

110TH CONGRESS
2D SESSION

S. 3008

To improve and enhance the mental health care benefits available to members of the Armed Forces and veterans, to enhance counseling and other benefits available to survivors of members of the Armed Forces and veterans, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 12, 2008

Mr. BOND (for himself, Mrs. BOXER, Mr. DOMENICI, Mr. OBAMA, Mrs. DOLE, Ms. MURKOWSKI, Ms. COLLINS, Mrs. CLINTON, Mr. GRASSLEY, Mrs. McCASKILL, and Mr. LIEBERMAN) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To improve and enhance the mental health care benefits available to members of the Armed Forces and veterans, to enhance counseling and other benefits available to survivors of members of the Armed Forces and veterans, 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 “Honoring Our Nation’s
5 Obligation to Returning Warriors Act” or “HONOR War-
6 riors Act”.

1 **SEC. 2. SCHOLARSHIP PROGRAM FOR EDUCATION AND**
2 **TRAINING OF BEHAVIORAL HEALTH CARE**
3 **SPECIALISTS FOR VET CENTERS.**

4 (a) PROGRAM REQUIRED.—The Secretary of Vet-
5 erans Affairs shall, acting through the Under Secretary
6 for Health of the Department of Veterans Affairs, carry
7 out a program to provide scholarships to individuals pur-
8 suing education or training in behavioral health care spe-
9 cialties that are critical to the operations of Vet Centers
10 in order to recruit and retain individuals with such special-
11 ties for service as behavioral health care specialists in Vet
12 Centers.

13 (b) ELIGIBILITY.—An individual shall be eligible for
14 a scholarship under the program under this section if the
15 individual—

16 (1) is pursuing education or training leading to
17 licensure or other certified proficiency in such behav-
18 ioral health care specialties critical to the operations
19 of Vet Centers as the Secretary shall designate for
20 purposes of the program; and

21 (2) otherwise meets such other criteria or re-
22 quirements as the Secretary shall establish for pur-
23 poses of the program.

24 (c) AMOUNT.—The amount of any scholarship pro-
25 vided under the program under this section shall be deter-
26 mined by the Secretary.

1 (d) AGREEMENT TO SERVE AS BEHAVIORAL
2 HEALTH CARE SPECIALIST IN VET CENTERS.—As a con-
3 dition of receipt of a scholarship under the program under
4 this section, an individual receiving a scholarship shall
5 enter into an agreement with the Secretary to serve as
6 an employee of a Vet Center in the behavioral health care
7 specialty of the individual for such period as the Secretary
8 shall specify in the agreement.

9 (e) REPAYMENT.—Each agreement under subsection
10 (c) shall contain such provisions as the Under Secretary
11 shall establish for purposes of the program under this sec-
12 tion relating to repayment of the amount of a scholarship
13 provided under this section in the event the individual en-
14 tering into such agreement does not fulfill the service re-
15 quirements in such agreement. Such provisions shall, to
16 the maximum extent practicable, apply uniformly to all re-
17 cipients of scholarships provided under this section.

18 (f) FUNDING.—(1) Amounts for scholarships under
19 the program under this section shall be derived from
20 amounts available to the Secretary of Veterans Affairs for
21 readjustment benefits.

22 (2) The total amount available for scholarships under
23 the program under this section in any fiscal year may not
24 exceed \$2,000,000.

1 (g) VET CENTERS DEFINED.—In this section, the
2 term “Vet Centers” means the centers for readjustment
3 counseling and related mental health services for veterans
4 under section 1712A of title 38, United States Code.

5 **SEC. 3. ELIGIBILITY OF MEMBERS OF THE ARMED FORCES**
6 **WHO SERVE IN OPERATION IRAQI FREEDOM**
7 **OR OPERATION ENDURING FREEDOM FOR**
8 **COUNSELING AND SERVICES THROUGH VETS**
9 **CENTERS.**

10 (a) IN GENERAL.—Any member of the Armed
11 Forces, including a member of the National Guard or Re-
12 serve, who serves on active duty in the Armed Forces in
13 Operation Iraqi Freedom or Operation Enduring Freedom
14 is eligible for readjustment counseling and related mental
15 health services under section 1712A of title 38, United
16 States Code, through the centers for readjustment coun-
17 seling and related mental health services (commonly re-
18 ferred to as “Vet Centers”) operated under that section.

