

110TH CONGRESS
1ST SESSION

H. R. 1268

To ensure dignity in care for members of the Armed Forces recovering
from injuries.

IN THE HOUSE OF REPRESENTATIVES

MARCH 1, 2007

Mr. MITCHELL (for himself, Mr. EMANUEL, Mrs. BOYDA of Kansas, Mr. DONNELLY, Mr. WELCH of Vermont, Mr. MCNERNEY, Mr. ELLISON, Mr. VAN HOLLEN, Mr. WILSON of Ohio, Mr. KAGEN, Mr. RODRIGUEZ, Mr. SHULER, Mr. COHEN, Mr. YARMUTH, and Ms. HOOLEY) introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To ensure dignity in care for members of the Armed Forces
recovering from injuries.

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 “Dignity for Wounded
5 Warriors Act of 2007”.

6 **SEC. 2. ACCESS OF RECOVERING SERVICEMEMBERS TO**
7 **ADEQUATE OUTPATIENT RESIDENTIAL FA-**
8 **CILITIES.**

9 (a) SUFFICIENCY OF RESIDENCES.—

1 (1) IN GENERAL.—Each recovering
2 servicemember who is assigned to a military bar-
3 racks or dormitory shall be assigned to a barracks
4 or dormitory that is maintained at a standard equal
5 to the highest existing service standard in effect for
6 quarters of the United States for enlisted members
7 of the Armed Forces.

8 (2) INAPPLICABILITY TO CERTAIN FACILI-
9 TIES.—Facilities occupied by recovering
10 servicemembers that are not funded with appro-
11 priated funds are not subject to the requirement
12 under paragraph (1).

13 (b) INSPECTIONS AND REPAIRS OF FACILITIES.—

14 (1) REQUIRED INSPECTIONS.—All quarters of
15 the United States and housing facilities under the
16 jurisdiction of the Armed Forces that are occupied
17 by at least 5 recovering servicemembers shall be in-
18 spected on a semiannual basis by the inspectors gen-
19 eral of the regional medical commands.

20 (2) INSPECTOR GENERAL REPORTS.—The in-
21 spector general for each regional medical command
22 shall—

23 (A) submit a report on each inspection of
24 a facility conducted under paragraph (1) to the
25 post commander at such facility, the com-

1 manding officer of the hospital affiliated with
2 such facility, the surgeon general of the military
3 department that operates such hospital, the
4 Secretary of the military department concerned,
5 the Assistant Secretary of Defense for Health
6 Affairs, the Oversight Board for the Wounded
7 established pursuant to section 10, and the ap-
8 propriate congressional committees; and

9 (B) post each such report on the Internet
10 website of such regional medical command.

11 (3) ALTERNATE HOUSING.—

12 (A) UNREMEDIED DEFICIENCIES.—If a de-
13 ficiency identified in a report submitted under
14 paragraph (2) with respect to quarters or a fa-
15 cility is not remedied within 30 days after the
16 submittal of such report under that paragraph,
17 each recovering servicemember occupying such
18 quarters or facility and affected by the defi-
19 ciency shall be provided the option of alternate
20 quarters of the United States or housing facili-
21 ties under the jurisdiction of the Armed Forces
22 that meet the standard referred to in subsection
23 (a)(1) until the deficiency is remedied.

24 (B) UNFULFILLED WORK ORDERS.—If a
25 work order issued to remedy a deficiency (in-

1 cluding, but not limited to, deficiencies such as
2 mold, leaking pipes, or rat, mouse, insect, or
3 other pest infestation) in a room occupied by a
4 recovering servicemember in quarters of the
5 United States or a housing facility under the
6 jurisdiction of the Armed Forces remains
7 unfulfilled for more than 15 days after the date
8 of the issuance of the work order, the
9 servicemember shall be provided the option of
10 alternate quarters of the United States or hous-
11 ing facilities under the jurisdiction of the
12 Armed Forces that meet the standard referred
13 to in subsection (a)(1) until the work order is
14 fulfilled and the deficiency is remedied.

