

AMENDMENT TO H.R. 8070
OFFERED BY MR. BANKS OF INDIANA

(National Defense Authorization Act for Fiscal Year 2025)

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

1 **SEC. 5___ . MERIT-BASED PRINCIPLES FOR MILITARY PER-**
2 **SONNEL DECISIONS IN THE DEPARTMENT OF**
3 **DEFENSE.**

4 (a) IN GENERAL.—The Secretary of Defense shall
5 ensure that each personnel decision regarding a covered
6 member, including military accession, promotion, and
7 command selection, is—

8 (1) based on the individual merit and dem-
9 onstrated performance of the covered member;

10 (2) without regard to the political affiliation,
11 race, color, religion, national origin, sex, or marital
12 status, of the covered member; and

13 (3) with proper regard for the privacy and con-
14 stitutional rights of the covered member.

15 (b) ADDITIONAL PROTECTIONS.—The Secretary shall
16 protect a covered member against—

17 (1) arbitrary action, personal favoritism, and
18 coercion for partisan political purposes; and

1 (2) reprisal for the lawful disclosure of informa-
2 tion by a covered member that the covered member
3 reasonably believes to evince—

4 (A) a violation of any law, rule, or regula-
5 tion; or

6 (B) mismanagement, a gross waste of
7 funds, or an abuse of authority.

8 (c) REGULATIONS.—The Secretary of Defense shall
9 prescribe new regulations to carry out this section not
10 later than 90 days after the date of the enactment of this
11 Act.

12 (d) COVERED MEMBER DEFINED.—In this section,
13 the term “covered member” means—

14 (1) a member of the Army, Navy, Marine
15 Corps, Air Force, or Space Force; or

16 (2) an individual who has an active application
17 to be a member described in paragraph (1).

