

En Bloc Amendments to H.R. 1960
National Defense Authorization Act for Fiscal Year 2014
 Wednesday, June 5, 2013

MILITARY PERSONNEL		
En Bloc #3		
Log #	Sponsor	Description
20r1	Rep Andrews	Requires cost benefit analysis of alcohol abuse prevention programs
025r1	Rep. Andrews	Requires a brief on mortuary standards in nations where U.S. service members
31r1	Rep. Andrews	No interest Accrual Benefits
032	Rep. Andrews	Requires periodic person-to-person mental health assessments for active duty members of the armed forces
098	Rep. Heck	Requires SecDef to establish uniform regulations defining inappropriate and prohibited relationships between trainer and trainees. Policy must include mandatory processing for administrative separation following substantiated incident
115r1	Rep. Speier	Requires DOD IG to investigate reports SOF sexual assault made by service members where members were subsequently separated and investigate the separation and make recommendations to the SecDef regarding correcting service records.
116r3	Rep. Speier	Enhances protections for members of the Armed Services who make protected disclosures by protecting disclosures made up the chain of command, and ensures actions are taken for corrective action when retaliation has occurred.
123r2	Rep. Speier	Requires the Comptroller to review self-referral of imaging services in the Tricare program.
126r1	Rep. Speier	Requires research regarding drug development to halt neurodegeneration following TBI
129r1	Rep. Speier	Requires DOD to train nurses already employed by DOD so that the nurses may gain a Sexual Assault Nurse Examiner certification.

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Log #	Sponsor	Description
143	Rep. Lamborn	Requires the DOD to provide additional background information relating to section 535 of the FY2011 NDAA.
149r1	Rep. Scott	Directs DOD to ensure that sufficient priority is given mobile diagnosis capabilities for autism.
176r2	Rep. Duckworth	Ensures that the education and training provided to members of the Armed Forces and veterans, better assists members and veterans in obtaining civilian certifications and licenses, and allows for the use of tuition assistance and Post 9-11 GI bill benefits. Also, expands DOD pilot program on credentialing emphasizing IT.
183r1	Rep. Coffman	Creates a commission to undertake a comprehensive study of whether the DOD's mechanisms for disciplinary action adequately address the impact of service-connected mental disorders and TBI on the basis of said disciplinary action.
186r1	Rep. Shea- Porter	Directs SecDef to conduct a study to evaluate the efficacy of therapeutic service dog training program operating at the National Intrepid Center of Excellence and its satellites in the treatment of Post-Traumatic Stress Disorder and Traumatic Brain Injury
237r1	Rep. Davis	Rights and Responsibilities of Service Members (sexual assault related)
267	Rep. Davis	Requires GAO conduct a review of the medical Education and Training consolidation efforts and report to the House and Senate Armed Services Committee

Offered by Mr. Andrews

Log 020r1

Alcohol Abuse Prevention Programs-- Report Language

The committee is encouraged that the Department of Defense and the military services recognize the deleterious effects of alcohol abuse on service members, families and military readiness. However, the committee remains concerned with the incidence of alcohol abuse by members of the military and their families. The committee believes that applying best practices across the military services may allow for more effective alcohol abuse prevention programs. Therefore, the committee directs the secretaries of the military services, within 90 days after the date of the enactment of this Act, to submit to the congressional defense committees, a report on alcohol abuse prevention programs to include a cost benefit analysis detailing the most effective methods for preventing alcohol abuse.

Log G25 r 1

The committee recognizes that there are instances in which a host nation under Status of Forces Agreements may require the retention of the remains of a service member killed while stationed overseas. However, the committee believes that the services have a responsibility to ensure that such remains are returned as quickly as reasonably possible while complying with the terms of the Status of Forces Agreement. The committee understands there are Status of Forces Agreements that do not address or include specific regulations or guidance on mortuary affairs. The committee urges the Department of Defense to work with the Department of State to review this issue and determine whether inclusion of such guidance and regulation, including providing technical assistance, will help to ensure the expeditious return of service members remains when the Department of State updates Status of Forces Agreements with host nations. Further, the committee directs the Secretary of Defense to brief the committee on Armed Forces of the Senate and the House of Representatives, not later than December 31, 2014, on the results of the review conducted with the Department of State.

L07 031

No accrual of interest benefit—Rep. Andrews

The committee is strongly supportive of the current prohibition on accrual of interest for service members serving in a combat zone. However, the committee is concerned that lack of information regarding this benefit and the administrative burden placed on service members in order to receive it may be preventing more members of the armed services from participating. Therefore, the committee directs the Secretary of Defense to ensure that all service members, when assigned to duty in an area for which special pay is available, are made aware of the benefits provided under section 455(o) of the Higher Education Act of 1965 (20 U.S.C. 1087e(o)), and include this information in the out-processing checklist, briefings and counselings that all deploying Service members receive.

AMENDMENT TO H.R. 1960**OFFERED BY MR. ANDREWS OF NEW JERSEY**

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

1 **SEC. 7___ . PERIODIC MENTAL HEALTH ASSESSMENTS FOR**
2 **MEMBERS OF THE ARMED FORCES.**

3 (a) IN GENERAL.—Chapter 55 of title 10, United
4 States Code, is amended by inserting after section 1074m
5 the following new section:

6 **“§ 1074n. Periodic mental health assessments for**
7 **members of the armed forces**

8 “(a) IN GENERAL.—The Secretary of Defense shall
9 provide periodic, person-to-person mental health assess-
10 ments to each member of the armed forces serving on ac-
11 tive duty.

12 “(b) FREQUENCY.—The Secretary shall determine
13 the frequency of the mental health assessments provided
14 under subsection (a).

15 “(c) ELEMENTS.—(1) The mental health assessments
16 provided under subsection (a) shall meet the requirements
17 for mental health assessments as described in section
18 1074m(e)(1) of this title.

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1 “(2) The Secretary may treat health assessments and
2 other person-to-person assessments that are provided to
3 members of the armed forces, including examinations
4 under sections 1074f and 1074m of this title, as meeting
5 the requirements for mental health assessments required
6 under subsection (a) if the Secretary determines that such
7 assessments and person-to-person assessments meet the
8 requirements for mental health assessments established by
9 this section.

