

106TH CONGRESS
1ST SESSION

H. R. 1799

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

MAY 13, 1999

Mr. GUTIERREZ 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,*

3 **SECTION 1. SHORT TITLE.**

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

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

3 (a) DURATION OF PROGRAM.—Section 1720D of title
4 38, United States Code, is amended in subsection (a)—

5 (1) in paragraph (1), by striking “During the
6 period through December 31, 2001, the” and insert-
7 ing “The”;

8 (2) in paragraph (2), by striking “During the
9 period referred to in paragraph (1), the” and insert-
10 ing “The”; and

11 (3) in paragraph (3), by striking “, during the
12 period through December 31, 2001,”.

13 (b) MANDATORY NATURE OF PROGRAM.—Subsection
14 (a) of such section is further amended in paragraphs (1)
15 and (2) by striking “may” and inserting “shall”.

16 (c) PROVISION OF TREATMENT FOR SEXUAL TRAUMA.—Such subsection is further amended in paragraphs
17 (1) and (3) by inserting “and treatment” after “coun-
18 seling” each place it appears.

19 (d) DETERMINATIONS TO BE MADE BY MENTAL
20 HEALTH PROFESSIONALS.—Such subsection is further
21 amended in paragraph (1) by striking “the Secretary de-
22 termines” and inserting “a mental health professional em-
23 ployed by the Department determines”.

24 (e) OUTREACH EFFORTS.—Subsection (e) of such
25 section is amended—
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1 (1) by inserting “and treatment” in the first
2 sentence and in paragraph (2) after “counseling”;

3 (2) by striking “and” at the end of paragraph
4 (1);

5 (3) by redesignating paragraph (2) as para-
6 graph (3); and

7 (4) by inserting after paragraph (1) the fol-
8 lowing new paragraph (2):

9 “(2) shall ensure that information about the
10 counseling and treatment available to veterans under
11 this section (which shall be revised and updated not
12 less often than every two years)—

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

15 “(B) is advertised through public service
16 announcements, pamphlets, billboards, and
17 other appropriate means of communication;
18 and”.

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

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

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

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

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

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

11 (1) The number of persons who have sought
12 counseling under such section.

13 (2) The number of veterans who have received
14 counseling under such section.

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

19 (4) The number of veterans who have been de-
20 termined by the Secretary to have a service-con-
21 nected disease or disability resulting from sexual
22 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 Vet-
15 erans Affairs to provide counseling and treatment for sex-
16 ual trauma that may have been experienced by those mem-
17 bers while in the active military, naval, or air service, in-
18 cluding information about eligibility requirements for, and
19 procedures for applying for, such counseling and treat-
20 ment. The report shall include proposed recommendations
21 from both the Secretary of Veterans Affairs and the Sec-
22 retary of Defense for the improvement of their collabo-
23 rative efforts 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 Armed Services 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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