

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 671  
OFFERED BY MS. TITUS OF NEVADA**

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Ruth Moore Act of  
3 2013”.

4 **SEC. 2. REPORTS ON CLAIMS FOR DISABILITIES INCURRED**  
5 **OR AGGRAVATED BY MILITARY SEXUAL**  
6 **TRAUMA.**

7 (a) ANNUAL REPORTS.—

8 (1) IN GENERAL.—Subchapter VI of chapter 11  
9 of title 38, United States Code, is amended by add-  
10 ing at the end the following new section:

11 **“§ 1164. Reports on claims for disabilities incurred or**  
12 **aggravated by military sexual trauma**

13 “(a) REPORTS.—Not later than December 1, 2014,  
14 and each year thereafter through 2018, the Secretary shall  
15 submit to Congress a report on covered claims submitted  
16 during the previous fiscal year.

17 “(b) ELEMENTS.—Each report under subsection (a)  
18 shall include the following:

1           “(1) The number of covered claims submitted  
2           to or considered by the Secretary during the fiscal  
3           year covered by the report.

4           “(2) Of the covered claims listed under para-  
5           graph (1), the number and percentage of such  
6           claims—

7                   “(A) submitted by each sex;

8                   “(B) that were approved, including the  
9                   number and percentage of such approved claims  
10                  submitted by each sex; and

11                  “(C) that were denied, including the num-  
12                  ber and percentage of such denied claims sub-  
13                  mitted by each sex.

14           “(3) Of the covered claims listed under para-  
15           graph (1) that were approved, the number and per-  
16           centage, listed by each sex, of claims assigned to  
17           each rating percentage.

18           “(4) Of the covered claims listed under para-  
19           graph (1) that were denied—

20                   “(A) the three most common reasons given  
21                   by the Secretary under section 5104(b)(1) of  
22                   this title for such denials; and

23                   “(B) the number of denials that were  
24                   based on the failure of a veteran to report for  
25                   a medical examination.

1           “(5) The number of covered claims that, as of  
2           the end of the fiscal year covered by the report, are  
3           pending and, separately, the number of such claims  
4           on appeal.

5           “(6) For the fiscal year covered by the report,  
6           the average number of days that covered claims take  
7           to complete beginning on the date on which the  
8           claim is submitted.

9           “(7) A description of the training that the Sec-  
10          retary provides to employees of the Veterans Bene-  
11          fits Administration specifically with respect to cov-  
12          ered claims, including the frequency, length, and  
13          content of such training.

14          “(c) DEFINITIONS.—In this section:

15               “(1) The term ‘covered claims’ means claims  
16               for disability compensation submitted to the Sec-  
17               retary based on a covered mental health condition  
18               alleged to have been incurred or aggravated by mili-  
19               tary sexual trauma.

20               “(2) The term ‘covered mental health condition’  
21               means post-traumatic stress disorder, anxiety, de-  
22               pression, or other mental health diagnosis described  
23               in the current version of the Diagnostic and Statis-  
24               tical Manual of Mental Disorders published by the

1 American Psychiatric Association that the Secretary  
2 determines to be related to military sexual trauma.

3 “(3) The term ‘military sexual trauma’ means,  
4 with respect to a veteran, psychological trauma,  
5 which in the judgment of a mental health profes-  
6 sional, resulted from a physical assault of a sexual  
7 nature, battery of a sexual nature, or sexual harass-  
8 ment which occurred during active military, naval,  
9 or air service.”.

10 (2) CLERICAL AMENDMENT.—The table of sec-  
11 tions at the beginning of such chapter is amended  
12 by adding at the end the following new item:

“1164. Annual reports on claims for disabilities incurred or aggravated by mili-  
tary sexual trauma.”.

13 (3) INITIAL REPORT.—The Secretary of Vet-  
14 erans Affairs shall submit to Congress an initial re-  
15 port described in section 1164 of title 38, United  
16 States Code, as added by paragraph (1), by not later  
17 than 90 days after the date of the enactment of this  
18 Act. Such initial report shall be in addition to the  
19 annual reports required under such section begin-  
20 ning in December 2014.

21 (b) REGULATIONS.—

22 (1) IN GENERAL.—Not later than 180 days  
23 after the date of the enactment of this Act, the Sec-  
24 retary of Veterans Affairs shall update and improve

1 the regulations of the Department of Veterans Af-  
2 fairs with respect to military sexual trauma.

3 (2) SENSE OF CONGRESS.—It is the sense of  
4 Congress that the Secretary of Veterans Affairs  
5 should carry out paragraph (1) by—

6 (A) ensuring that military sexual trauma is  
7 specified as an in-service stressor in deter-  
8 mining the service-connection of post-traumatic  
9 stress disorder by including military sexual  
10 trauma as a stressor described in section  
11 3.304(f)(3) of title 38, Code of Federal Regula-  
12 tions; and

13 (B) recognizing the full range of physical  
14 and mental disabilities (including depression,  
15 anxiety, and other disabilities as indicated in  
16 the Diagnostic and Statistical Manual of Men-  
17 tal Disorders published by the American Psy-  
18 chiatric Association) that can result from mili-  
19 tary sexual trauma.

20 (3) MILITARY SEXUAL TRAUMA DEFINED.—In  
21 this subsection, the term “military sexual trauma”  
22 has the meaning given that term in section  
23 1164(e)(3) of title 38, United States Code, as added  
24 by subsection (a)(1).

Amend the title so as to read: “A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to submit to Congress an annual report on claims for disabilities incurred or aggravated by military sexual trauma and to improve the regulations of the Department of Veterans Affairs with respect to such trauma.”.