15 (c) ZERO TOLERANCE FOR CHRONIC INFESTA-
16 TIONS.—If quarters of the United States or a housing fa-
17 cility under the jurisdiction of the Armed Forces that is
18 occupied by a recovering servicemember is determined,
19 whether pursuant to an inspection required by subsection
20 (b)(1) or otherwise, to have a chronic infestation of ro-
21 dents, insects, or other pests, the servicemember shall be
22 provided the option of alternate quarters of the United
23 States or housing facilities under the jurisdiction of the
24 Armed Forces that meet the standard referred to in sub-
25 section (a)(1) until the deficiency is remedied.

1 **SEC. 3. REDUCTION OF PAPERWORK AND BUREAUCRACY**
2 **FOR RECOVERING SERVICEMEMBERS AND**
3 **THEIR FAMILIES.**

4 (a) IMPROVEMENT OF PHYSICAL DISABILITY EVAL-
5 UATION SYSTEMS.—Not later than one year after the date
6 of the enactment of this Act, the Secretary of Defense
7 shall implement appropriate improvements of the physical
8 disability evaluation systems of the military departments,
9 including the administrative and budgetary restructuring
10 of such systems, in order to ensure their efficient and ef-
11 fective operation. The improvements shall include the re-
12 quirement that, within each military department, a single
13 command shall be responsible for the physical disability
14 evaluation system of such military department, including
15 any processing and military boards under such system.

16 (b) ELECTRONIC CLEARING HOUSE.—

17 (1) REQUIREMENT.—In improving the physical
18 disability evaluation system of a military department
19 pursuant to this section, the Secretary of the mili-
20 tary department shall establish and operate a single
21 Internet site for the physical disability evaluation
22 process under such system that enables recovering
23 servicemembers to fully utilize such system through
24 the Internet.

25 (2) ELEMENTS.—Each Internet site operated
26 under this subsection shall include the following:

1 (A) The availability of any forms required
2 for the utilization of the applicable physical dis-
3 ability evaluation system by recovering
4 servicemembers.

5 (B) Secure mechanisms for the submittal
6 of such forms by recovering servicemembers,
7 and for the tracking of the acceptance and re-
8 view of any forms so submitted.

9 (C) Secure mechanisms for advising recov-
10 ering servicemembers of any additional informa-
11 tion, forms, or other items that are required for
12 the acceptance and review of any forms so sub-
13 mitted.

14 (D) The continuous availability of assist-
15 ance to recovering servicemembers (including
16 assistance through the caseworkers assigned to
17 recovering servicemembers) in submitting and
18 tracking such forms, including assistance in ob-
19 taining information, forms, or other items de-
20 scribed by subparagraph (C).

21 (E) Secure mechanisms to request and re-
22 ceive personnel files or other personnel records
23 of recovering servicemembers that are required
24 for submittal under the applicable physical dis-
25 ability evaluation system, including the capa-

1 bility to track requests for such files or records
2 and to determine the status of such requests
3 and of responses to such requests.

4 (3) DEADLINE FOR ESTABLISHMENT.—Each
5 Internet site required under this subsection shall be
6 established not later than one year after the date of
7 the enactment of this Act.

8 (c) CO-LOCATION OF SYSTEM ELEMENTS AT CER-
9 TAIN FACILITIES.—In improving physical disability eval-
10 uation systems pursuant to this section, the Secretary of
11 Defense shall—

12 (1) identify each military medical treatment fa-
13 cility covered by such system that serves, or is an-
14 ticipated to serve, more than 100 recovering
15 servicemembers simultaneously; and

16 (2) to the extent practicable, co-locate all ele-
17 ments of such system at a single location at each
18 such facility.

19 (d) REPORT ON IMPROVEMENTS.—

20 (1) REPORT.—Not later than 180 days after
21 the date of the enactment of this Act, the Secretary
22 of Defense shall submit to the appropriate congres-
23 sional committees a report setting forth rec-
24 ommendations for the improvements required by
25 subsection (a).

1 (2) RECOMMENDATIONS.—The recommenda-
2 tions under paragraph (1) shall include rec-
3 ommendations for the following:

4 (A) Procedures to enable recovering
5 servicemembers to interface with only one com-
6 mand while undergoing evaluation and care
7 under a physical disability evaluation system.