19 (b) NO REQUIREMENT FOR CURRENT ACTIVE DUTY
20 SERVICE.—A member of the Armed Forces who meets the
21 requirements for eligibility for counseling and services
22 under subsection (a) is entitled to counseling and services
23 under that subsection regardless of whether or not the
24 member is currently on active duty in the Armed Forces

1 at the time of receipt of counseling and services under that
2 subsection.

3 (c) REGULATIONS.—The eligibility of members of the
4 Armed Forces for counseling and services under sub-
5 section (a) shall be subject to such regulations as the Sec-
6 retary of Defense and the Secretary of Veterans Affairs
7 shall jointly prescribe for purposes of this section.

8 **SEC. 4. RESTORATION OF AUTHORITY OF VETS CENTERS**
9 **TO PROVIDE REFERRAL AND OTHER ASSIST-**
10 **ANCE UPON REQUEST TO FORMER MEMBERS**
11 **OF THE ARMED FORCES NOT AUTHORIZED**
12 **COUNSELING.**

13 Section 1712A of title 38, United States Code, is
14 amended by inserting after subsection (b) the following
15 new subsection (c):

16 “(c) Upon receipt of a request for counseling under
17 this section from any individual who has been discharged
18 or released from active military, naval, or air service but
19 who is not otherwise eligible for such counseling, the Sec-
20 retary shall—

21 “(1) provide referral services to assist such in-
22 dividual, to the maximum extent practicable, in ob-
23 taining mental health care and services from sources
24 outside the Department; and

1 “(2) if pertinent, advise such individual of such
2 individual’s rights to apply to the appropriate mili-
3 tary, naval, or air service, and to the Department,
4 for review of such individual’s discharge or release
5 from such service.”.

6 **SEC. 5. TREATMENT OF SUICIDES OF CERTAIN FORMER**
7 **MEMBERS OF THE ARMED FORCES AS**
8 **DEATHS IN LINE OF DUTY FOR PURPOSES OF**
9 **ELIGIBILITY OF SURVIVORS FOR CERTAIN**
10 **BENEFITS.**

11 (a) TREATMENT AS DEATH IN LINE OF DUTY OF
12 SUICIDES OF CERTAIN FORMER MEMBERS OF THE
13 ARMED FORCES.—The suicide of a former member of the
14 Armed Forces described in subsection (b) that occurs dur-
15 ing the two-year period beginning on the date of the sepa-
16 ration or retirement of the former member from the
17 Armed Forces shall be treated as a death in line of duty
18 of a member of the Armed Forces on active duty in the
19 Armed Forces for purposes of the eligibility of the sur-
20 vivors of the former member for the benefits described in
21 subsection (c).

22 (b) COVERED FORMER MEMBERS OF THE ARMED
23 FORCES.—A former member of the Armed Forces de-
24 scribed in this subsection is any former member of the
25 Armed Forces with a medical history of a combat-related

1 mental health condition or Post Traumatic Stress Dis-
2 order (PTSD) or Traumatic Brain Injury (TBI).

3 (c) COVERED BENEFITS.—The benefits described in
4 this subsection are the benefits as follows:

5 (1) Burial benefits.

6 (2) Benefits under the Survivor Benefit Plan
7 under subchapter II of chapter 73 of title 10, United
8 States Code.

9 (3) Benefits under the laws administered by the
10 Secretary of Veterans Affairs.

11 (4) Benefits under the Social Security Act.

12 (d) DATES FOR PURPOSES OF CERTAIN DETERMINA-
13 TIONS.—

14 (1) DATE OF DEATH.—Except as provided in
15 paragraph (2), for purposes of the benefits under
16 this section, the date of death of a former member
17 of the Armed Forces described by subsection (a)
18 shall be the date of the separation or retirement of
19 the former member from the Armed Forces.

20 (2) DATE FOR NATURE OF ELIGIBILITY.—In
21 determining the scope and nature of the entitlement
22 a survivor of a former member of the Armed Forces
23 described by subsection (a) to benefits under this
24 section, the date of death of the former member

1 shall be the date of the suicide of the former mem-
2 ber.

3 (e) REFUND OF REDUCTION IN RETIRED PAY
4 UNDER SBP.—Any reduction in the retired pay of a
5 former member of the Armed Forces described by sub-
6 section (a) under the Survivor Benefit Plan under sub-
7 chapter II of chapter 73 of title 10, United States Code,
8 during the period beginning on the date of the retirement
9 of the former member from the Armed Forces and ending
10 on the date of the suicide of the former member shall be
11 refunded to the surviving spouse or children, as applicable,
12 of the former member.

