

113TH CONGRESS
2D SESSION

H. R. 4344

To amend title 38, United States Code, to establish a presumption of service connection for mental health conditions related to military sexual trauma.

IN THE HOUSE OF REPRESENTATIVES

MARCH 27, 2014

Ms. TITUS (for herself, Ms. DELAURO, Ms. PINGREE of Maine, Ms. BROWN of Florida, Ms. KUSTER, Ms. BROWNLEY of California, Ms. FRANKEL of Florida, Mr. LOWENTHAL, Mr. TONKO, Mrs. NAPOLITANO, Mr. O'ROURKE, and Ms. JACKSON LEE) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to establish a presumption of service connection for mental health conditions related to military sexual trauma.

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 “Military Sexual Trau-
5 ma Claims Administration Reform and Eligibility Act”.

1 **SEC. 2. PRESUMPTION OF SERVICE CONNECTION FOR MEN-**
2 **TAL HEALTH CONDITIONS RELATED TO MILI-**
3 **TARY SEXUAL TRAUMA.**

4 (a) PRESUMPTION.—

5 (1) IN GENERAL.—Subchapter II of chapter 11
6 of title 38, United States Code, is amended by add-
7 ing at the end the following new section:

8 **“SEC. 1119. PRESUMPTION OF SERVICE CONNECTION FOR**
9 **MENTAL HEALTH CONDITIONS RELATED TO**
10 **MILITARY SEXUAL TRAUMA.**

11 “(a) IN GENERAL.—For purposes of section 1110 of
12 this title, and subject to section 1113 of this title, a mental
13 health condition of a veteran that a veteran certifies to
14 the Secretary as being incurred in or aggravated by mili-
15 tary sexual trauma shall be considered to have been in-
16 curred in or aggravated by the service of the veteran, not-
17 withstanding that there is no record of evidence of such
18 mental health condition or such military sexual trauma oc-
19 ccurring during such service.

20 “(b) MILITARY SEXUAL TRAUMA DEFINED.—In this
21 section, the term ‘military sexual trauma’ means, with re-
22 spect to a veteran, psychological trauma, which in the
23 judgment of a mental health professional, resulted from
24 a physical assault of a sexual nature, battery of a sexual
25 nature, or sexual harassment (as defined in section 1720D
26 of this title) which occurred during a period of serving in

1 the Armed Forces on active duty or active duty for train-
2 ing.”.

3 (2) CLERICAL AMENDMENT.—The table of sec-
4 tions at the beginning of chapter 11 of such title is
5 amended by inserting after the item relating to sec-
6 tion 1118 the following new item:

“1119. Presumption of service connection for mental health conditions related
to military sexual trauma.”.

7 (b) PRESUMPTION REBUTTABLE.—Section 1113 of
8 title 38, United States Code, is amended by striking “or
9 1118” each place it appears and inserting “1118, or
10 1119”.

11 (c) PRESUMPTION DURING PEACETIME SERVICE.—
12 Section 1137 of title 38, United States Code, is amended
13 by striking “and 1113” and inserting “1113, and 1119”.

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