8 (B) Procedures to allow clinical teams and
9 the military chain of command to bypass sig-
10 nificant parts of the applicable physical dis-
11 ability evaluation system in order to facilitate
12 the prompt processing of cases under such sys-
13 tem for specific injuries and illnesses.

14 (C) Specifications of the job requirements
15 for every military occupational specialty (MOS)
16 and grade.

17 (D) Means for retraining recovering
18 servicemembers who are determined to be unfit
19 for their assigned military occupational spe-
20 cialty for qualification for assignment to an-
21 other military occupational specialty.

22 (E) Streamlining and reducing duplicative,
23 unnecessary procedures and other obstacles to
24 timely evaluations and decisions under a phys-
25 ical disability evaluation system.

1 (F) Such other matters with respect to the
2 improvements required by subsection (a) as the
3 Secretary and the Oversight Board for the
4 Wounded consider appropriate.

5 (3) NO REDUCTION IN PERSONNEL AND RE-
6 SOURCES.—The requirements of this subsection may
7 not be construed to authorize or require the reduc-
8 tion of staff, or the closure of facilities, in order to
9 achieve any improvements recommended under para-
10 graph (1).

11 (e) IMPLEMENTATION.—The Secretary of Defense
12 shall commence the implementation of the recommenda-
13 tions submitted under subsection (d) not later than 90
14 days after the submittal of the recommendations under
15 that subsection.

16 (f) RETENTION OF CERTAIN RIGHTS OF APPEAL.—
17 Nothing in the recommendations submitted and imple-
18 mented under this section shall be construed to limit the
19 ability of a recovering servicemember to appeal the fol-
20 lowing:

21 (1) The right of the recovering servicemember
22 to remain a member of the Armed Forces.

23 (2) Any disability rating assigned the recov-
24 ering servicemember.

1 (g) CONSULTATION.—The Secretary of Defense and
2 the Secretaries of the military departments shall consult
3 with and seek advice from the Oversight Board for the
4 Wounded established pursuant to section 10 in carrying
5 out this section.

6 **SEC. 4. SUPERVISING OFFICER AND CASEWORKER SUP-**
7 **PORT FOR RECOVERING SERVICEMEMBERS.**

8 (a) PROVISION OF ADEQUATE SUPPORT.—Not later
9 than one year after the date of the enactment of this Act,
10 the Secretary of Defense shall work with officials from
11 each military medical treatment facility—

12 (1) to assess whether the current ratio of super-
13 vising officers assigned to recovering
14 servicemembers, and the current ratio of case-
15 workers assigned to recovering servicemembers, at
16 such facility is adequate to meet the needs of recov-
17 ering servicemembers at such facility; and

18 (2) to establish targets for such facility to in-
19 crease such ratios where necessary, taking into ac-
20 count the needs of recovering servicemembers at
21 such facility.

22 (b) DEADLINE FOR ACHIEVING TARGETS.—The Sec-
23 retary shall ensure that the targets established pursuant
24 to subsection (a)(2) are achieved not later than December
25 31, 2008, and maintained during each year thereafter.

1 (c) ANNUAL REVIEW OF TARGETS.—The Secretary
2 shall annually reevaluate the targets established pursuant
3 to subsection (a)(2), and shall monitor progress made in
4 meeting such targets.

5 (d) EMPLOYMENT OF ADDITIONAL STAFF.—Not
6 later than 45 days after the date of the enactment of this
7 Act, the Secretary shall hire such additional qualified staff
8 as is necessary to achieve at each military medical treat-
9 ment facility an interim ratio of one supervising officer,
10 and one caseworker, for every 20 recovering
11 servicemembers. Such ratios shall remain in effect until
12 superseded under subsection (a)(2).

13 (e) ANNUAL REPORT.—

14 (1) REPORT REQUIRED.—Not later than 90
15 days after the date of the enactment of this Act, and
16 annually thereafter throughout the global war on
17 terror, the Secretary shall submit to the appropriate
18 congressional committees a report on current and
19 target ratios of supervising officers and caseworkers
20 to recovering servicemembers at military medical
21 treatment facilities under this section.

