

AMENDMENT TO RULES COMMITTEE PRINT 115-

23

OFFERED BY MS. BEUTLER OF WASHINGTON

Page 126, after line 12, insert the following:

1 **SEC. 516. AUTHORITY FOR DISCHARGE REVIEW BOARDS TO**
2 **REFER CERTAIN APPLICATIONS FOR RELIEF**
3 **TO THE PHYSICAL DISABILITY BOARD OF RE-**
4 **VIEW.**

5 (a) AUTHORITY FOR DISCHARGE REVIEW BOARDS
6 TO REFER FOR DISABILITY REVIEW.—Section 1553(b) of
7 title 10, United States Code, is amended to read as fol-
8 lows:

9 “(b)(1) To reflect its findings, a board established
10 under this section may—

11 “(A) change a discharge or dismissal;

12 “(B) issue a new discharge; or

13 “(C) in the case of a former member whose ap-
14 plication for relief is based in whole or in part on
15 matters relating to a sex-related offense, post-trau-
16 matic stress disorder, or traumatic brain injury,
17 refer the application for relief to the Physical Dis-
18 ability Board of Review established under section
19 1554a of this title for review under such section.

1 “(2) Any action of the board under this subsection
2 is subject to review by the Secretary concerned.”.

3 (b) TREATMENT OF REFERRAL.—Section 1554a of
4 title 10, United States Code, is amended—

5 (1) by redesignating subsection (f) as sub-
6 section (g); and

7 (2) by inserting after subsection (e) the fol-
8 lowing new subsection (f):

9 “(f) REFERRALS FROM DISCHARGE REVIEW
10 BOARD.—(1) Except as provided in paragraph (2), a re-
11 ferral for review pursuant to section 1553(b)(1)(C) of this
12 title shall be treated as a request for review by a covered
13 individual for purposes of this section.

14 “(2) In the case of a referral for review pursuant to
15 section 1553(b)(1)(C) of this title—

16 “(A) a previous disability determination by a
17 Physical Evaluation Board shall not be required;
18 and

19 “(B) subsection (c)(4) shall not apply.”.

