12 “In determining compensation for a disability under
13 this chapter, the Secretary shall ensure that information
14 regarding whether the disability is related to combat or
15 military sexual trauma is documented and stored (and up-
16 dated, as necessary) in the electronic health record of the
17 relevant individual maintained by the Secretary, in a man-
18 ner consistent with section 1216a(c) of title 10.”.

19 (2) APPLICABILITY.—The amendment made by
20 paragraph (1) shall apply with respect to determina-
21 tions made on or after the date that is one year
22 after the date of the enactment of this Act.