22 (2) ELEMENTS.—Each report under paragraph
23 (1) shall set forth the staff required to meet the tar-
24 gets established under subsection (a)(2), and include

1 an estimate of the costs required to implement such
2 plan.

3 (f) CONSULTATION.—The Secretary shall consult
4 with and seek advice from the Oversight Board for the
5 Wounded established pursuant to section 10 in carrying
6 out this section.

7 **SEC. 5. IMPROVED TRAINING FOR CASEWORKERS AND SO-**
8 **CIAL WORKERS ON PARTICULAR CONDITIONS**
9 **OF RECOVERING SERVICEMEMBERS.**

10 (a) RECOMMENDATIONS.—Not later than one year
11 after the date of the enactment of this Act, the Secretary
12 of Defense shall submit to the appropriate congressional
13 committees a report setting forth recommendations for the
14 modification of the training provided to caseworkers and
15 social workers who provide care for recovering
16 servicemembers. The recommendations shall include, at a
17 minimum, specific recommendations to ensure that such
18 caseworkers and social workers are able to—

19 (1) detect early warning signs of post-traumatic
20 stress disorder (PTSD) and suicidal tendencies
21 among recovering servicemembers; and

22 (2) promptly devise appropriate treatment plans
23 as such signs are detected.

24 (b) ANNUAL REVIEW OF TRAINING.—Not later than
25 one year after the date of the enactment of this Act and

1 annually thereafter throughout the global war on terror,
2 the Secretary shall submit to the appropriate congressional
3 committees a report on the following:

4 (1) The progress made in providing the training
5 recommended under subsection (a).

6 (2) The general state and quality of training
7 provided to caseworkers and social workers who provide
8 care for recovering servicemembers.

9 (c) CONSULTATION.—The Secretary shall consult
10 with and seek advice from the Oversight Board for the
11 Wounded established pursuant to section 10 in carrying
12 out this section.

13 **SEC. 6. SUPPORT SERVICES AND RIGHTS FOR RECOVERING**
14 **SERVICEMEMBERS AND THEIR FAMILIES.**

15 (a) AVAILABILITY OF ASSISTANCE FOR RECOVERING
16 SERVICEMEMBERS.—

17 (1) NOTICE OF RIGHTS AND RESPONSIBILITIES.—The Secretary of Defense shall clearly post,
18 or provide for the posting, in all military medical
19 treatment facilities, outpatient residences, and other
20 hospital and residential care locations frequently utilized
21 or visited by recovering servicemembers and
22 their family members a notice of the rights and responsibilities
23 of recovering servicemembers with respect to accessing
24 quality and timely medical care
25

1 and casework services and assistance during evalua-
2 tion and care under a physical disability evaluation
3 system.

4 (2) AVAILABILITY OF QUALIFIED PROFES-
5 SIONALS AT OUTPATIENT RESIDENTIAL FACILI-
6 TIES.—Each military outpatient residential facility
7 at which at least 20 recovering servicemembers re-
8 side shall be staffed at all times with each of the fol-
9 lowing:

10 (A) At least one medical professional with
11 the minimum qualifications of an emergency
12 medical technician to provide care and services
13 for recovering servicemembers at such facility.

14 (B) At least one clinical professional with
15 the minimum qualifications of a certified clin-
16 ical social worker or certified crisis counselor to
17 provide care and services for recovering
18 servicemembers at such facility.

19 (b) ASSISTANCE HOTLINES.—

20 (1) IN GENERAL.—Not later than 180 days
21 after the date of the enactment of this Act, the Sec-
22 retaries of the military departments shall each estab-
23 lish and maintain for the military department con-
24 cerned the following toll-free telephone assistance
25 hotlines:

1 (A) A hotline for crisis counseling for re-
2 covering servicemembers and their family mem-
3 bers.

4 (B) A hotline for recovering
5 servicemembers and their family members (to
6 be known as the “Wounded Servicemember
7 Rights and Family Respite Hotline”) that—

8 (i) facilitates the reporting of delays
9 and provides casework advocacy;

10 (ii) provides casework advice;

11 (iii) provides referrals to family and
12 veteran support groups; and

13 (iv) facilitates the reporting of sub-
14 standard conditions, casework services, or
15 assistance during evaluation and care
16 under a physical disability evaluation sys-
17 tem.

