

AMENDMENT TO
RULES COMMITTEE PRINT 118-36
OFFERED BY MR. MAST OF FLORIDA

At the appropriate place in title VII, insert the following:

1 **SEC. 7___ . CLARIFICATION OF RESPONSIBILITIES REGARD-**
2 **ING THE INTEGRATED DISABILITY EVALUA-**
3 **TION SYSTEM.**

4 (a) CLARIFICATION.—Subsection (h) of section 1073c
5 of title 10, United States Code, is amended—

6 (1) in the heading, by striking “SECRETARIES
7 CONCERNED AND MEDICAL EVALUATION BOARDS”
8 and inserting “AUTHORITY OVER MEMBERS”;

9 (2) by inserting “(1)” before “Nothing”; and

10 (3) by adding at the end the following new
11 paragraphs:

12 “(2) Notwithstanding the responsibilities and au-
13 thorities of the Defense Health Agency with respect to the
14 administration of military medical treatment facilities as
15 set forth in this section (including medical evaluations of
16 members of the armed forces under the jurisdiction of the
17 military department concerned), the Secretary of each
18 military department shall maintain personnel authority

1 over, and responsibility for, any member of the armed
2 forces under the jurisdiction of the military department
3 concerned while the member is being considered by a med-
4 ical evaluation board or is otherwise subject to the inte-
5 grated disability evaluation system. Such responsibility
6 shall include the following:

7 “(A) Responsibility for administering the mo-
8 rale and welfare of the member.

9 “(B) Responsibility for determinations of fit-
10 ness for duty of the member under chapter 61 of
11 this title.

12 “(3) Notwithstanding the responsibilities and au-
13 thorities of the Defense Health Agency with respect to the
14 administration of the integrated disability evaluation sys-
15 tem, a commander shall, at all times, maintain absolute
16 responsibility for, and authority over, a member of the
17 armed forces referred to the integrated disability evalua-
18 tion system. Such responsibility and authority include the
19 following:

20 “(A) The authority to pause any process of the
21 integrated disability evaluation system regarding the
22 member.

23 “(B) The authority to withdraw the member
24 from the integrated disability evaluation system if
25 the commander determines that any policy, proce-

1 dure, regulation, or other guidance has not been fol-
2 lowed in the member's case.

3 “(4) Pursuant to regulations prescribed by the Sec-
4 retary of Defense, a member referred to the integrated
5 disability evaluation system may file an appeal of such re-
6 ferral with the Secretary of the military department con-
7 cerned. Such an appeal—

8 “(A) shall be in addition to any appeals process
9 established as part of the integrated disability eval-
10 uation system;

11 “(B) shall include a hearing before an officer
12 who may convene a general court-martial and who is
13 in the chain of command of the member; and

14 “(C) shall be adjudicated not later than 90
15 days after such filing.”.

16 (b) REGULATIONS.—The Secretary of Defense shall
17 prescribe regulations to carry out paragraphs (2) through
18 (4) of such subsection, as added by this section, not later
19 than 90 days after the date of the enactment of this Act.

20 (c) BRIEFING.—Not later than February 1, 2025, the
21 Secretary of Defense shall provide to the Committees on
22 Armed Services of the Senate and House of Representa-
23 tives a briefing on the implementation of such paragraphs.

