

113TH CONGRESS
1ST SESSION

S. 1581

To authorize the Secretary of Veterans Affairs to provide counseling and treatment for sexual trauma to members of the Armed Forces, to require the Secretary to screen veterans for domestic abuse, to require the Secretary to submit reports on military sexual trauma and domestic abuse, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 28, 2013

Mr. SANDERS introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To authorize the Secretary of Veterans Affairs to provide counseling and treatment for sexual trauma to members of the Armed Forces, to require the Secretary to screen veterans for domestic abuse, to require the Secretary to submit reports on military sexual trauma and domestic abuse, and for other purposes.

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 “Survivors of Military
5 Sexual Assault and Domestic Abuse Act of 2013”.

1 **SEC. 2. PROVISION OF COUNSELING AND TREATMENT FOR**
2 **SEXUAL TRAUMA BY THE DEPARTMENT OF**
3 **VETERANS AFFAIRS TO MEMBERS OF THE**
4 **ARMED FORCES.**

5 (a) EXPANSION OF COVERAGE TO MEMBERS OF THE
6 ARMED FORCES.—Subsection (a) of section 1720D of title
7 38, United States Code, is amended—

8 (1) by redesignating paragraph (2) as para-
9 graph (3);

10 (2) by inserting after paragraph (1) the fol-
11 lowing new paragraph (2):

12 “(2)(A) In operating the program required by para-
13 graph (1), the Secretary may, in consultation with the
14 Secretary of Defense, provide counseling and care and
15 services to members of the Armed Forces (including mem-
16 bers of the National Guard and Reserves) on active duty
17 to overcome psychological trauma described in that para-
18 graph.

19 “(B) A member described in subparagraph (A) shall
20 not be required to obtain a referral before receiving coun-
21 seling and care and services under this paragraph.”; and

22 (3) in paragraph (3), as redesignated by para-
23 graph (1)—

24 (A) by striking “a veteran” and inserting
25 “an individual”; and

1 (B) by striking “that veteran” each place
2 it appears and inserting “that individual”.

3 (b) INFORMATION TO MEMBERS ON AVAILABILITY OF
4 COUNSELING AND SERVICES.—Subsection (c) of such sec-
5 tion is amended—

6 (1) by striking “to veterans” each place it ap-
7 pears; and

8 (2) in paragraph (3), by inserting “members of
9 the Armed Forces and” before “individuals”.

10 (c) INCLUSION OF MEMBERS IN REPORTS ON COUN-
11 SELING AND SERVICES.—Subsection (e) of such section
12 is amended—

13 (1) in the matter preceding paragraph (1), by
14 striking “to veterans”;

15 (2) in paragraph (2)—

16 (A) by striking “women veterans” and in-
17 serting “individuals”; and

18 (B) by striking “training under subsection
19 (d).” and inserting “training under subsection
20 (d), disaggregated by—

21 “(A) veterans;

22 “(B) members of the Armed Forces (in-
23 cluding members of the National Guard and
24 Reserves) on active duty; and

1 “(C) for each of subparagraphs (A) and
 2 (B)—
 3 “(i) men; and
 4 “(ii) women.”;
 5 (3) in paragraph (4), by striking “veterans”
 6 and inserting “individuals”; and
 7 (4) in paragraph (5)—
 8 (A) by striking “women veterans” and in-
 9 serting “individuals”; and
 10 (B) by inserting “, including specific rec-
 11 ommendations for individuals specified in sub-
 12 paragraphs (A), (B), and (C) of paragraph (2)”
 13 before the period at the end.

14 **SEC. 3. DEPARTMENT OF VETERANS AFFAIRS SCREENING**
 15 **MECHANISM TO DETECT INCIDENTS OF DO-**
 16 **MESTIC ABUSE.**

17 (a) **IN GENERAL.**—Not later than 540 days after the
 18 date of the enactment of this Act, the Secretary of Vet-
 19 erans Affairs shall develop and implement a screening
 20 mechanism to be used when a veteran seeks healthcare
 21 services from the Department of Veterans Affairs to detect
 22 if the veteran has been a victim of domestic abuse for pur-
 23 poses of improving the treatment of the veteran and as-
 24 sessing the prevalence of domestic abuse in the veteran
 25 population.