10 “(d) SHARING OF INFORMATION.—Section 1074m(e)
11 of this title, regarding the sharing of information with the
12 Secretary of Veterans Affairs, shall apply to mental health
13 assessments provided under subsection (a).

14 “(e) REGULATIONS.—The Secretary of Defense, in
15 consultation with the other administering Secretaries,
16 shall prescribe regulations for the administration of this
17 section.”.

18 (b) CLERICAL AMENDMENT.—The table of sections
19 at the beginning of such chapter is amended by inserting
20 after the item relating to section 1074m the following new
21 item:

“1074n. Periodic mental health assessments for members of the armed forces.”.



AMENDMENT TO H.R. 1960
OFFERED BY MR. HECK OF NEVADA

At the end of subtitle D of title V, add the following
new section:

1 **SEC. 5___.** **ENHANCED PROTECTIONS FOR PROSPECTIVE**
2 **MEMBERS AND NEW MEMBERS OF THE**
3 **ARMED FORCES DURING ENTRY-LEVEL**
4 **PROCESSING AND TRAINING.**

5 (a) **DEFINING INAPPROPRIATE AND PROHIBITED RE-**
6 **LATIONSHIPS, COMMUNICATION, CONDUCT, AND CONTACT**
7 **BETWEEN CERTAIN MEMBERS.—**

8 (1) **POLICY REQUIRED.—**The Secretary of De-
9 fense and the Secretary of the Department in which
10 the Coast Guard is operating shall establish and
11 maintain a policy to uniformly define and prescribe,
12 for the persons described in paragraph (2), what
13 constitutes an inappropriate and prohibited relation-
14 ship, communication, conduct, or contact, including
15 when such an action is consensual, between a mem-
16 ber of the Armed Forces described in paragraph
17 (2)(A) and a prospective member or member of the
18 Armed Forces described in paragraph (2)(B).

1 (2) COVERED MEMBERS.—The policy required
2 by paragraph (1) shall apply to—

3 (A) a member of the Armed Forces who is
4 superior in rank to, exercises authority or con-
5 trol over, or supervises a person described in
6 subparagraph (B) during the entry-level proc-
7 essing or training of the person; and

8 (B) a prospective member of the Armed
9 Forces or a member of the Armed Forces un-
10 dergoing entry-level processing or training.

11 (3) INCLUSION OF CERTAIN MEMBERS RE-
12 QUIRED.—The members of the Armed Forces cov-
13 ered by paragraph (2)(A) shall include, at a min-
14 imum, military personnel assigned or attached to
15 duty—

16 (A) for the purpose of recruiting or assess-
17 ing persons for enlistment or appointment as a
18 commissioned officer, warrant officer, or en-
19 listed member of the Armed Forces;

20 (B) at a Military Entrance Processing Sta-
21 tion; or

22 (C) at an entry-level training facility or
23 school of an Armed Force.

24 (b) EFFECT OF VIOLATIONS.—A member of the
25 Armed Forces who violates the policy established pursuant

1 to subsection (a) shall be subject to prosecution under the
2 Uniform Code of Military Justice.

3 (c) PROCESSING FOR ADMINISTRATIVE SEPARA-
4 TION.—

5 (1) IN GENERAL.—(A) The Secretary of De-
6 fense and the Secretary of the Department in which
7 the Coast Guard is operating shall require the proc-
8 essing for administrative separation of any member
9 of the Armed Forces described in subsection
10 (a)(2)(A) in response to the first substantiated viola-
11 tion by the member of the policy established pursu-
12 ant to subsection (a), when the member is not other-
13 wise punitively discharged or dismissed from the
14 Armed Forces for that violation.

15 (B) The Secretary of each military department
16 shall revise regulations applicable to the Armed
17 Forces under the jurisdiction of the Secretary as
18 necessary to ensure compliance with the requirement
19 under subparagraph (A).

20 (2) REQUIRED ELEMENTS.—(A) In imposing
21 the requirement under paragraph (1), the Secre-
22 taries shall ensure that any separation decision re-
23 garding a member of the Armed Forces is based on
24 the full facts of the case and that due process proce-
25 dures are provided under existing law or regulations

1 or additionally prescribed, as considered necessary
2 by the Secretaries, pursuant to subsection (f).

3 (B) The requirement imposed by paragraph (1)
4 shall not be interpreted to limit or alter the author-
5 ity of the Secretary of a military department and the
6 Secretary of the Department in which the Coast
7 Guard is operating to process members of the
8 Armed Forces for administrative separation—

9 (i) for reasons other than a substantiated
10 violation of the policy established pursuant to
11 subsection (a); or

12 (ii) under other provisions of law or regula-
13 tion.

14 (3) SUBSTANTIATED VIOLATION.—For purposes
15 of paragraph (1), a violation by a member of the
16 Armed Forces described in subsection (a)(2)(A) of
17 the policy established pursuant to subsection (a)
18 shall be treated as substantiated if—

19 (A) there has been a court-martial convic-
20 tion for violation of the policy, but the adjudged
21 sentence does not include discharge or dis-
22 missal; or

23 (B) a nonjudicial punishment authority
24 under section 815 of title 10, United States
25 Code (article 15 of the Uniform Code of Mili-

1 tary Justice) has determined that a member
2 has committed an offense in violation of the
3 policy and imposed nonjudicial punishment
4 upon the member.

5 (d) PROPOSED UNIFORM CODE OF MILITARY JUS-
6 TICE PUNITIVE ARTICLE.—Not later than one year after
7 the date of the enactment of this Act, the Secretary of
8 Defense shall submit to the Committees on Armed Serv-
9 ices of the Senate and the House of Representatives—

10 (1) a proposed amendment to chapter 47 of
11 title 10, United States Code (the Uniform Code of
12 Military Justice) to create an additional article
13 under subchapter X of such chapter regarding viola-
14 tions of the policy required by subsection (a); and

15 (2) the conforming changes to part IV, punitive
16 articles, in the Manual for Courts-Martial that will
17 be necessary upon adoption of such article.