13 **SEC. 6. GRANTS FOR NON-PROFIT ORGANIZATIONS FOR**
14 **THE PROVISION OF EMOTIONAL SUPPORT**
15 **SERVICES TO SURVIVORS OF MEMBERS OF**
16 **THE ARMED FORCES AND VETERANS.**

17 (a) IN GENERAL.—The Secretary of Defense shall
18 carry out a program to award grants to non-profit organi-
19 zations that provide emotional support services for sur-
20 vivors of deceased members of the Armed Forces (includ-
21 ing members of the National Guard and Reserve) and de-
22 ceased veterans through peers of such survivors.

23 (b) AWARD OF GRANTS.—

24 (1) ELIGIBILITY.—To be eligible for a grant
25 under the program under this section a non-profit

1 organization shall meet such criteria as the Sec-
2 retary shall establish for purposes of the program.

3 (2) APPLICATION.—A non-profit organization
4 seeking a grant under the program shall submit to
5 the Secretary an application for the grant in such
6 form and manner as the Secretary shall specify for
7 purposes of the program.

8 (c) GRANTS.—

9 (1) AMOUNT.—The amount of each grant
10 awarded a non-profit organization under the pro-
11 gram under this section shall be such amount as the
12 Secretary determines appropriate for purposes of the
13 program.

14 (2) DURATION.—The duration of each grant
15 awarded a non-profit organization shall be such pe-
16 riod as the Secretary determines appropriate for
17 purposes of the program.

18 (d) USE OF GRANT FUNDS.—Each non-profit organi-
19 zation awarded a grant under the program under this sec-
20 tion shall utilize amounts under the grant to provide such
21 emotional support services for survivors of deceased mem-
22 bers of the Armed Forces (including members of the Na-
23 tional Guard and Reserve) and deceased veterans through
24 peers of such survivors as the Secretary shall specify in
25 the grant.

1 (e) FUNDING.—Amounts for grants under the pro-
2 gram under this section shall be derived from amounts au-
3 thorized to be appropriated for the Department of Defense
4 for military personnel.

5 **SEC. 7. PILOT PROGRAMS ON AWARENESS ENHANCEMENT**
6 **FOR MEMBERS OF THE ARMY REGARDING**
7 **POST TRAUMATIC STRESS DISORDER.**

8 (a) PILOT PROGRAMS REQUIRED.—The Secretary of
9 the Army shall carry out at each location specified in sub-
10 section (b) a pilot program to assess the feasibility and
11 advisability of various means of enhancing awareness
12 among members of the Army of Post Traumatic Stress
13 Disorder (PTSD).

14 (b) LOCATIONS.—The locations specified in this sub-
15 section for the pilot programs required by subsection (a)
16 are the following:

17 (1) Fort Carson, Colorado.

18 (2) Fort Leonard Wood, Missouri.

19 (c) ACTIVITIES.—

20 (1) IN GENERAL.—The activities under the
21 pilot programs required by subsection (a) shall in-
22 clude the following:

23 (A) For members of the Army about to un-
24 dergo deployment, such activities as the Sec-

1 retary considers appropriate to enhance the un-
2 derstanding of members of the Army of—

3 (i) the neurophysiological effects of
4 the stress and trauma associated with com-
5 bat, including Post Traumatic Stress Dis-
6 order; and

7 (ii) the means of eliminating or miti-
8 gating such effects after the return from
9 combat.

10 (B) For members of the Army undergoing
11 deployment, appropriate reinforcement of the
12 lessons provided through activities under sub-
13 paragraph (A).

14 (C) For members of the Army after the re-
15 turn from deployment, appropriate activities to
16 assist the members in reintegrating into non-
17 combat life.

18 (D) For families of members of the Army
19 who will deploy or are deployed, appropriate
20 training and assistance (including Internet-
21 based training and assistance) at each stage of
22 the deployment of such members in order to as-
23 sist such families and members in recognizing
24 and addressing Post Traumatic Stress Disorder

1 after the return of such members from deploy-
2 ment

3 (2) DEVELOPMENT OF ACTIVITIES.—In devel-
4 oping activities for purposes of the pilot programs,
5 the Secretary shall utilize lessons in addressing
6 stress and trauma learned by other appropriate pop-
7 ulations, including special operations forces and
8 their communities and elite athlete communities.

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