

**En Bloc Amendments to H.R. 5515****Subcommittee on Military Personnel  
En Bloc #5**

<b>Log #</b>	<b>Sponsor</b>	<b>Description</b>
<b>033</b>	Wittman	Secretary of Defense report on efforts to continue utilizing small businesses for the acquisition of fresh fruits.
<b>046r1</b>	Davis	Directs the Comptroller General to report on Active Duty female retention.
<b>064</b>	Speier	Requires a report on the costs of supporting general/flag officers.
<b>113</b>	Hunter	Authorizes Armed Forces Expeditionary Medal for Marines involved in the mission to rescue Captain Scott O'Grady.
<b>161</b>	Shea-Porter	Prevents dual-status military technicians who reach their time-in-service end date from losing their jobs due to separation from military service.
<b>162</b>	Shea-Porter	Would designate dual-status military-technician positions that were converted to Title 5 in the FY17-18 NDAA as competitive, not excepted, service positions.
<b>171</b>	O'Rourke	Requires the Secretary of Defense to provide a report on unique challenges for military families that wish to adopt or foster children.
<b>186</b>	Rosen	Establishes Domestic Violence as a separate article under the UCMJ.
<b>253</b>	Murphy	Provides authority to hire faculty at the Joint Special Operations University (JSOU) under section 1595 (c) of title 10, United States Code.

**Amendment to H.R. 5515  
National Defense Authorization Act for Fiscal Year 2019**

**Offered by: Rep. Robert J. Wittman (VA-01)**

In the appropriate place in the report to accompany H.R. 5515, insert the following new Directive Report Language:

**Small Business Purchasing Contracts for Fresh Fruits and Vegetables for the  
Defense Commissary Agency (“DeCA”)**

The Committee commends DeCA for its efforts to achieve cost savings and provide patrons with an improved shopping experience. DeCA strives to maintain a good record of including small businesses in its acquisition practices including the acquisition of fresh fruits and vegetables through utilizing small businesses. These small businesses are best positioned to provide quality and fresh produce because of their proximity to commissaries and have traditionally provided these products at competitive prices. As the transformation proceeds the Committee encourages DeCA to continue to utilize small businesses for the acquisition of quality fresh fruits and vegetables. Therefore, the Committee directs the Secretary of Defense to submit a report to the House Committee on Armed Services by December 1, 2018 on the efforts to continue to utilize small businesses for fresh fruits and vegetables.

Leg Ø46r1

**Amendment to H.R. 5515  
National Defense Authorization Act for Fiscal Year 2019**

**Offered by Mrs. Davis of California**

In the appropriate place in the report to accompany H.R. 5515, insert the following new Directive Report Language:

**Comptroller General Report on Active Duty Female Retention**

The committee commends the Secretary of Defense for the briefing on Female Propensity to serve in the Armed Forces as requested in the House Report 115-200. Inclusive and growth-oriented recruiting must also ensure that the best and brightest females are not only recruited but that they are retained in the Armed Forces once presented with career options. Building on Female Propensity to serve in the Armed Forces, the committee recommends the Department expand their examination of female recruitment to include retention. An analysis conducted for the Defense Advisory Committee on Women in the Services finds that more women than men leave the military at various career points. Concerns persist that this attrition will result in a disproportionate impact to mission readiness if left unresolved. From an economic standpoint, when female employees leave, organizations must deal with higher recruiting costs, longer training times, and lower productivity. Therefore, not later December 1, 2018 the committee directs Comptroller General to submit a report containing the following components: (1) updated rates of promotion and attrition rates for women compared to other groups; (2) the reason for any differences in promotion and attrition; (3) recommendations to improve promotion and retention; (4) data and analysis to assist the committee in determining whether there are disparities in promotion and attrition rates; and (5) any other matters the commission believes are relevant to this issue.

**AMENDMENT TO H.R. 5515**  
**OFFERED BY MS. SPEIER OF CALIFORNIA**

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

1 **SEC. 5\_\_\_ . REPORT ON GENERAL AND FLAG OFFICER**  
2 **COSTS.**

3 Not later than 9 months after the date of the enact-  
4 ment of this Act, the Secretary of Defense shall submit  
5 to the congressional defense committees a report on gen-  
6 eral and flag officer costs. Such report shall include cost  
7 estimates for direct and indirect costs associated with gen-  
8 eral and flag officers generally and for specific positions  
9 in accordance with the recommendations of the Office of  
10 the Secretary of Defense-Cost Assessment and Program  
11 Evaluation report entitled “Defining General and Flag Of-  
12 ficer Costs” dated December 2017, including—