18 (e) DEFINITIONS.—In this section:

19 (1) The term “entry-level processing or train-
20 ing”, with respect to a member of the Armed forces,
21 means the period beginning on the date on which the
22 member became a member of the Armed Forces and
23 ending on the date on which the member physically
24 arrives at that member’s first duty assignment fol-
25 lowing completion of initial entry training (or its

1 equivalent), as defined by the Secretary of the mili-
2 tary department concerned or the Secretary of the
3 Department in which the Coast Guard is operating.

4 (2) The term “prospective member of the
5 Armed Forces” means a person who has had a face-
6 to-face meeting with a member of the Armed Forces
7 assigned or attached to duty described in subsection
8 (a)(3)(A) regarding becoming a member of the
9 Armed Forces, regardless of whether the person
10 eventually becomes a member of the Armed Forces.

11 (f) REGULATIONS.—Not later than 180 days after
12 the date of the enactment of this Act, the Secretary of
13 Defense and the Secretary of the Department in which
14 the Coast Guard is operating shall issue such regulations
15 as may be necessary to carry out this section. The Sec-
16 retary of Defense shall ensure that, to the extent prac-
17 ticable, the regulations are uniform for each armed force
18 under the jurisdiction of that Secretary.



Log 115r1

AMENDMENT TO H.R. 1960
OFFERED BY MS. SPEIER OF CALIFORNIA
(National Defense Authorization Bill)

At the end of subtitle C of title V, add the following
new section:

1 **SEC. 5___ . INSPECTOR GENERAL OF THE DEPARTMENT OF**
2 **DEFENSE REVIEW OF SEPARATION OF MEM-**
3 **BERS OF THE ARMED FORCES WHO MADE UN-**
4 **RESTRICTED REPORTS OF SEXUAL ASSAULT.**

5 (a) REVIEW REQUIRED.—The Inspector General of
6 the Department of Defense shall conduct a review—

7 (1) to identify all members of the Armed Forces
8 who, since January 1, 2002, were separated from
9 the Armed Forces after making an unrestricted re-
10 port of sexual assault;

11 (2) to determine the circumstances of and
12 grounds for each such separation, including—

13 (A) whether the separation was in retalia-
14 tion for or influenced by the identified member
15 making an unrestricted report of sexual assault;
16 and

17 (B) whether the identified member re-
18 quested an appeal; and

1 (3) if an identified member was separated on
2 the grounds of having a personality or adjustment
3 disorder, to determine whether the separation was
4 carried out in compliance with Department of De-
5 fense Instruction 1332.14 and any other applicable
6 Department of Defense regulations, directives, and
7 policies.

8 (b) SUBMISSION OF RESULTS AND RECOMMENDA-
9 TIONS.—Not later than 180 days after the date of the en-
10 actment of this Act, the Inspector General of the Depart-
11 ment of Defense shall submit to the Committees on Armed
12 Services of the Senate and the House of Representatives
13 the results of the review conducted under subsection (a),
14 including such recommendations as the Inspector General
15 of the Department of Defense considers necessary.



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AMENDMENT TO H.R. 1960
OFFERED BY MS. SPEIER OF CALIFORNIA

At the end of subtitle C of title V, add the following
new section:

1 **SEC. 5___.** **EXPANSION AND ENHANCEMENT OF AUTHORI-**
2 **TIES RELATING PROTECTED COMMUNICA-**
3 **TIONS OF MEMBERS OF THE ARMED FORCES**
4 **AND PROHIBITED RETALIATORY ACTIONS.**

5 (a) **EXPANSION OF PROHIBITED RETALIATORY PER-**
6 **SONNEL ACTIONS.**—Subsection (b) of section 1034 of title
7 10, United States Code, is amended—

8 (1) in paragraph (1)(B)—

9 (A) by striking “or” at the end of clause
10 (iv);

11 (B) by redesignating clause (v) as clause
12 (vi); and

13 (C) by inserting after clause (iv) the fol-
14 lowing new clause (v):

15 “(v) a court-martial proceeding; or”; and

16 (2) in paragraph (2), by inserting after “any
17 favorable action” the following: “, or a significant
18 change in a member’s duties, responsibilities, or
19 working conditions”.

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1 (b) INSPECTOR GENERAL INVESTIGATIONS OF ALLE-
2 GATIONS.—Subsection (c) of such section is amended—

3 (1) in paragraph (1), by striking “paragraph
4 (3)” and inserting “paragraph (4)”;

5 (2) in paragraph (2), by striking subparagraph
6 (A) and inserting the following new subparagraph
7 (A):

8 “(A) Any violation of any law, rule, or regula-
9 tion, including a law or regulation prohibiting rape,
10 sexual assault, or other sexual misconduct in sec-
11 tions 920 through 920c of this title (articles 120
12 through 120c of the Uniform Code of Military Jus-
13 tice), sexual harassment or unlawful discrimina-
14 tion.”;

15 (3) by redesignating paragraphs (3), (4), and
16 (5) as paragraphs (4), (5), and (6), respectively;

17 (4) by inserting after paragraph (2) the fol-
18 lowing new paragraph (3):

19 “(3) A communication described in paragraph (2)
20 shall not be excluded from the protections provided in this
21 section because—

22 “(A) the communication was made to a person
23 who participated in an activity that the member rea-
24 sonably believed to be covered by paragraph (2);

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1 “(B) the communication revealed information
2 that had previously been communicated;

3 “(C) of the member’s motive for making the
4 communication;

5 “(D) the communication was not made in writ-
6 ing;

7 “(E) the communication was made while the
8 member was off duty;

9 “(F) the communication was made during the
10 normal course of duties of the member.”;

11 (5) in subparagraph (D) of paragraph (4), as
12 redesignated by paragraph (3) of this subsection, by
13 inserting before the period at the end of the second
14 sentence the following: “, with the consent of the
15 member”;

16 (6) in paragraph (5), as so redesignated—

17 (A) by striking “paragraph (3)(A)” and in-
18 serting “paragraph (4)(A)”;

19 (B) by striking “paragraph (3)(D)” and
20 inserting “paragraph (4)(D)”;

21 (C) by striking “60 days” and inserting
22 “one year”.