18 (2) AVAILABILITY.—The hotlines required by
19 paragraph (1) shall operate at all times.

20 (3) BILINGUAL ASSISTANCE.—The hotlines re-
21 quired by paragraph (1) shall be staffed at all times
22 with operators fluent in English and Spanish.

23 (c) OMBUDSMEN FOR RECOVERING
24 SERVICEMEMBERS.—

1 (1) IN GENERAL.—The Secretary of Defense
2 shall establish within each regional medical com-
3 mand of the Armed Forces the position of Ombuds-
4 man for Recovering Servicemembers (in this sub-
5 section referred to as the “Ombudsman” or “Om-
6 budsmen”).

7 (2) ASSIGNMENT.—The Secretary shall assign
8 to each position established under paragraph (1) a
9 member of the Armed Forces or civilian employee of
10 the Department of Defense who is qualified to dis-
11 charge the duties of the position.

12 (3) DUTIES.—Each Ombudsman shall act as a
13 liaison for recovering servicemembers and their fam-
14 ily members with respect to the evaluation and care
15 of recovering servicemembers under the physical dis-
16 ability evaluation systems.

17 (4) OUTREACH.—The Secretary shall make
18 available to each recovering servicemember, and to
19 the family members of all recovering
20 servicemembers, information on contacting and uti-
21 lizing the services of the Ombudsmen.

22 (d) MECHANISMS FOR OBTAINING FEEDBACK ON
23 OUTPATIENT CARE.—The Secretary of Defense shall es-
24 tablish the following mechanisms for obtaining feedback
25 from recovering servicemembers and their family members

1 on the quality of outpatient care available to recovering
2 servicemembers through the Department of Defense:

3 (1) An anonymous feedback system that is
4 available to recovering servicemembers and their
5 family members in all military medical treatment fa-
6 cilities and all military outpatient residential facili-
7 ties housing at least 5 recovering servicemembers
8 and through the Internet.

9 (2) Convocations, town hall meetings, or other
10 forums held at military medical treatment facilities
11 at least once per month.

12 (e) OUTPATIENT CARE MANUAL.—The Secretary of
13 Defense shall publish and make available to all recovering
14 servicemembers a single manual, in either English or
15 Spanish, to guide them and their family members through-
16 out the applicable physical disability evaluation system.
17 The manual shall list all relevant locations and points of
18 contact and shall include information on retrieving docu-
19 mentation required for medical processing.

20 (f) CONSULTATION.—The Secretary of Defense and
21 the Secretaries of the military departments shall consult
22 with and seek advice from the Oversight Board for the
23 Wounded established pursuant to section 10 in carrying
24 out this section.

1 **SEC. 7. SUPPORT SERVICES FOR FAMILIES OF RECOV-**
2 **ERING SERVICEMEMBERS.**

3 (a) MEDICAL CARE.—A family member of a recov-
4 ering servicemember who is not otherwise eligible for med-
5 ical care at a military medical treatment facility shall be
6 eligible for such care if the family member is—

7 (1) on invitational orders while caring for the
8 recovering servicemember;

9 (2) a non-medical attendee caring for the recov-
10 ering servicemember; or

11 (3) receiving per diem payments from the De-
12 partment of Defense while caring for the recovering
13 servicemember.

14 (b) JOB PLACEMENT SERVICES.—A family member
15 who is on invitational orders or is a non-medical attendee
16 while caring for a recovering servicemember for more than
17 45 days during a one-year period shall be eligible for job
18 placement services otherwise offered by the Department
19 of Defense.

20 **SEC. 8. PROHIBITION ON DISCRIMINATION IN EMPLOY-**
21 **MENT AGAINST CERTAIN FAMILY MEMBERS**
22 **CARING FOR RECOVERING**
23 **SERVICEMEMBERS.**

24 (a) PROHIBITION.—A family member of a recovering
25 servicemember described in subsection (b) shall not be de-
26 nied retention in employment, promotion, or any benefit

1 of employment by an employer on the basis of the person's
2 absence from employment as described in that subsection.

