

110TH CONGRESS  
1ST SESSION

# H. R. 3581

To clarify the roles of the Department of Defense and Department of Veterans Affairs disability evaluation systems for retirement and compensation of members of the Armed Forces for disability, to require the development of a single physical exam that can be used to determine both fitness for duty and disability ratings, to standardize fitness testing among the Armed Forces, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 19, 2007

Mr. JONES of North Carolina introduced the following bill; which was referred to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

---

## A BILL

To clarify the roles of the Department of Defense and Department of Veterans Affairs disability evaluation systems for retirement and compensation of members of the Armed Forces for disability, to require the development of a single physical exam that can be used to determine both fitness for duty and disability ratings, to standardize fitness testing among the Armed Forces, 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,*

1 **SECTION 1. DEPARTMENT OF DEFENSE AND DEPARTMENT**  
2 **OF VETERANS AFFAIRS DISABILITY EVALUA-**  
3 **TION SYSTEMS.**

4 (a) **DISTINCT ROLES FOR DOD AND VA.**—The Sec-  
5 retary of Defense and the Secretary of Veterans Affairs  
6 shall develop a joint disability evaluation system under  
7 which—

8 (1) the Department of Defense shall be respon-  
9 sible for determining whether an injured member of  
10 the Armed Forces is fit to perform the duties of the  
11 member's office, grade, rank, or rating, or should be  
12 retired or separated because of physical disability  
13 under chapter 61 of title 10, United States Code;  
14 and

15 (2) the Department of Veterans Affairs shall be  
16 responsible for establishing the disability rating,  
17 compensation, and benefits programs for the mem-  
18 ber if the member is retired or separated because of  
19 physical disability.

20 (b) **SINGLE PHYSICAL EXAM.**—The Secretary of De-  
21 fense and the Secretary of Veterans Affairs shall develop  
22 a single medical examination for the evaluation of mem-  
23 bers of the Armed Forces who incur an injury that may  
24 require the retirement or separation of the member from  
25 the Armed Forces, which shall be used—

1           (1) by medical evaluation boards and physical  
2           evaluation boards of the Department of Defense to  
3           determine the fitness of a member of the Armed  
4           Forces to perform the duties of the member's office,  
5           grade, rank, or rating; and

6           (2) by the Department of Veterans Affairs to  
7           establish the disability rating, compensation, and  
8           benefits programs for the member.

9           (c) STANDARDIZATION.—The Secretary of Defense  
10          shall standardize for each of the military departments the  
11          testing used to determine the fitness of a member to per-  
12          form duty.

13          (d) DEPARTMENT OF VETERANS AFFAIRS ASSESS-  
14          MENT.—The Secretary of Veterans Affairs shall conduct  
15          an assessment of the training programs of the Department  
16          of Veterans Affairs. Such assessment shall include an eval-  
17          uation of the training programs for personnel of the De-  
18          partment of Defense whose responsibilities are related to  
19          the disability evaluation system described in subsection  
20          (a).

21          (e) REPORT TO CONGRESS.—Not later than 90 days  
22          after the date of the enactment of this Act, the Secretary  
23          of Veterans Affairs and the Secretary of Defense shall

4

- 1 each submit to Congress a report on any actions taken
- 2 to carry out this Act.

○