23 (c) INSPECTOR GENERAL INVESTIGATIONS OF UN-
24 DERLYING ALLEGATIONS.—Subsection (d) of such section
25 is amended by striking “subparagraph (A) or (B) of sub-

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1 section (c)(2)” and inserting “subparagraph (A), (B), or
2 (C) of subsection (c)(2)”.

3 (d) REPORTS ON INVESTIGATIONS.—Subsection (e)
4 of such section is amended—

5 (1) in paragraph (1)—

6 (A) by striking “subsection (c)(3)(E)” both
7 places it appears and inserting “subsection
8 (c)(4)(E)”;

9 (B) by striking “the Secretary of Defense”
10 and inserting “the Secretary of the military de-
11 partment concerned”;

12 (C) by striking “to the Secretary,” and in-
13 serting “to such Secretary,”;

14 (2) in paragraph (3), by striking “the Secretary
15 of Defense” and inserting “the Secretary of the mili-
16 tary department concerned”;

17 (3) in paragraph (4), by striking the second
18 sentence and inserting the following new sentence:
19 “The report shall include an explicit determination
20 as to whether a personnel action prohibited by sub-
21 section (b) has occurred and a recommendation as to
22 the disposition of the complaint, including appro-
23 priate corrective action for the member.”.

24 (e) ACTION IN CASE OF VIOLATIONS.—Such section
25 is further amended—

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1 (1) by redesignating subsections (f), (g), (h),
2 and (i) as subsections (g), (h), (j), and (k), respec-
3 tively; and

4 (2) by inserting after subsection (e) the fol-
5 lowing new subsection (f):

6 “(f) ACTION IN CASE OF VIOLATIONS.—(1) If an In-
7 spector General reports under subsection (e) that a per-
8 sonnel action prohibited by subsection (b) has occurred,
9 not later than 30 days after receiving such report from
10 the Inspector General, the Secretary of Homeland Secu-
11 rity or the Secretary of the military department concerned,
12 as applicable, shall order such action as is necessary to
13 correct the record of a personnel action prohibited by sub-
14 section (b), taking into account the recommendations in
15 the report by the Inspector General. Such Secretary shall
16 take any appropriate disciplinary action against the indi-
17 vidual who committed such prohibited personnel action.

18 “(2) If the Secretary of Homeland Security or the
19 Secretary of the military department concerned, as appli-
20 cable, determines that an order for corrective or discipli-
21 nary action is not appropriate, not later than 30 days after
22 making the determination, such Secretary shall—

23 “(A) provide to the Secretary of Defense, the
24 Committees on Armed Services of the Senate and
25 the House of Representatives, and the member or

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1 former member, a notice of the determination and
2 the reasons for not taking action; and

3 “(B) refer the report to the appropriate board
4 for the correction of military records for further re-
5 view under subsection (g).”.

6 (f) CORRECTION OF RECORDS.—Subsection (g) of
7 such section, as redesignated by subsection (e)(1) of this
8 section, is further amended—

9 (1) in paragraph (2)(C), by striking “may” and
10 inserting “upon the request of the member or former
11 member, after an initial determination that a com-
12 plaint is not frivolous and has not previously been
13 addressed by the board, shall”; and

14 (2) in paragraph (3)—

15 (A) in the matter preceding subparagraph
16 (A), by striking “board elects to hold” and in-
17 serting “board holds”; and

18 (B) in subparagraph (A)—

19 (i) by striking “may be provided” and
20 inserting “shall be provided”; and

21 (ii) in clause (ii), by striking “the case
22 is unusually complex or otherwise re-
23 quires” and inserting “the member or
24 former member would benefit from”.

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1 (g) REVIEW.—Subsection (h) of such section, as re-
2 designated by subsection (e)(1) of this section, is further
3 amended by striking “subsection (f)” and inserting “sub-
4 section (g)”.

5 (h) BURDENS OF PROOF.—Such section is further
6 amended by inserting after subsection (h), as so redesign-
7 nated, the following new subsection (i):

8 “(i) BURDENS OF PROOF.—The burdens of proof
9 specified in section 1221(e) of title 5 shall apply in any
10 investigation conducted by an Inspector General, and any
11 review conducted by the Secretary of Defense, the Sec-
12 retary of Homeland Security, and any board for the cor-
13 rection of military records, under this section.”.

14 (i) EFFECTIVE DATE.—The amendments made by
15 this section shall take effect on the date that is 30 days
16 after the date of the enactment of this Act, and shall apply
17 with respect to allegations pending or submitted under
18 section 1034 of title 10, United States Code, on or after
19 that date.



Log 123r2

Amendment Offered by Rep. Jackie Speier

H.R. 1960—National Defense Authorization Act for Fiscal Year 2014

To be inserted in the appropriate place the report:

Report On Provider Referrals for Ancillary Services Under TRICARE

The committee remains concerned with the long term viability of the TRICARE benefit for service members and their families. In that regard the committee is committed to ensuring that adequate protections are in place to make certain that the Department of Defense is not paying excessive costs for ancillary services through referrals by TRICARE providers. Therefore, the committee directs the Secretary of Defense, not later than April 1, 2014, to report to the committee on Armed Services of the Senate and the House of Representatives on the policies and procedures in place to avoid paying excessive costs for provider referred ancillary services under TRICARE and the effectiveness of such policies and procedure in avoiding excessive costs.

AMENDMENT TO H.R. 1960
OFFERED BY MS. SPEIER OF CALIFORNIA

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

1 **SEC. 7 ____, TRAUMATIC BRAIN INJURY RESEARCH.**

2 The Secretary of Defense shall carry out research,
3 development, test, and evaluation activities with respect
4 to traumatic brain injury and psychological health, includ-
5 ing activities regarding drug development to halt
6 neurodegeneration following traumatic brain injury.