3 (b) COVERED FAMILY MEMBERS.—A family member
4 described in this subsection is a family member of a recov-
5 ering servicemember who is—

6 (1) on invitational orders while caring for the
7 recovering servicemember;

8 (2) a non-medical attendee caring for the recov-
9 ering servicemember; or

10 (3) receiving per diem payments from the De-
11 partment of Defense while caring for the recovering
12 servicemember.

13 (c) TREATMENT OF ACTIONS.—An employer shall be
14 considered to have engaged in an action prohibited by sub-
15 section (a) with respect to a person described in that sub-
16 section if the absence from employment of the person as
17 described in that subsection is a motivating factor in the
18 employer's action, unless the employer can prove that the
19 action would have been taken in the absence of the absence
20 of employment of the person.

21 (d) DEFINITIONS.—In this section, the terms “ben-
22 efit of employment” and “employer” have the meaning
23 given such terms in section 4303 of title 38, United States
24 Code.

1 **SEC. 9. MEAL BENEFITS FOR RECOVERING**
2 **SERVICEMEMBERS.**

3 (a) PROHIBITION ON CHARGES FOR MEALS.—A re-
4 covering servicemember who is undergoing medical treat-
5 ment, recuperation, or therapy, or is otherwise in medical
6 hold or holdover status, in a military medical treatment
7 facility for an injury, illness, or disease incurred or aggra-
8 vated while on active duty in the Armed Forces shall not
9 be required to pay any charge for meals provided such
10 member by the military medical treatment facility.

11 (b) EFFECTIVE DATE.—The limitation in subsection
12 (a) shall take effect on the date of the enactment of this
13 Act, and shall apply with respect to meals provided mem-
14 bers of the Armed Forces as described in that subsection
15 on or after that date.

16 **SEC. 10. OVERSIGHT BOARD FOR THE WOUNDED.**

17 (a) ESTABLISHMENT.—There is hereby established a
18 board to be known as the Oversight Board for the Wound-
19 ed (in this section referred to as the “Oversight Board”).

20 (b) COMPOSITION.—The Oversight Board shall be
21 composed of 12 members, of whom—

22 (1) two shall be appointed by the majority lead-
23 er of the Senate;

24 (2) two shall be appointed by the minority lead-
25 er of the Senate;

1 (3) two shall be appointed by the Speaker of
2 the House of Representatives;

3 (4) two shall be appointed by the minority lead-
4 er of the House of Representatives;

5 (5) two shall be appointed by the President;
6 and

7 (6) two shall be appointed by the Secretary of
8 Defense.

9 (c) QUALIFICATIONS.—

10 (1) PARTICULAR QUALIFICATIONS.—The Over-
11 sight Board shall include members with the fol-
12 lowing qualifications:

13 (A) One member shall be a veteran who
14 served in Operation Enduring Freedom or Op-
15 eration Iraqi Freedom.

16 (B) Two members shall have received
17 treatment for injuries at a military medical
18 treatment facility since September 11, 2001.

19 (C) One member shall be a former non-
20 medical attendant for a recovering
21 servicemember, such as a person who received
22 and accepted invitational orders to care for a
23 recovering servicemember.

24 (D) One member shall be a veteran who
25 received treatment at a military medical treat-

1 ment facility for injuries sustained in armed
2 hostilities before Operation Enduring Freedom
3 and Operation Iraqi Freedom.

4 (E) One member shall be a civilian expert
5 in military healthcare.

6 (2) GENERAL QUALIFICATIONS.—All members
7 of the Oversight Board shall have sufficient knowl-
8 edge of, or experience with, the military healthcare
9 system or the experience of a recovering
10 servicemember or family member of a recovering
11 servicemember.