13 (1) direct compensation for all general and flag  
14 officers and for specific general and flag officer posi-  
15 tions, using the full cost of manpower model to esti-  
16 mate where possible;

17 (2) personal money allowances for positions  
18 that receive an allowance;

1           (3) deferred compensation and health care costs  
2           for all general and flag officers and for specific gen-  
3           eral and flag officer positions;

4           (4) costs associated with providing security de-  
5           tails for specific general and flag officer positions  
6           that merit continuous security;

7           (5) costs associated with Government and com-  
8           mercial travel for general and flag officers who qual-  
9           ify for tier one or two travel, including commercial  
10          travel costs using defense travel system data;

11          (6) general flag officer per diems for specific  
12          positions, based on average travel per diem costs;

13          (7) costs for enlisted and officer aide housing  
14          for general and flag officers generally and for spe-  
15          cific general and flag officer positions, including  
16          basic housing assistance costs for staff;

17          (8) on a case-by-case basis, costs associated  
18          with enlisted and officer aide travel, taking into con-  
19          sideration the cost of data collection;

20          (9) costs associated with additional support  
21          staff for general and flag officers and their travel,  
22          equipment, and per diem costs for all general and  
23          flag officers and specific general and flag officer po-  
24          sitions based on the average numbers per general or

1 flag officer and estimations using the full cost of  
2 manpower model;

3 (10) costs associated with the upkeep and  
4 maintenance of official residences not captured by  
5 basic housing assistance; and

6 (11) costs associated with training for general  
7 and flag officers generally and specific general and  
8 flag officer positions using estimations from the full  
9 cost of manpower model.



**AMENDMENT TO H.R. 5515**  
**OFFERED BY MR. HUNTER OF CALIFORNIA**

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

1 **SEC. 5 \_\_\_\_ . AUTHORIZATION FOR AWARD OF EXPEDI-**  
2 **TIONARY MEDAL TO CERTAIN MARINES FOR**  
3 **ACTIONS ON JUNE 8, 1995.**

4 Notwithstanding any time limitation with respect to  
5 the awarding of certain medals to persons who served in  
6 the Armed Forces, the Secretary of Defense may award  
7 the Armed Forces Expeditionary Medal to a member or  
8 former member of the 24th Marine Expeditionary Unit,  
9 Special Operations Capable, for the mission to rescue Cap-  
10 tain Scott O'Grady, United States Air Force, from Bosnia  
11 on June 8, 1995.



**AMENDMENT TO H.R. 5515**  
**OFFERED BY MS. SHEA-PORTER OF NEW**  
**HAMPSHIRE**

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

1 **SEC. 5\_\_\_ . RETENTION OF MILITARY TECHNICIANS WHO**  
2 **LOSE DUAL STATUS UNDER CERTAIN CIR-**  
3 **CUMSTANCES.**

4 Section 10216(g) of title 10, United States Code, is  
5 amended—

6 (1) in paragraph (1), by striking “as the result  
7 of a combat-related disability (as defined in section  
8 1413a of this title), the person may be retained”  
9 and inserting “for any reason other than a disquali-  
10 fication described in subparagraph (B), the Sec-  
11 retary shall appoint that person to a position under  
12 section 3101 of title 5, in accordance with section  
13 2102(a) of that title,”;

14 (2) in paragraph (1)(A), by striking “the com-  
15 bat-related”; and

16 (3) by striking paragraph (3).





**AMENDMENT TO H.R. 5515**  
**OFFERED BY MS. SHEA-PORTER OF NEW**  
**HAMPSHIRE**

At the end of title X, add the following:

1 **SEC. 10\_\_\_ . PLACEMENT OF NATIONAL GUARD MILITARY**  
2 **TECHNICIANS (DUAL STATUS) IN THE COM-**  
3 **PETITIVE SERVICE.**

4 Section 10508 of title 10, United States Code, is  
5 amended—

6 (1) in subsection (b)(1), by striking “sections  
7 2103” and inserting “sections 2102”; and

8 (2) by adding at the end the following:

9 “(c) TREATMENT OF MILITARY TECHNICIAN (DUAL  
10 STATUS).—

11 “(1) PRIOR CONVERSIONS.—Not later than 30  
12 days after the date of enactment of this subsection,  
13 the Chief of the National Guard Bureau shall con-  
14 vert any military technician (dual status) occupying  
15 a position in the excepted service to a position in the  
16 competitive service. For purposes of this paragraph,  
17 the term ‘military technician (dual status)’ means  
18 any military technician (dual status) of the National  
19 Guard of any State, the Commonwealth of Puerto

1 Rico, the District of Columbia, Guam, or the Virgin  
2 Islands who, before the date of enactment of this  
3 subsection, was converted to a position in the ex-  
4 cepted service by operation of this section and sec-  
5 tion 1053 of the National Defense Authorization Act  
6 for Fiscal Year 2016 (Public Law 114–92; 129 Stat.  
7 981; 10 U.S.C. 10216 note).