AMENDMENT TO H.R. 1960

OFFERED BY MS. SPEIER OF CALIFORNIA

In section 541, relating to selection criteria for assignment as Sexual Assault Response and Prevention Program Managers, Sexual Assault Response Coordinators, and Sexual Assault Victim Advocates, redesignate subsection (b) as subsection (c) and insert after subsection (a) the following new subsection:

1 (b) ASSIGNMENT OF SEXUAL ASSAULT NURSE EX-
2 AMINERS-ADULT/ADOLESCENT TO CERTAIN MILITARY
3 UNITS.—

4 (1) ASSIGNMENT TO CERTAIN MILITARY
5 UNITS.—Section 584 of the National Defense Au-
6 thorization Act for Fiscal Year 2012 (Public Law
7 112–81; 10 U.S.C. 1561 note) is amended—

8 (A) by redesignating subsections (c) and
9 (d) as subsections (d) and (e), respectively; and

10 (B) by inserting after subsection (b) the
11 following new subsection (c):

12 “(c) SEXUAL ASSAULT NURSE EXAMINERS-ADULT/
13 ADOLESCENT.—

14 “(1) ASSIGNMENT REQUIREMENTS.—The Sec-
15 retary of each military department shall assign at

1 least one Sexual Assault Nurse Examiner-Adult/Ad-
2 olescent to each brigade or equivalent unit level of
3 each armed force under the jurisdiction of that Sec-
4 retary unless assignment to other units is deter-
5 mined to be more practicable and effective by the
6 Secretary of Defense. The Secretary of the military
7 department concerned may assign additional Sexual
8 Assault Nurse Examiners-Adult/Adolescent as nec-
9 essary based on the demographics or needs of a mili-
10 tary unit. The Secretary of the military department
11 concerned may waive the assignment requirement
12 for a specific unit level if that Secretary determines
13 that compliance will impose an undue burden, except
14 that the Secretary shall notify Congress of each
15 waiver and explain how compliance would impose an
16 undue burden.

17 “(2) ELIGIBLE PERSONS.—On and after Octo-
18 ber 1, 2015, only members of the armed forces and
19 civilian employees of the Department of Defense
20 may be assigned to duty as a Sexual Assault Nurse
21 Examiner-Adult/Adolescent. The Secretary of the
22 military department concerned may satisfy para-
23 graph (1) through the assignment of additional per-
24 sonnel to a unit or by assigning the duties of a Sex-
25 ual Assault Nurse Examiner-Adult/Adolescent to

1 current personnel of the unit, so long as such per-
2 sonnel meet the training and certification require-
3 ments of subsection (d).”.

4 (2) TRAINING AND CERTIFICATION.—Sub-
5 section (d) of such section, as redesignated by para-
6 graph (1)(A), is amended—

7 (A) in paragraph (1), by striking “assigned
8 under subsection (a) and Sexual Assault Victim
9 Advocates assigned under subsection (b)” and
10 inserting “, Sexual Assault Victim Advocates,
11 and Sexual Assault Nurse Examiners-Adult/Ad-
12 olescent assigned under this section”;

13 (B) in paragraph (2), by adding at the end
14 the following new sentence: “In the case of the
15 curriculum and other components of the pro-
16 gram for certification of Sexual Assault Nurse
17 Examiners-Adult/Adolescent, the Secretary of
18 Defense shall utilize the most recent guidelines
19 and standards as outlined by the Department of
20 Justice, Office on Violence Against Women, in
21 the National Training Standards for Sexual As-
22 sault Medical Forensic Examiners.”; and

23 (C) in paragraph (3), by adding at the end
24 the following new sentence: “On and after Octo-
25 ber 1, 2015, before a member or civilian em-

1 ployee may be assigned to duty as a Sexual As-
2 sault Nurse Examiner-Adult/Adolescent under
3 subsection (c), the member or employee must
4 have completed the training program required
5 by paragraph (1) and obtained the certifi-
6 cation.”.

In section 541, relating to selection criteria for as-
assignment as Sexual Assault Response and Prevention
Program Managers, Sexual Assault Response Coordina-
tors, and Sexual Assault Victim Advocates, add at the
end the following new subsection (and conform the sec-
tion heading accordingly):

7 (d) CLERICAL AMENDMENT.—The heading of section
8 584 of the National Defense Authorization Act for Fiscal
9 Year 2012 (Public Law 112–81; 10 U.S.C. 1561 note) is
10 amended to read as follows:

11 **“SEC. 584. SEXUAL ASSAULT RESPONSE COORDINATORS,**
12 **SEXUAL ASSAULT VICTIM ADVOCATES, AND**
13 **SEXUAL ASSAULT NURSE EXAMINERS-ADULT/**
14 **ADOLESCENT.”.**



AMENDMENT TO H.R. 1960
OFFERED BY MR. LAMBORN OF COLORADO

At the end of subtitle C of title V, add the following new section:

1 **SEC. 5___ . REPORT ON DATA AND INFORMATION COL-**
2 **LECTED IN CONNECTION WITH DEPARTMENT**
3 **OF DEFENSE REVIEW OF LAWS, POLICIES,**
4 **AND REGULATIONS RESTRICTING SERVICE**
5 **OF FEMALE MEMBERS OF THE ARMED**
6 **FORCES.**

7 (a) **REPORT REQUIRED.**—Not later than 30 days
8 after the date of the enactment of this Act, the Secretary
9 of Defense shall submit to the Committees on Armed Serv-
10 ices of the Senate and the House of Representatives a re-
11 port containing the specific results and data produced dur-
12 ing the research programs, tests, surveys, consultant re-
13 ports, assessments, and similar projects conducted to com-
14 ply with the requirement of section 535 of the Ike Skelton
15 National Defense Authorization Act for Fiscal Year 2011
16 (Public Law 111–383; 124 Stat. 4217) to review laws,
17 policies, and regulations that may restrict the service of
18 female members of the Armed Forces.

1 (b) PUBLIC AVAILABILITY.—Subject to subsection
2 (c), the Secretary of Defense shall make the report re-
3 quired by subsection (a) publically available.

4 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
5 tion shall be construed as a request or authority for the
6 Secretary of Defense to provide in the report required by
7 subsection (a) any personal information that would iden-
8 tify, or violate the privacy of, members of the Armed
9 Forces, including members who participated in the re-
10 search programs, tests, surveys, reports, assessments, and
11 similar projects conducted regarding the possible future
12 assignments of female members of the Armed Forces.



