

Impacting Acts that directed toward the Coast Guard- 2015 and 2022

Coast Guard Authorization Act of 2015

Section 221.

Clarification of eligibility of members of the Coast Guard for combat-related special compensation

(a) Consideration of eligibility

(1) In general

Not later than 90 days after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall issue procedures and criteria to use in determining whether the disability of a member of the Coast Guard is a combat-related disability for purposes of the eligibility of such member for combat-related special compensation under section 1413a of title 10, United States Code. Such procedures and criteria shall include the procedures and criteria prescribed by the Secretary of Defense pursuant to subsection (e)(2) of such section. Such procedures and criteria shall apply in determining whether the disability of a member of the Coast Guard is a combat-related disability for purposes of determining the eligibility of such member for combat-related special compensation under such section.

(2) Disability for which a determination is made

For the purposes of this section, and in the case of a member of the Coast Guard, a disability under section 1413a(e)(2)(B) of title 10, United States Code, includes a disability incurred during aviation duty, diving duty, rescue swimmer or similar duty, and hazardous service duty onboard a small vessel (such as duty as a surfman)—

(A) in the performance of duties for which special or incentive pay was paid pursuant to section 301, 301a, 304, 307, 334, or 351 of title 37, United States Code;

(B) in the performance of duties related to a statutory mission of the Coast Guard under paragraph (1) or paragraph (2) of section 888(a) of the Homeland Security Act of 2002 (6 U.S.C. 468(a)), including—

(i) law enforcement, including drug or migrant interdiction;

(ii) defense readiness; or

(iii) search and rescue; or

(C) while engaged in a training exercise for the performance of a duty described in

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subparagraphs (A) and (B).

(b) Applicability of procedures and criteria

The procedures and criteria issued pursuant to subsection (a) shall apply to disabilities described in that subsection that are incurred on or after the effective date provided in section 636(a)(2) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 116 Stat. 2574; 10 U.S.C. 1413a note).

(c) Reapplication for compensation

Any member of the Coast Guard who was denied combat-related special compensation under section 1413a of title 10, United States Code, during the period beginning on the effective date specified in subsection (b) and ending on the date of the issuance of the procedures and criteria required by subsection (a) may reapply for combat-related special compensation under such section on the basis of such procedures and criteria in accordance with such procedures as the Secretary of the department in which the Coast Guard is operating shall specify

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SEC. 11404. COMBAT-RELATED SPECIAL COMPENSATION.

(a) REPORT AND BRIEFING.—Not later than 90 days after the date of enactment of this Act, and every 180 7 days thereafter until the date that is 5 years after the date on which the initial report is submitted under this subsection, the Commandant shall submit a report and provide an in-person briefing to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the implementation of section 221 of the Coast Guard Authorization Act of 2016 (Public Law 114–120; 10 U.S.C. 1413a note).

(b) ELEMENTS.—Each report and briefing required by subsection (a) shall include the following:

- (1) A description of methods to educate members and retirees on the combat-related special compensation program.
- (2) Statistics regarding enrollment in such program for members of the Coast Guard and Coast Guard retirees.
- (3) A summary of each of the following:
 - (A) Activities carried out relating to the education of members of the Coast Guard participating in the Transition Assistance Program with respect to the combat-related special compensation program.

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(B) Activities carried out relating to the education of members of the Coast Guard who are engaged in missions in which they are susceptible to injuries that may result in qualification for combat-related special compensation, including flight school, the National Motor Lifeboat School, deployable special forces, and other training programs as the Commandant considers appropriate.

(C) Activities carried out relating to training physicians and physician assistants employed by the Coast Guard, or otherwise stationed in Coast Guard clinics, sickbays, or other locations at which medical care is provided to members of the Coast Guard, for the purpose of ensuring, during medical examinations, appropriate counseling and documentation of symptoms, injuries, and the associated incident that resulted in such injuries.

(D) Activities relating to the notification of health service officers with respect to the combat-related special compensation program.

(4) The written guidance provided to members of the Coast Guard regarding necessary record keeping to ensure eligibility for benefits under such program.

(5) Any other matter relating to combat-related special compensation the Commandant considers appropriate.

(c) DISABILITY DUE TO CHEMICAL OR HAZARDOUS MATERIAL EXPOSURE.—Section 221(a) of the Coast Guard Authorization Act of 2016 (Public Law 114–120; 10 U.S.C. 1413a note) is amended—

(1) in paragraph (1) by striking “department is” and inserting “department in”; and

(2) in paragraph (2)—(A) in the matter preceding subparagraph (A)—

(i) by striking “and hazardous” and inserting “hazardous”; and

(ii) by inserting “, or a duty in which chemical or other hazardous material exposure has occurred (such as during marine inspections or pollution response activities)” after “surfman”); and

(B) in subparagraph (B)

(i) by striking “paragraph (1) or paragraph (2) of”; and

(ii) by striking “, including—” and all that follows through “search and rescue; or” and inserting “; or”.