

En Bloc Amendments to H.R. 1960
National Defense Authorization Act for Fiscal Year 2014

MILITARY PERSONNEL

En Bloc #2

Log #	Sponsor	Description
060	Rep. Sanchez	Improve climate assessments and dissemination and tracking of results, improve the performance evaluation process, increase accountability of commanders, and change the culture through improved security and health welfare inspections
067	Rep. Bordallo	Requires study on the feasibility of establishing a unit of the National Guard in the CNMI or American Samoa
114	Rep. Speier	Gives certain rights to service members who are victims of crimes similar to civilian rights
124	Rep. Speier	Requires the Secretary of Defense to conduct an anonymous survey of the Armed Forces regarding military pay and benefits and submit the findings in a publicly available report.
127	Rep. Speier	Amendment excludes military character from a commander's decision making on disposing charges
148	Rep. Davis	Male victims of sexual assault
170	Rep. Runyan	Recognizes the service in the reserve components as veterans under the law. Does not provide additional benefits and is budget neutral. Text of HR 679.
194	Rep. Hunter	Amends current DRL to require the SecDef to use certain elements when calculating full life-cycle costs of manpower
216	Rep. Wilson	Strikes subsection (c) of section 1177, Title 10 USC
247	Rep. Smith	Establishes a Commission on Service to the Nation to study the effects of warfare on members of the Armed Forces, their families and communities, and the gaps between the military and the rest of civilian society.

AMENDMENT TO H.R. 1960
OFFERED BY MS. LORETTA SANCHEZ OF
CALIFORNIA

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

1 **SEC. 542. IMPROVED CLIMATE ASSESSMENTS AND DISSEMI-**
2 **NATION AND TRACKING OF RESULTS.**

3 (a) IMPROVED DISSEMINATION OF RESULTS IN
4 CHAIN OF COMMAND.—The Secretary of Defense shall en-
5 sure that the results of command climate assessments are
6 provided to the relevant individual commander and to the
7 next higher level of command.

8 (b) PERFORMANCE TRACKING.—

9 (1) EVIDENCE OF COMPLIANCE.—The Sec-
10 retary of each military department shall include in
11 the performance evaluations and assessments used
12 by each Armed Force under the jurisdiction of the
13 Secretary a designated form where senior com-
14 manders can indicate whether the commander has
15 conducted the required climate assessments.

16 (2) EFFECT OF FAILURE TO CONDUCT ASSESS-
17 MENT.—If a commander is found to not have con-
18 ducted the required climate assessments, the failure

1 shall be noted in the commander's performance eval-
2 uation and be considered a serious factor during
3 consideration for any subsequent promotion.

4 (c) TRACKING SYSTEM.—The Inspector General of
5 the Department of Defense shall develop a system to track
6 whether commanders are conducting command climate as-
7 sessments.

8 (d) UNIT COMPLIANCE REPORTS.—Working with the
9 Inspector General of the Department of Defense, unit
10 commanders shall gather all the climate assessments from
11 the unit and develop a compliance report that, at a min-
12 imum, shall include the following:

13 (1) A comprehensive overview of the concerns
14 members of the unit expressed in the climate assess-
15 ments.

16 (2) Data showing how leadership is perceived in
17 the unit.

18 (3) A detailed strategic plan on how leadership
19 plans to address the expressed concerns.

20 **SEC. 543. INCLUSION OF LETTER OF REPRIMANDS, NON-**
21 **PUNITIVE LETTER OF REPRIMANDS AND**
22 **COUNSELING STATEMENTS.**

23 (a) INCLUSION IN PERFORMANCE EVALUATION RE-
24 PORTS.—The Secretary of Defense shall require com-
25 manders to include letter of reprimands, nonpunitive letter

1 of actions and counseling statements involving substan-
2 tiated cases of sexual harassment or sexual assault in the
3 performance evaluation report of a member of the Armed
4 Forces for the purpose of—

5 (1) providing commanders increased visibility of
6 the background information of members of the unit;

7 (2) identifying and preventing trends of bad be-
8 havior early and effectively disciplining repeated ac-
9 tions which hinder units from fostering a healthy cli-
10 mate; and

11 (3) preventing the transfer of sexual offenders.

