

114TH CONGRESS  
1ST SESSION

# S. 1567

To amend title 10, United States Code, to provide for a review of the characterization or terms of discharge from the Armed Forces of individuals with mental health disorders alleged to affect terms of discharge.

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## IN THE SENATE OF THE UNITED STATES

JUNE 11, 2015

Mr. PETERS (for himself, Mr. DAINES, and Mr. TILLIS) introduced the following bill; which was read twice and referred to the Committee on Armed Services

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## A BILL

To amend title 10, United States Code, to provide for a review of the characterization or terms of discharge from the Armed Forces of individuals with mental health disorders alleged to affect terms of discharge.

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. REVIEW OF CHARACTERIZATION OR TERMS OF**  
2 **DISCHARGE FROM THE ARMED FORCES OF**  
3 **INDIVIDUALS WITH MENTAL HEALTH DIS-**  
4 **ORDERS ALLEGED TO AFFECT TERMS OF DIS-**  
5 **CHARGE.**

6 Section 1553(d) of title 10, United States Code, is  
7 amended by adding at the end the following new para-  
8 graph:

9 “(3)(A) In addition to the requirements of para-  
10 graphs (1) and (2), in the case of a former member de-  
11 scribed in subparagraph (B), the board shall—

12 “(i) review medical evidence of the Secretary of  
13 Veterans Affairs or a civilian health care provider  
14 that is presented by the former member; and

15 “(ii) review the case with a rebuttable presump-  
16 tion in favor of the former member that post-trau-  
17 matic stress disorder or traumatic brain injury ma-  
18 terially contributed to the circumstances resulting in  
19 the discharge of a lesser characterization.

20 “(B) A former member described in this subpara-  
21 graph is a former member described in paragraph (1) or  
22 a former member whose application for relief is based in  
23 whole or in part on matters relating to post-traumatic  
24 stress disorder or traumatic brain injury as supporting ra-  
25 tionale or as justification for priority consideration whose  
26 post-traumatic stress disorder or traumatic brain injury

1 is related to combat or military sexual trauma, as deter-  
2 mined by the Secretary concerned.”.

