

105TH CONGRESS
1ST SESSION

H. R. 2253

To amend title 38, United States Code, to revise and improve the authorities of the Secretary of Veterans Affairs relating to the provision of counseling and treatment for sexual trauma experienced by veterans.

IN THE HOUSE OF REPRESENTATIVES

JULY 24, 1997

Mr. GUTIERREZ (for himself, Mr. EVANS, Mr. FILNER, Ms. WATERS, Ms. BROWN of Florida, Mr. LEACH, Mr. PETERSON of Minnesota, Ms. WOOLSEY, Mr. BONIOR, Ms. SLAUGHTER, Mrs. MALONEY of New York, Mr. RODRIGUEZ, Mr. MANTON, Mr. MATSUI, Mr. FROST, Mrs. MINK of Hawaii, Mr. CLYBURN, Mrs. THURMAN, Ms. DELAURO, Ms. ROYBAL-ALLARD, Ms. CARSON, Ms. LOFGREN, Mr. McDERMOTT, Mr. PASTOR, Mr. MASCARA, Mr. STARK, Mr. CAPPS, Mr. KENNEDY of Massachusetts, Ms. VELÁZQUEZ, Mr. ABERCROMBIE, Mr. UNDERWOOD, Ms. KILPATRICK, Mr. DELLUMS, and Ms. NORTON) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to revise and improve the authorities of the Secretary of Veterans Affairs relating to the provision of counseling and treatment for sexual trauma experienced by veterans.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Veterans Sexual Trau-
3 ma Treatment Act”.

4 **SEC. 2. COUNSELING AND TREATMENT FOR VETERANS**
5 **WHO HAVE EXPERIENCED SEXUAL TRAUMA.**

6 (a) DURATION OF PROGRAM.—Section 1720D of title
7 38, United States Code, is amended in subsection (a)—

8 (1) in paragraph (1), by striking out “During
9 the period through December 31, 1998, the” and in-
10 serting in lieu thereof “The”;

11 (2) in paragraph (2), by striking out “During
12 the period referred to in paragraph (1), the” and in-
13 serting in lieu thereof “The”; and

14 (3) in paragraph (3), by striking out “, during
15 the period through December 31, 1998,”.

16 (b) MANDATORY NATURE OF PROGRAM.—Subsection
17 (a) of such section is further amended in paragraphs (1)
18 and (2) by striking out “may” and inserting in lieu thereof
19 “shall”.

20 (c) PROVISION OF TREATMENT FOR SEXUAL TRAU-
21 MA.—Such subsection is further amended in paragraphs
22 (1) and (3) by inserting “and treatment” after “counsel-
23 ing” each place it appears.

24 (d) DETERMINATIONS TO BE MADE BY MENTAL
25 HEALTH PROFESSIONALS.—Such subsection is further
26 amended in paragraph (1) by striking out “the Secretary

1 determines” and inserting in lieu thereof “a mental health
2 professional employed by the Department determines”.

3 (e) OUTREACH EFFORTS.—Subsection (c) of such
4 section is amended—

5 (1) by inserting “and treatment” in the first
6 sentence and in paragraph (2) after “counseling”;

7 (2) by striking out “and” at the end of para-
8 graph (1);

9 (3) by redesignating paragraph (2) as para-
10 graph (3); and

11 (4) by inserting after paragraph (1) the follow-
12 ing new paragraph (2):

13 “(2) shall ensure that information about the
14 counseling and treatment available to veterans under
15 this section (which shall be revised and updated not
16 less often than every two years)—

17 “(A) is made available and visibly posted
18 at each facility of the Department; and

19 “(B) is advertised through public service
20 announcements, pamphlets, billboards, and
21 other appropriate means of communication;
22 and”.

23 (f) PERSONS ELIGIBLE FOR COUNSELING AND
24 TREATMENT.—Such section is further amended by adding
25 at the end the following new subsection:

1 “(e)(1) A veteran shall be eligible for counseling and
2 treatment under this section without regard to the provi-
3 sions of section 5303A of this title.

4 “(2) An individual who is a member of a reserve com-
5 ponent shall be eligible for counseling and treatment under
6 this section in the same manner as a veteran and without
7 regard to the provisions of section 5303A of this title.

8 “(3) An individual who is a former member of a re-
9 serve component (but who is not a veteran within the
10 meaning of section 101 of this title) and who was dis-
11 charged or released from service as a member of a reserve
12 component under conditions other than dishonorable shall
13 be eligible for counseling and treatment under this section
14 in the same manner as a veteran and without regard to
15 the provisions of section 5303A of this title.”.

16 (g) OVERSIGHT OF OUTREACH ACTIVITIES.—Not
17 later than four months after the date of the enactment
18 of this Act, the Secretary of Veterans Affairs shall com-
19 plete the design and updating of public service announce-
20 ments, pamphlets, billboards, and other appropriate
21 means of communication as required for implementation
22 of paragraph (2) of section 1720D(c) of title 38, United
23 States Code, as added by subsection (e)(3). Not later than
24 six months after that date, the Secretary shall submit to
25 the Committees on Veterans’ Affairs of the Senate and

1 House of Representatives examples of the documents and
2 other means of communication developed for compliance
3 with that paragraph.

4 (h) REPORT ON IMPLEMENTATION OF SEXUAL
5 TRAUMA TREATMENT PROGRAM.—Not later than 14
6 months after the date of the enactment of this Act, the
7 Secretary of Veterans Affairs shall submit to the Commit-
8 tees on Veterans' Affairs of the Senate and House of Rep-
9 resentatives a report on the use made of the authority pro-
10 vided under section 1720D of title 38, United States Code,
11 as amended by this section. The report shall include the
12 following with respect to activities under that section since
13 the enactment of such section:

14 (1) The number of persons who have sought
15 counseling under such section.

16 (2) The number of veterans who have received
17 counseling under such section.

18 (3) The number of veterans who have been re-
19 ferred to non-Department mental health facilities
20 and providers in connection with sexual trauma
21 counseling and treatment.

22 (4) The number of veterans who have been de-
23 termined by the Secretary to have a service-con-
24 nected disease or disability resulting from sexual
25 trauma.

1 **SEC. 3. REPORT ON EFFORTS TO PROVIDE VETERANS WITH**
2 **INFORMATION CONCERNING SEXUAL TRAU-**
3 **MA COUNSELING AND TREATMENT SERV-**
4 **ICES.**

5 (a) REPORT REQUIRED.—Not later than 14 months
6 after the date of the enactment of this Act, the Secretary
7 of Veterans Affairs and the Secretary of Defense shall
8 submit to the congressional committees specified in sub-
9 section (b) a joint report describing in detail the collabo-
10 rative efforts of the Department of Veterans Affairs and
11 the Department of Defense to ensure that members of the
12 Armed Forces, upon separation from active military,
13 naval, or air service, are provided appropriate and current
14 information about programs of the Department of Veter-
15 ans Affairs to provide counseling and treatment for sexual
16 trauma that may have been experienced by those members
17 while in the active military, naval, or air service, including
18 information about eligibility requirements for, and proce-
19 dures for applying for, such counseling and treatment.
20 The report shall include proposed recommendations from
21 both the Secretary of Veterans Affairs and the Secretary
22 of Defense for the improvement of their collaborative ef-
23 forts to provide such information.

24 (b) SPECIFIED COMMITTEES.—The committees re-
25 ferred to in subsection (a) are the following:

1 (1) The Committee on Veterans' Affairs and
2 the Committee on National Security of the House of
3 Representatives

4 (2) The Committee on Veterans' Affairs and
5 the Committee on Armed Services of the Senate.

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