12 (b) DEFINITIONS.—In this section:

13 (1) The term “sexual harassment” has the
14 meaning given such term in Department of Defense
15 Directive 1350.2, Department of Defense Military
16 Equal Opportunity Program.

17 (2) The term “sexual assault” means any of the
18 offenses described in section 920 of title 10, United
19 States Code (article 120 of the Uniform Code of
20 Military Justice).

21 **SEC. 544. SERVICE-WIDE 360 ASSESSMENTS.**

22 (a) ADOPTION OF 360-DEGREE APPROACH.—The
23 Secretary of each military department shall develop an as-
24 sessment program modeled after the current Department
25 of the Army Multi-Source Assessment and Feedback

1 (MSAF) Program, known in this section as the “360-de-
2 gree approach”.

3 (b) REPORT ON INCLUSION IN PERFORMANCE EVAL-
4 UATION REPORTS.—Not later than 90 days after the date
5 of the enactment of this Act, the Secretary of Defense
6 shall submit to Congress a report containing the results
7 of an assessment of the feasibility of including the 360-
8 degree approach as part of the performance evaluation re-
9 ports.

10 (c) INDIVIDUAL COUNSELING.—The Secretary of
11 each military department shall include individual coun-
12 seling as part of the performance evaluation process.

13 **SEC. 545. HEALTH WELFARE INSPECTIONS.**

14 The Secretary of each military department shall con-
15 duct health welfare inspections on a monthly basis in order
16 to ensure and maintain security, military readiness, good
17 order, and discipline of all units of the Armed Forces
18 under the jurisdiction of the Secretary. Results of the
19 Health Welfare Inspections shall be provided to both the
20 commander and senior commander.

21 **SEC. 546. REVIEW OF SECURITY OF MILITARY INSTALLA-**
22 **TIONS, INCLUDING BARRACKS AND MULTI-**
23 **FAMILY RESIDENCES.**

24 (a) REVIEW OF SECURITY MEASURES.—The Sec-
25 retary of Defense shall conduct a review of security meas-

1 ures on United States military installations, specifically
2 with regard to barracks and multi-family residences on
3 military installations, for the purpose of ensuring the safe-
4 ty of members of the Armed Forces and their dependents
5 who reside on military installations.

6 (b) ELEMENTS OF STUDY.—In conducting the review
7 under subsection (a), the Secretary of Defense shall—

8 (1) identify security gaps on military installa-
9 tions; and

10 (2) evaluate the feasibility and effectiveness of
11 using 24-hour electronic monitoring or placing secu-
12 rity personnel at all points of entry into barracks
13 and multi-family residences on military installation.

14 (c) SUBMISSION OF RESULTS.—Not later than 90
15 days after the date of the enactment of this Act, the Sec-
16 retary of Defense shall submit to Congress a report con-
17 taining the results of the study conducted under sub-
18 section (a), including an estimate of the costs—

19 (1) to eliminate all security gaps identified
20 under subsection (b)(1); and

21 (2) to provide 24-hour security monitoring as
22 evaluated under subsection (b)(2).

1 **SEC. 547. REVIEW OF THE OFFICE OF DIVERSITY MANAGE-**
2 **MENT AND EQUAL OPPORTUNITY ROLE IN**
3 **SEXUAL HARASSMENT CASES.**

4 (a) **REVIEW REQUIRED.**—The Secretary of Defense
5 shall conduct a review of the Office of Diversity Manage-
6 ment and Equal Opportunity for the purposes specified
7 in subsection (b).

8 (b) **ELEMENTS OF STUDY.**—In conducting the review
9 under subsection (a), the Secretary of Defense shall—

10 (1) identify and evaluate the resource and per-
11 sonnel gaps in the Office;

12 (2) identify and evaluate the role of the Office
13 in sexual harassment cases; and

14 (3) evaluate how the Office works with the Sex-
15 ual Assault Prevention and Response Office to ad-
16 dress sexual harassment in the Armed Forces.

