

110TH CONGRESS
1ST SESSION

H. R. 3167

To impose a temporary moratorium on the discharge of members of the Armed Forces for personality disorder, except in certain specified cases.

IN THE HOUSE OF REPRESENTATIVES

JULY 24, 2007

Mr. HARE (for himself, Mr. JOHNSON of Georgia, Mr. CROWLEY, and Mr. LAHOOD) introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To impose a temporary moratorium on the discharge of members of the Armed Forces for personality disorder, except in certain specified cases.

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 “Fair Mental Health
5 Evaluation for Returning Veterans Act”.

6 **SEC. 2. DISCHARGE OF MEMBERS OF THE ARMED FORCES**
7 **FOR PERSONALITY DISORDER.**

8 (a) TEMPORARY MORATORIUM ON DISCHARGES.—
9 Effective as of the date of the enactment of this Act, the

1 Secretary of a military department may not, except as pro-
2 vided in subsection (b), discharge from the Armed Forces
3 for personality disorder any member of the Armed Forces
4 (including a member of the National Guard or Reserve)
5 who has served on active duty in a combat zone until the
6 later of the dates as follows:

7 (1) The date of the completion by the Secretary
8 of Defense of a review of the policies and procedures
9 of the Department of Defense for diagnosing a per-
10 sonality disorder in members of the Armed Forces.

11 (2) The date of the issuance by the Secretary
12 of Defense of policies and procedures to ensure the
13 appropriate use of discharge of members of the
14 Armed Forces for personality disorder, which dis-
15 charges shall be based on standard clinical diag-
16 nostic practices, including the practices outlined in
17 the most recent edition of the Diagnostic Statistical
18 Manual for Mental Disorders.

19 (3) The date of the establishment by the Sec-
20 retary of Defense of an independent review board for
21 discharges of members of the Armed Forces for per-
22 sonality discharge, including for members so dis-
23 charged on or after September 12, 2001, and before
24 the date of the enactment of this Act.

1 (4) The date on which the Secretary of Defense
2 submits a report to Congress on the progress in im-
3 plementing the requirements of paragraphs (1)
4 through (3).

5 (5) The date that is 45 days after the date of
6 the submission of the report referred to in para-
7 graph (4), which period shall permit Congress to
8 consider the report.

9 (b) EXCEPTION.—The limitation in subsection (a)
10 shall not apply with respect to any member of the Armed
11 Forces who provided false or misleading information, or
12 omitted providing information about past criminal behav-
13 ior, that is material to a discharge for personality disorder
14 during recruitment for or enlistment in the Armed Forces.

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