Amendment Offered by Rep. Austin Scott and Rep. Hank Johnson

H.R. 1960—National Defense Authorization Act for Fiscal Year 2014

To be inserted in the appropriate place the report:

Department of Defense and Early Autism Diagnosis and Intervention for
Military Families

The committee commends the Department of Defense for its continued efforts to ensure that military families have access to autism diagnosis, intervention and treatment services. The committee encourages the Department to continue to assist military families with autistic children to receive the full and expanding range of evidence-based intervention and treatment approaches. In addition, the committee directs the Secretary of Defense to ensure that sufficient priority is given to efforts to provide services specifically for autistic children of military families living in rural or underserved communities.

AMENDMENT TO H.R. 1960
OFFERED BY MS. DUCKWORTH OF ILLINOIS

At the end of subtitle F of title V, add the following
new sections:

1 **SEC. 562. ENHANCEMENT OF MECHANISMS TO CORRELATE**
2 **SKILLS AND TRAINING FOR MILITARY OCCU-**
3 **PATIONAL SPECIALTIES WITH SKILLS AND**
4 **TRAINING REQUIRED FOR CIVILIAN CERTIFI-**
5 **CATIONS AND LICENSES.**

6 (a) IMPROVEMENT OF INFORMATION AVAILABLE TO
7 MEMBERS OF THE ARMED FORCES ABOUT CORRELA-
8 TION.—

9 (1) IN GENERAL.—The Secretaries of the mili-
10 tary departments, in coordination with the Under
11 Secretary of Defense for Personnel and Readiness,
12 shall, to the maximum extent practicable, make in-
13 formation on civilian credentialing opportunities
14 available to members of the Armed Forces beginning
15 with, and at every stage of, training of members for
16 military occupational specialties, in order to permit
17 members—

18 (A) to evaluate the extent to which such
19 training correlates with the skills and training

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1 required in connection with various civilian cer-
2 tifications and licenses; and

3 (B) to assess the suitability of such train-
4 ing for obtaining or pursuing such civilian cer-
5 tifications and licenses.

6 (2) COORDINATION WITH TRANSITION GOALS
7 PLANS SUCCESS PROGRAM.—Information shall be
8 made available under paragraph (1) in a manner
9 consistent with the Transition Goals Plans Success
10 (GPS) program.

11 (3) TYPES OF INFORMATION.—The information
12 made available under paragraph (1) shall include,
13 but not be limited to, the following:

14 (A) Information on the civilian occupa-
15 tional equivalents of military occupational spe-
16 cialties (MOS).

17 (B) Information on civilian license or cer-
18 tification requirements, including examination
19 requirements.

20 (C) Information on the availability and op-
21 portunities for use of educational benefits avail-
22 able to members of the Armed Forces, as ap-
23 propriate, corresponding training, or continuing
24 education that leads to a certification exam in

1 order to provide a pathway to credentialing op-
2 portunities.

3 (4) USE AND ADAPTATION OF CERTAIN PRO-
4 GRAMS.—In making information available under
5 paragraph (1), the Secretaries of the military de-
6 partments may use and adapt appropriate portions
7 of the Credentialing Opportunities On-line (COOL)
8 programs of the Army and the Navy and the
9 Credentialing and Educational Research Tool
10 (CERT) of the Air Force.

11 (b) IMPROVEMENT OF ACCESS OF ACCREDITED CI-
12 VILIAN CREDENTIALING AGENCIES TO MILITARY TRAIN-
13 ING CONTENT.—

14 (1) IN GENERAL.—The Secretaries of the mili-
15 tary departments, in coordination with the Under
16 Secretary of Defense for Personnel and Readiness,
17 shall, to the maximum extent practicable consistent
18 with national security requirements, make available
19 to accredited civilian credentialing agencies that
20 issue certifications or licenses, upon request of such
21 agencies, information such as military course train-
22 ing curricula, syllabi, and materials, levels of mili-
23 tary advancement attained, and professional skills
24 developed.

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1 (2) CENTRAL REPOSITORY.—The actions taken
2 pursuant to paragraph (1) may include the estab-
3 lishment of a central repository of information on
4 training and training materials provided members in
5 connection with military occupational specialities
6 that is readily accessible by accredited civilian
7 credentialing agencies described in that paragraph in
8 order to meet requests described in that paragraph.

9 **SEC. 563. USE OF EDUCATIONAL ASSISTANCE FOR**
10 **COURSES IN PURSUIT OF CIVILIAN CERTIFI-**
11 **CATIONS OR LICENSES.**

12 (a) COURSES UNDER DEPARTMENT OF DEFENSE
13 EDUCATIONAL ASSISTANCE AUTHORITIES.—

14 (1) IN GENERAL.—Chapter 101 of title 10,
15 United States Code, is amended by inserting after
16 section 2015 the following new section:

17 **“§ 2015a. Civilian certifications and licenses: use of**
18 **educational assistance for courses in pur-**
19 **suit of civilian certifications or licenses**

20 “(a) LIMITATION ON USE OF ASSISTANCE.—In the
21 case of a member of the armed forces who is enrolled in
22 an educational institution in a State for purposes of ob-
23 taining employment in an occupation or profession requir-
24 ing the approval or licensure of a board or agency of that
25 State, educational assistance specified in subsection (b)

1 may be used by the member for a course offered by the
2 educational institution that is a required element of the
3 curriculum to be satisfied to obtain employment in that
4 occupation or profession only if—

5 “(1) the successful completion of the cur-
6 riculum fully qualifies a student to—

7 “(A) take any examination required for
8 entry into the occupation or profession, includ-
9 ing satisfying any State or professionally man-
10 dated programmatic and specialized accredita-
11 tion requirements; and

12 “(B) be certified or licensed or meet any
13 other academically related pre-conditions that
14 are required for entry into the occupation or
15 profession; and

16 “(2) in the case of State licensing or profes-
17 sionally mandated requirements for entry into the
18 occupation or profession that require specialized ac-
19 creditation, the curriculum meets the requirement
20 for specialized accreditation through its accreditation
21 or pre-accreditation by an accrediting agency or as-
22 sociation recognized by the Secretary of Education
23 or designated by that State as a reliable authority
24 as to the quality or training offered by the institu-
25 tion in that program.

1 “(b) COVERED EDUCATIONAL ASSISTANCE.—The
2 educational assistance specified in this subsection is edu-
3 cational assistance as follows:

4 “(1) Educational assistance for members of the
5 armed forces under section 2007 and 2015 of this
6 title.

