

**AMENDMENT TO H.R. 3838**  
**OFFERED BY MR. GARAMENDI OF CALIFORNIA**

At the appropriate place in title VII, insert the following new section:

1 **SEC. 7 \_\_\_\_ . AUTHORIZATION OF CERTAIN CLAIMS FOR PER-**  
2 **SONAL INJURY OR DEATH CAUSED BY MED-**  
3 **ICAL MALPRACTICE ONBOARD CERTAIN**  
4 **NAVAL VESSELS.**

5 (a) **AUTHORIZATION.**—Section 2733a of title 10,  
6 United States Code, is amended—

7 (1) in subsection (b)(3), by inserting “or on-  
8 board a covered naval vessel of the United States  
9 that, at the time of such occurrence, was not en-  
10 gaged in combat operations” after “facility”; and

11 (2) in subsection (k)—

12 (A) by redesignating paragraphs (2) and  
13 (3) as paragraphs (3) and (4), respectively; and

14 (B) by inserting after paragraph (1) the  
15 following new paragraph:

16 “(2) **COVERED NAVAL VESSEL.**—The term ‘cov-  
17 ered naval vessel’ means an aircraft carrier, landing  
18 helicopter assault ship, or landing helicopter dock  
19 ship.”.

1 (b) APPLICABILITY; FILING PERIOD FOR CERTAIN  
2 CLAIMS.—

3 (1) APPLICABILITY.—The amendments made  
4 by subsection (a) shall apply with respect to claims  
5 that accrue—

6 (A) during the period described in para-  
7 graph (2)(B); or

8 (B) on or after the date of the enactment  
9 of this Act.

10 (2) FILING PERIOD.—

11 (A) IN GENERAL.—Any claim regarding an  
12 act or omission constituting medical malpractice  
13 onboard a navel vessel as specified in section  
14 2733a(b)(3) of title 10, United States Code (as  
15 amended by subsection (a)) that accrues during  
16 the period described in subparagraph (B) and is  
17 filed not later than 90 days after the date of  
18 the enactment of this Act—

19 (i) shall be deemed to be filed within  
20 the time period specified in section  
21 2733a(b)(4) of such title; and

22 (ii) notwithstanding section 2735 of  
23 such title, may be allowed, settled, and  
24 paid under section 2733a(a) of such title.

1                   (B) PERIOD DESCRIBED.—The period de-  
2                   scribed in this subparagraph is the period be-  
3                   ginning on October 1, 2016, and ending on the  
4                   day before the date of the enactment of this  
5                   Act.

