



**Legislative Bulletin.....June 4, 2013**

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**H.R. 671 – Ruth Moore Act of 2013**

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**(Pingree, D-ME)**

**Order of Business:** H.R. 671 is scheduled to be considered on Tuesday, June 4, 2013, under a motion to suspend the rules and pass the bill requiring a two-thirds majority vote for passage.

**Summary:** H.R. 671 creates reporting and notification requirements upon the Secretary of the Department of Veterans Affairs (VA) to address military sexual trauma as a covered mental health condition included within VA disability claims. It expresses the sense of Congress that the VA Secretary should update and improve the VA’s regulations [specifically including 3.304(f)(5) of title 38, Code of Federal Regulations] with respect to military sexual trauma by ensuring that military sexual trauma is specified as an in-service stressor in determining the service-connection of post-traumatic stress disorder and by recognizing the full range of physical and mental disabilities resultant per the American Psychiatric Association’s publications that can result from military sexual trauma. Lastly, the bill extends the rounding down to the lowest whole dollar of VA benefits’ rates percentage increase of the Montgomery GI bill from fiscal year 2013 through fiscal year 2018 and the same for the Survivors’ and Dependents’ Educational Assistance from fiscal year 2014 through fiscal year 2018. This rounding down authority is scheduled to expire on September 30, 2013, the end of fiscal year 2013.

Section 2 requires the VA Secretary to annually report to Congress, beginning before December 1, 2014 until the end of 2018, on VA disability claims submitted during the previous fiscal year that were based on a covered mental health condition related to military sexual trauma. This section also defines “covered claims,”<sup>1</sup> “covered mental health condition,”<sup>2</sup> and “military sexual trauma”<sup>3</sup> and lists the specific required content of the report. This section also requires the VA

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<sup>1</sup> Claims for disability compensation submitted to the Secretary based on a covered mental health condition alleged to have been incurred or aggravated by military sexual trauma.

<sup>2</sup> Post-traumatic stress disorder, anxiety, depression, or other mental health diagnosis described in the current version of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association that the Secretary determines to be related to military sexual trauma.

<sup>3</sup> With respect to a veteran, psychological trauma, which in the judgment of a mental health professional, resulted from a physical assault of a sexual nature, battery of a sexual nature, or sexual harassment which occurred during active military, naval, or air service.

Secretary, after 15 months of enactment until updated regulations are published, to provide to each veteran who has submitted a covered claim or has been treated for military sexual trauma at a VA medical facility the same report that the VA Secretary must provide to Congress. Additionally, the VA Secretary is required to provide monthly paper updates (as well as inclusion on a prominent location on the VA's website) on the VA's progress towards implementing improved regulations and related claims processing information to any veteran who has submitted a VA disability claim (not just veterans who have submitted a military sexual trauma disability claim) as well as a report to Congress with enumerated information on the disposition of each month's covered claims.

**Additional Background:** According the Veterans Affairs Committee report on the bill ([Report 113-63](#)), the Pentagon estimated in 2011 that about 19,000 male and female servicemembers were sexually assaulted, yet less than 14 percent of these crimes were reported. The bill title is named after Ms. Ruth Moore who suffered from depression and a sexually transmitted disease as a victim of military sexual trauma throughout her twenty-three year effort to obtain claims' benefits that the VA eventually awarded her in 2009.

**Committee Action:** Representative Chellie Pingree (D-ME) introduced H.R. 671 on February 13, 2013. On April 16, 2013, the House Committee on Veterans' Affairs Subcommittee on Disability Assistance and Memorial Affairs held a legislative hearing on the bill. The Subcommittee reported the amended bill favorably by a voice vote to the full Committee on April 25, 2013. The full Committee reported the amended bill favorably by a voice vote on May 8, 2013.

**Administration Position:** No Statement of Administration Policy has been released.

**Cost to Taxpayers:** The Congressional Budget Office (CBO) released a [cost estimate](#) for H.R. 671 on May 16, 2013, showing the bill would decrease direct spending by \$15 million over the FY2014-FY2023. It also estimates that implementing the bill would have a discretionary cost of \$4 million over the FY2014-FY2018 period, subject to authorization of appropriations.

**Does the Bill Expand the Size and Scope of the Federal Government?** The legislation increases the reporting requirements upon the Department of Veterans Affairs Secretary with regard to military sexual trauma covered disability claims and related regulatory improvements. It also reduces direct spending by \$15 million over the ten year budget window.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?** CBO explains that the bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

**Does the Bill Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

**Constitutional Authority:** The Constitutional Authority Statement accompanying the bill upon introduction states, "Congress has the power to enact this legislation pursuant to the following: Clause 3 of Section 8 of Article I of the Constitution."

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