7 “(2) Educational assistance for persons enlist-
8 ing for active duty under chapter 106A of this title.

9 “(3) Educational assistance for members of the
10 armed forces held as captives under section 2183 of
11 this title.

12 “(4) Educational assistance for members of the
13 Selected Reserve under chapter 1606 of this title.

14 “(5) Educational assistance for reserve compo-
15 nent members supporting contingency operations
16 and other operations under chapter 1607 of this
17 title.

18 “(6) Such other educational assistance provided
19 members of the armed force under the laws the ad-
20 ministered by the Secretary of Defense or the Secre-
21 taries of the military departments as the Secretary
22 of Defense shall designate for purposes of this sec-
23 tion.”.

24 (2) CLERICAL AMENDMENT.—The table of sec-
25 tions at the beginning of chapter 101 of such title

1 is amended by inserting after the item relating to
2 section 2015 the following new item:

“2015a. Civilian certifications and licenses: use of educational assistance for
courses in pursuit of civilian certifications or licenses.”.

3 (b) **EFFECTIVE DATE.**—The amendments made by
4 this section shall take effect on August 1, 2014, and shall
5 apply with respect to courses pursued on or after that
6 date.



AMENDMENT TO H.R. 1960
OFFERED BY MR. COFFMAN OF COLORADO

At the end of title V, add the following new section:

1 **SEC. 5___.** **COMMISSION ON MILITARY BEHAVIORAL**
2 **HEALTH AND DISCIPLINARY ISSUES.**

3 (a) **ESTABLISHMENT OF COMMISSION.**—There is es-
4 tablished the Commission on Military Behavioral Health
5 and Disciplinary Issues (in this section referred to as the
6 “Commission”).

7 (b) **MEMBERSHIP.**—

8 (1) **COMPOSITION.**—The Commission shall be
9 composed of 10 members, of whom—

10 (A) two shall be appointed by the Presi-
11 dent;

12 (B) two shall be appointed by the Chair-
13 man of the Committee on Armed Services of
14 the Senate;

15 (C) two shall be appointed by the Ranking
16 Member of the Committee on Armed Services of
17 the Senate;

18 (D) two shall be appointed by the Chair-
19 man of the Committee on Armed Services of
20 the House of Representatives; and

1 (E) two shall be appointed by the Ranking
2 Member of the Committee on Armed Services of
3 the House of Representatives.

4 (2) APPOINTMENT DATE.—The appointments of
5 the members of the Commission shall be made not
6 later than 30 days after the date of the enactment
7 of this Act. If one or more appointments under a
8 subparagraph of paragraph (1) is not made by such
9 appointment date, the authority to make such ap-
10 pointment or appointments shall expire, and the
11 number of members of the Commission shall be re-
12 duced by the number equal to the number of ap-
13 pointments not made.

14 (3) EXPERTISE.—In making appointments
15 under this subsection, consideration should be given
16 to individuals with expertise in service-connected
17 mental disorders, post-traumatic stress disorder
18 (PTSD), traumatic brain injury (TBI), psychiatry,
19 behavioral health, neurology, as well as disciplinary
20 matters and military justice.

21 (4) PERIOD OF APPOINTMENT; VACANCIES.—
22 Members shall be appointed for the life of the Com-
23 mission. Any vacancy in the Commission shall not
24 affect its powers, but shall be filled in the same
25 manner as the original appointment.

1 (5) INITIAL MEETING.—Not later than 30 days
2 after the appointment date specified in paragraph
3 (2), the Commission shall hold its first meeting.

4 (6) MEETINGS.—The Commission shall meet at
5 the call of the Chair. A majority of the members of
6 the Commission shall constitute a quorum, but a
7 lesser number of members may hold hearings.

8 (7) CHAIR AND VICE CHAIRMAN.—The Commis-
9 sion shall select a Chair and Vice Chair from among
10 its members.

11 (c) STUDY AND REPORT.—

12 (1) STUDY REQUIRED.—The Commission shall
13 undertake a comprehensive study of whether—

14 (A) the Department of Defense mecha-
15 nisms for disciplinary action adequately address
16 the impact of service-connected mental dis-
17 orders and TBI on the basis for the disciplinary
18 action; and

19 (B) whether the disciplinary mechanisms
20 should be revisited in light of new information
21 regarding the connection between service-con-
22 nected mental disorders and TBI, behavioral
23 problems, and disciplinary action.

24 (2) CONSIDERATIONS.—In considering the De-
25 partment of Defense mechanisms for disciplinary ac-

1 tion, the Commission shall give particular consider-
 2 ation to evaluating a structure that examines those
 3 members diagnosed with or reasonably asserting
 4 post traumatic stress disorder or traumatic brain in-
 5 jury that have been deployed overseas in support of
 6 a contingency operation during the previous 24
 7 months and how that injury or deployment may con-
 8 stitute matters in extenuation that relate to the
 9 basis for administrative separation under conditions
 10 other than honorable or the overall characterization
 11 of service of the member as other than honorable.

12 (3) REPORT.—Not later than June 30, 2014,
 13 the Commission shall submit to the President and
 14 the congressional defense committees a report con-
 15 taining a detailed statement of the findings and con-
 16 clusions of the Commission as a result of the study
 17 required by this subsection, together with its rec-
 18 ommendations for such legislation and administra-
 19 tive actions it may consider appropriate in light of
 20 the results of the study.

21 (d) POWERS OF THE COMMISSION.—

22 (1) HEARINGS.—The Commission may hold
 23 such hearings, sit and act at such times and places,
 24 take such testimony, and receive such evidence as

1 the Commission considers advisable to carry out this
2 section.

3 (2) INFORMATION FROM FEDERAL AGENCIES.—

4 The Commission may secure directly from any Fed-
5 eral department or agency such information as the
6 Commission considers necessary to carry out this
7 section. Upon request of the Chair of the Commis-
8 sion, the head of such department or agency shall
9 furnish such information to the Commission.

10 (e) COMMISSION PERSONNEL MATTERS.—

11 (1) COMPENSATION OF MEMBERS.—All mem-
12 bers of the Commission who are officers or employ-
13 ees of the United States shall serve without com-
14 pensation in addition to that received for their serv-
15 ices as officers or employees of the United States.