1 (b) DOMESTIC ABUSE DEFINED.—In this section, the
2 term “domestic abuse” means behavior with respect to an
3 individual that—

4 (1) constitutes—

5 (A) a pattern of behavior resulting in phys-
6 ical or emotional abuse, economic control, or in-
7 terference with the personal liberty of that indi-
8 vidual;

9 (B) a violation of Federal or State law in-
10 volving the use, attempted use, or threatened
11 use of force or violence against that individual;
12 or

13 (C) a violation of a lawful order issued for
14 the protection of that individual; and

15 (2) is committed by a person who—

16 (A) is a current or former spouse or do-
17 mestic partner of that individual;

18 (B) shares a child in common with that in-
19 dividual;

20 (C) is a current or former intimate partner
21 of that individual that shares or has shared a
22 common domicile with that individual;

23 (D) is a caregiver of that individual as de-
24 fined in section 1720G(d) of title 38, United
25 States Code; or

1 (E) is in any other type of relationship
2 with that individual that the Secretary may
3 specify for purposes of this section.

4 **SEC. 4. REPORTS ON MILITARY SEXUAL TRAUMA AND DO-**
5 **MESTIC ABUSE.**

6 (a) REPORT ON SERVICES AVAILABLE FOR MILITARY
7 SEXUAL TRAUMA IN THE DEPARTMENT OF VETERANS
8 AFFAIRS.—Not later than one year after the date of the
9 enactment of this Act, the Secretary of Veterans Affairs
10 shall submit to the Committee on Veterans' Affairs of the
11 Senate and the Committee on Veterans' Affairs of the
12 House of Representatives a report on the treatment and
13 services available from the Department of Veterans Af-
14 fairs for male veterans who experience military sexual
15 trauma compared to such treatment and services available
16 to female veterans who experience military sexual trauma.

17 (b) REPORT ON DOMESTIC ABUSE AMONG VET-
18 ERANS.—The Secretary shall include with the report sub-
19 mitted under subsection (a) a report on domestic abuse
20 among veterans that includes the following:

21 (1) A summary of the types, outcomes, and cir-
22 cumstances of incidents of domestic abuse that have
23 been reported by veterans during the two-year period
24 preceding the submission of the report.

1 (2) A summary of the treatments available from
2 the Department for veterans who experience domes-
3 tic abuse and an assessment of the effectiveness of
4 those treatments.

5 (3) Whether an incident of military sexual trau-
6 ma or sexual trauma experienced after the age of 18
7 may increase the risk of domestic abuse.

8 (4) Any other issues that the Secretary deter-
9 mines appropriate.

10 (c) REPORTS ON TRANSITION OF MILITARY SEXUAL
11 TRAUMA AND DOMESTIC ABUSE TREATMENT FROM DE-
12 PARTMENT OF DEFENSE TO DEPARTMENT OF VETERANS
13 AFFAIRS.—Not later than one year after the date of the
14 enactment of this Act, and annually thereafter for five
15 years, the Department of Veterans Affairs-Department of
16 Defense Joint Executive Committee established by section
17 320(a) of title 38, United States Code, shall submit to
18 the appropriate committees of Congress a report on mili-
19 tary sexual trauma and domestic abuse that includes the
20 following:

21 (1) The processes and procedures utilized by
22 the Department of Veterans Affairs and the Depart-
23 ment of Defense to facilitate transition of treatment
24 of individuals who have experienced military sexual
25 trauma or domestic abuse from treatment provided

1 by the Department of Defense to treatment provided
2 by the Department of Veterans Affairs.

3 (2) A description and assessment of the collabo-
4 ration between the Department of Veterans Affairs
5 and the Department of Defense in assisting veterans
6 in filing claims for disabilities related to military
7 sexual trauma or domestic abuse, including permit-
8 ting veterans access to information and evidence
9 necessary to develop or support such claims.

10 (d) DEFINITIONS.—In this section:

11 (1) APPROPRIATE COMMITTEES OF CON-
12 GRESS.—The term “appropriate committees of Con-
13 gress” means—

14 (A) the Committee on Veterans’ Affairs
15 and the Committee on Armed Services of the
16 Senate; and

17 (B) the Committee on Veterans’ Affairs
18 and the Committee on Armed Services of the
19 House of Representatives.

20 (2) DOMESTIC ABUSE.—The term “domestic
21 abuse” has the meaning given that term in section
22 3(b) of this Act.

23 (3) MILITARY SEXUAL TRAUMA.—The term
24 “military sexual trauma” means psychological trau-
25 ma, which in the judgment of a mental health pro-

1 fessional employed by the Department, resulted from
2 a physical assault of a sexual nature, battery of a
3 sexual nature, or sexual harassment which occurred
4 while the veteran was serving on active duty or ac-
5 tive duty for training.

6 (4) SEXUAL HARASSMENT.—The term “sexual
7 harassment” means repeated, unsolicited verbal or
8 physical contact of a sexual nature which is threat-
9 ening in character.

10 (5) SEXUAL TRAUMA.—The term “sexual trau-
11 ma” shall have the meaning given that term by the
12 Secretary of Veterans Affairs for purposes of this
13 section.

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