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(Original Signature of Member)

118TH CONGRESS
1ST SESSION

H. R. _____

To amend title 38, United States Code, to provide for the retroactive payment of benefits for veterans with covered mental health conditions based on military sexual trauma, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. CARBAJAL introduced the following bill; which was referred to the Committee on _____

A BILL

To amend title 38, United States Code, to provide for the retroactive payment of benefits for veterans with covered mental health conditions based on military sexual trauma, 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 “Veteran Restitution
5 and Justice Act of 2023”.

1 **SEC. 2. DEPARTMENT OF VETERANS AFFAIRS RETRO-**
2 **ACTIVE BENEFITS PAYMENTS FOR VETERANS**
3 **WITH COVERED HEALTH CONDITIONS BASED**
4 **ON MILITARY SEXUAL TRAUMA.**

5 (a) IN GENERAL.—Subchapter II of chapter 51 of
6 title 38, United States Code, is amended by adding at the
7 end the following new section:

8 **“§ 5114. Claims involving military sexual trauma: ret-**
9 **roactive benefits payments**

10 “(a) IN GENERAL.—If the Secretary approves a
11 claim for compensation for a covered health condition
12 based on military sexual trauma experienced by a veteran
13 during active military, naval, or air service, notwith-
14 standing sections 5110 and 5111 of this title—

15 “(1) the effective date of the award of the claim
16 shall be the date of the day after the date on which
17 the veteran is discharged from such service; and

18 “(2) payment of monetary benefits based on
19 such award shall be made beginning on such date
20 and shall be payable retroactively.

21 “(b) DEFINITIONS.—In this section:

22 “(1) The term ‘military sexual trauma’ has the
23 meaning given such term in section 1166(c)(2) of
24 this title.

25 “(2) The term ‘covered health condition’
26 means—

1 “(A) a covered mental health condition, as
2 such term is defined in section 1166(c)(1) of
3 this title; or

4 “(B) any physical injury or disease result-
5 ing in disability that was incurred as a result
6 of, or aggravated by, military sexual trauma.”.

7 (b) CLERICAL AMENDMENTS.—The table of sections
8 at the beginning of chapter 51 of such title is amended
9 by inserting after the item relating to section 5113 the
10 following new item:

 “5114. Claims involving military sexual trauma: retroactive benefits payments.”.