12 (d) DUTIES.—

13 (1) ADVICE AND CONSULTATION.—The Over-
14 sight Board shall provide advise and consultation to
15 the Department of Defense and the appropriate con-
16 gressional committees regarding—

17 (A) the process for streamlining the phys-
18 ical disability evaluation systems of the military
19 departments under section 3;

20 (B) the process for correcting and improv-
21 ing the ratios of caseworkers and supervising
22 officers to recovering servicemembers under sec-
23 tion 4;

24 (C) the need to revise Department of De-
25 fense policies to improve the experience of re-

1 covering servicemembers while under Depart-
2 ment of Defense care;

3 (D) the need to revise Department of De-
4 fense policies to improve counseling, outreach,
5 and general services provided to family mem-
6 bers of recovering servicemembers pursuant to
7 sections 6 and 7;

8 (E) the need to revise Department of De-
9 fense policies regarding the provision of quality
10 lodging to recovering servicemembers;

11 (F) progress made in implementing this
12 Act; and

13 (G) such other matters relating to the eval-
14 uation and care of recovering servicemembers,
15 including evaluation and care under physical
16 disability evaluation systems, as the Board con-
17 siders appropriate.

18 (2) VISITS TO MILITARY MEDICAL TREATMENT
19 FACILITIES.—In carrying out its duties, the Over-
20 sight Board shall visit not less than three military
21 medical treatment facilities each year, and shall con-
22 duct each year at least one meeting of all the mem-
23 bers of the Board at a military medical treatment
24 facility.

1 (e) STAFF.—The Secretary shall make available the
2 services of at least two officials or employees of the De-
3 partment of Defense to provide support and assistance to
4 members of the Oversight Board.

5 (f) TRAVEL EXPENSES.—Members of the Oversight
6 Board shall be allowed travel expenses, including per diem
7 in lieu of subsistence, at rates authorized for employees
8 of agencies under subchapter I of chapter 57 of title 5,
9 United States Code, while away from their homes or reg-
10 ular places of business in the performance of service for
11 the Oversight Board.

12 (g) ACCESS TO INFORMATION.—

13 (1) IN GENERAL.—Except as provided in para-
14 graph (2), the members of the Oversight Board shall
15 have the right to access information related to the
16 deliberations, processes, and documents of the De-
17 partment of Defense pertaining to actions taken
18 under this Act.

19 (2) NATIONAL SECURITY EXCEPTION.—The
20 Oversight Board shall not have the right to access
21 information otherwise required under paragraph (1)
22 if the Secretary—

23 (A) notifies the Oversight Board that dis-
24 closure of such information would compromise
25 the national security of the United States; and

1 (B) upon request of the Oversight Board,
2 provides the information in classified form to
3 the appropriate congressional committees.

4 (h) ANNUAL REPORTS.—The Oversight Board shall
5 submit to the Secretary of Defense and the appropriate
6 congressional committees each year a report on its activi-
7 ties under this Act during the preceding year, including
8 any findings and recommendations of the Oversight Board
9 as a result of such activities.

10 **SEC. 11. DEFINITIONS.**

11 In this Act:

12 (1) APPROPRIATE CONGRESSIONAL COMMIT-
13 TEES.—The term “appropriate congressional com-
14 mittees” means—

15 (A) the Committee on Armed Services of
16 the Senate; and

17 (B) the Committee on Armed Services of
18 the House of Representatives.

19 (2) FAMILY MEMBER.—The term “family mem-
20 ber”, with respect to a recovering servicemember,
21 has the meaning given that term in section 411h(b)
22 of title 37, United States Code.

23 (3) PHYSICAL DISABILITY EVALUATION SYS-
24 TEMS.—The term “physical disability evaluation sys-
25 tems” means the following:

1 (A) In the case of the Department of the
2 Army, the Physical Disability Evaluation Sys-
3 tem (PDES) of the Army.

4 (B) In the case of any other military de-
5 partment, the physical disability evaluation sys-
6 tem or similar system or process of such mili-
7 tary departments that carries out functions
8 equivalent to the function carried out for the
9 Army by the Physical Disability Evaluation
10 System of the Army.

11 (4) RECOVERING SERVICEMEMBER.—The term
12 “recovering servicemember” means a member of the
13 Armed Forces, including a member of the National
14 Guard or a Reserve, who is undergoing medical
15 treatment, recuperation, or therapy, or is otherwise
16 in medical hold or holdover status, for an injury, ill-
17 ness, or disease incurred or aggravated while on ac-
18 tive duty in the Armed Forces.

○