8 “(2) FUTURE CONVERSIONS.—Any military  
9 technician (dual status) of the National Guard of  
10 any State, the Commonwealth of Puerto Rico, the  
11 District of Columbia, Guam, or the Virgin Islands  
12 converted under this section and such section 1053  
13 after the date of enactment of this subsection to a  
14 position filled by individuals who are employed under  
15 section 3101 of title 5 shall be converted to a posi-  
16 tion in the competitive service.

17 “(3) DEFINITIONS.—In this subsection—

18 “(A) the term ‘competitive service’ has the  
19 meaning given that term in section 2102 of title  
20 5; and

21 “(B) the term ‘excepted service’ has the  
22 meaning given that term in section 2103 of  
23 such title.”



**Amendment to H.R. 551  
National Defense Authorization Act for Fiscal Year 2019**

**Offered by Mr. O'Rourke of Texas**

In the appropriate place in the report to accompany H.R. 5515, insert the following new Directive Report Language:

**Foster and Adoptive Military Families**

The committee is aware that military families face unique challenges as adoptive and foster families, including, but not limited to, varying jurisdictional standards and support services between states and countries. The committee also notes that it is critical to the well-being of the child that all adoptions are permanent, and that additional information is needed to promote successful adoptions for military families.

Therefore, the committee directs the Secretary of Defense to provide a report to the House Armed Services Committee not later than 1 March 2019, describing the barriers and challenges faced by military families to fostering or adopting. The report should include, if applicable, jurisdictional differences between states and between countries; access to information; pre-placement training; and post-placement support services; and causes and/or risks for disruptions or dissolutions of military family adoptions. The report should also include what pre- and post-placement support services are currently available for military families fostering and adopting; the feasibility of establishing additional necessary support services; and recommendations for implementing additional pre- and post-placement services. The report should also include any recommendations from the Secretary to address any barriers and challenges faced by military families to fostering and adopting.

**AMENDMENT TO H.R. 5515**  
**OFFERED BY MS. ROSEN OF NEVADA**

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

1 **SEC. 5\_\_\_ . PUNITIVE ARTICLE IN THE UNIFORM CODE OF**  
2 **MILITARY JUSTICE ON DOMESTIC VIOLENCE.**

3 (a) IN GENERAL.—Subchapter X of chapter 47 of  
4 title 10, United States Code (the Uniform Code of Military  
5 Justice), is amended by inserting after the item relating  
6 to section 928 (article 128) the following new section (arti-  
7 cle):

8 **“§ 928a. Art 128a. Domestic violence**

9 “(a) DOMESTIC VIOLENCE.—Any person subject to  
10 this chapter who, unlawfully and with force or violence,  
11 attempts, offers to, or does intimidate, manipulate, humili-  
12 ate, isolate, frighten, terrorize, coerce, threaten, blame,  
13 hurt, injure, or wound another person of whom the person  
14 is an intimate partner is guilty of domestic violence and  
15 shall be punished as a court-martial may direct.

16 “(b) AGGRAVATED DOMESTIC VIOLENCE.—Any per-  
17 son subject to this chapter who, in committing domestic  
18 violence, uses a weapon, means, or force in a manner likely  
19 to produce death or grievous bodily harm is guilty of ag-

1 gravated domestic violence and shall be punished as a  
2 court-martial may direct.”.

3 (b) CLERICAL AMENDMENT.—The table of sections  
4 at the beginning of subchapter X of chapter 47 of such  
5 title is amended by inserting after the item relating to sec-  
6 tion 928 (article 128) the following new item:

“928a. 128a. Domestic violence.”.



**AMENDMENT TO H.R. 5515**  
**OFFERED BY MRS. MURPHY OF FLORIDA**

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

1 **SEC. 5** \_\_\_\_. **EMPLOYMENT AND COMPENSATION OF CIVIL-**  
2 **IAN FACULTY MEMBERS AT THE JOINT SPE-**  
3 **CIAL OPERATIONS UNIVERSITY.**

4 Section 1595(e) of title 10, United States Code, is  
5 amended by adding at the end the following new para-  
6 graph:

7 “(5) The Joint Special Operations University.”