16 (2) TRAVEL EXPENSES.—The members of the
17 Commission shall be allowed travel expenses, includ-
18 ing per diem in lieu of subsistence, at rates author-
19 ized for employees of agencies under subchapter I of
20 chapter 57 of title 5, United States Code, while
21 away from their homes or regular places of business
22 in the performance of services for the Commission.

23 (3) STAFF.—The Chair of the Commission
24 may, without regard to the civil service laws and
25 regulations, appoint and terminate an executive di-

1 rector and such other additional personnel from as
2 may be necessary to enable the Commission to per-
3 form its duties. The employment of an executive di-
4 rector shall be subject to confirmation by the Com-
5 mission. The staff members should be officers or
6 employees of the United States.

7 (f) TERMINATION DATE.—The Commission shall ter-
8 minate 30 days after the date on which the Commission
9 submits its report.



**Amendment Offered by Rep. Carol Shea-Porter
and Rep. Frank LoBiondo**

H.R. 1960—National Defense Authorization Act for Fiscal Year 2014

To be inserted in the appropriate place the report:

Therapeutic Service Dog Training Program

The Committee is aware that recovering Service Members in treatment at the National Intrepid Center of Excellence (NICoE) and Walter Reed National Military Medical Center are reporting improvement in their symptoms of Post-Traumatic Stress Disorder (PTSD) and Traumatic Brain Injury (TBI) when participating in the service dog training programs currently operating in those facilities. In addition, clinical observations support the benefits of this animal-assisted therapy modality to psychologically injured Service Members, including: decreased depressive symptoms, improved emotional regulation, improved sleep patterns, a greater sense of purpose, better reintegration into their communities, pain reduction, and improved parenting skills. The Committee urges the Secretary to consider making this promising new therapeutic intervention more available to Service Members suffering from the invisible wounds of PTSD and TBI. Therefore, the Committee directs the Secretary of Defense to conduct such studies as may be necessary to evaluate the efficacy of service dog training as an adjunctive treatment for PTSD and TBI and to maximize the therapeutic benefits to recovering members who participate in the programs. The Committee further directs the Secretary to provide a report not later than March 1, 2015 to update the congressional defense committees on this research.

AMENDMENT TO H.R. 1960
OFFERED BY MRS. DAVIS OF CALIFORNIA
**(Offered on behalf of herself and Mr. Wilson of South
Carolina)**

At the end of subtitle C of title V, add the following
new section:

1 **SEC. 5___ . SERVICE MEMBERS' ACCOUNTABILITY, RIGHTS,**
2 **AND RESPONSIBILITIES TRAINING.**

3 (a) **RESPONSIBILITIES OF SECRETARY OF DE-**
4 **FENSE.—**

5 (1) **IN GENERAL.—**The Secretary of Defense,
6 acting through the Secretaries of the military de-
7 partments, shall ensure that all members of the
8 Armed Forces understand and comply with the
9 rights and responsibilities specified in subsections
10 (b) and (c).

11 (2) **IMPLEMENTATION.—**The Secretary of De-
12 fense shall have discretion regarding the manner in
13 which this information will be disseminated to mem-
14 bers, except that, at a minimum, the Secretary shall
15 require acknowledgment of these rights and respon-
16 sibilities by a member at these occurrences during
17 the military service of the member:

- 1 (A) Recruitment.
- 2 (B) Enlistment and reenlistment.
- 3 (C) Commissioning.
- 4 (D) Promotion in rank.
- 5 (E) Selection for command.

6 (b) MEMBER RIGHTS.—Each member of the Armed
7 Forces has the following rights:

- 8 (1) To a workplace and battlespace free from
9 the threat of sexual violence, including harassment,
10 abuse, assault, and rape.
- 11 (2) To have every instance of illegal activity ap-
12 propriately investigated. Law enforcement agencies
13 will investigate every allegation of criminal behavior,
14 and commanders will respond appropriately to every
15 report of wrongdoing.
- 16 (3) To make a restricted or unrestricted report
17 of a sex-based criminal act. Victims will have access
18 to vital services whether they pursue an investigation
19 or not.
- 20 (4) To use any and all reporting and prosecu-
21 tion avenues to pursue an allegation of sexual as-
22 sault.
- 23 (5) To not face retaliation for reporting a
24 criminal offense or harmful behavior.

1 (c) MEMBER RESPONSIBILITIES.—Each member of
2 the Armed Forces has the following responsibilities:

3 (1) To responsibly intervene in any situation
4 that involves the presence or threat of criminal be-
5 havior.

6 (2) To never leave another member behind in a
7 situation of risk to self or others, on the battlefield
8 or anywhere else.

9 (3) To immediately report observation or knowl-
10 edge of criminal behavior to appropriate officials.



Amendment Offered by Rep. Davis___

H.R. 1960—National Defense Authorization Act for Fiscal Year 2014

To be inserted in the appropriate place the report:

Review of the Military Health System Medical Training Consolidation

The Services established a memorandum of agreement for the governance of the recently established Medical Education and Training Campus (METC) in 2011. The establishment of METC consolidated the Department of Defense's five enlisted medical training campuses at one location in San Antonio, Texas and, according to the Department of Defense, over half of its programs of instruction. While the Department has reported it realized savings from this effort, it remains unclear if there are additional efficiencies to be gained in medical training consolidation. Further, it is unclear whether the individual programs of instruction have been consolidated into a joint program of instruction. Therefore, the committee directs the Comptroller General of the United States to review the consolidation of the Department of Defense's medical training. The review should include at a minimum: (1) the extent to which enlisted and officer medical training have been consolidated and standardized and what, if any, financial savings has the Department achieved; (2) the extent to which there are further opportunities for consolidation of enlisted medical training, (3) the extent to which the Department has examined consolidation of officer medical training, including an estimate of potential financial savings, and (4) an assessment of the lessons learned from the Medical Education and Training Campus consolidation that could apply to future consolidation efforts in the military health system's governance. The Comptroller General shall submit the results of the review no later than April 18, 2014 to the House and Senate Armed Services Committees.