17 (c) **DEFINITION.**—In this section, the term “sexual
18 harassment” has the meaning given such term in Depart-
19 ment of Defense Directive 1350.2, Department of Defense
20 Military Equal Opportunity Program.



AMENDMENT TO H.R. 1960
OFFERED BY MS. BORDALLO OF GUAM

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

1 **SEC. 5___ . FEASIBILITY STUDY ON ESTABLISHING A UNIT**
2 **OF THE NATIONAL GUARD IN AMERICAN**
3 **SAMOA AND IN THE COMMONWEALTH OF THE**
4 **NORTHERN MARIANA ISLANDS.**

5 (a) **STUDY REQUIRED.**—The Secretary of Defense
6 shall conduct a study to determine the feasibility of estab-
7 lishing—

8 (1) a unit of the National Guard in American
9 Samoa; and

10 (2) a unit of the National Guard in the Com-
11 monwealth of the Northern Mariana Islands.

12 (b) **FORCE STRUCTURE ELEMENTS OF STUDY.**—In
13 conducting the study required under subsection (a), the
14 Secretary of Defense shall consider the following:

15 (1) The allocation of National Guard force
16 structure and manpower to American Samoa and
17 the Commonwealth of the Northern Mariana Islands
18 in the event of the establishment of a unit of the
19 National Guard in American Samoa and in the

1 Commonwealth of the Northern Mariana Islands,
 2 and the impact of this allocation on existing Na-
 3 tional Guard units in the 50 states, the Common-
 4 wealth of Puerto Rico, the Virgin Islands, Guam,
 5 and the District of Columbia.

6 (2) The Federal funding that would be required
 7 to support pay, benefits, training operations, and
 8 missions of members of a unit of the National Guard
 9 in American Samoa and the Commonwealth of the
 10 Northern Mariana Islands, based on the allocation
 11 derived from paragraph (1), and the equipment, in-
 12 cluding maintenance, required to support such force
 13 structure.

14 (3) The presence of existing infrastructure to
 15 support a unit of the National Guard in American
 16 Samoa and the Commonwealth of the Northern
 17 Mariana Islands, and the requirement for additional
 18 infrastructure, including information technology in-
 19 frastructure, to support such force structure, based
 20 on the allocation derived from paragraph (1).

21 (4) How a unit of the National Guard in Amer-
 22 ican Samoa and the Commonwealth of the Northern
 23 Mariana Island would accommodate the National
 24 Guard Bureau's "Essential Ten" homeland defense
 25 capabilities (i.e., aviation, engineering, civil support

1 teams, security, medical, transportation, mainte-
2 nance, logistics, joint force headquarters, and com-
3 munications) and reflect regional needs.

4 (5) The manpower cadre, both military per-
5 sonnel and full-time support, including National
6 Guard technicians, required to establish, maintain,
7 and sustain a unit of the National Guard in Amer-
8 ican Samoa and the Commonwealth of the Northern
9 Mariana Islands, and the ability of American Samoa
10 and of the Commonwealth of the Northern Mariana
11 Islands to support demographically a unit of the Na-
12 tional Guard at each location.

13 (6) The ability of a unit of the National Guard
14 in American Samoa and the Commonwealth of the
15 Northern Mariana Islands to maintain unit readi-
16 ness and the logistical challenges associated with
17 transportation, communications, supply/resupply,
18 and training operations and missions.

19 (c) SUBMISSION OF RESULTS.—Not later than 180
20 days after the date of the enactment of this Act, the Sec-
21 retary of Defense shall submit to the congressional defense
22 committees a report containing the results of the study
23 conducted under subsection (a). The report shall also in-
24 clude the following:

1 (1) A determination of whether the executive
2 branch of American Samoa and of the Common-
3 wealth of the Northern Mariana Islands has enacted
4 and implemented statutory authorization for an or-
5 ganized militia as a prerequisite for establishing a
6 unit of the National Guard, and a description of any
7 other steps that such executive branches must take
8 to request and carry out the establishment of a Na-
9 tional Guard unit.

10 (2) A list of any amendments to titles 10, 32,
11 and 37, United States Code, that would have to be
12 enacted by Congress to provide for the establishment
13 of a unit of the National Guard in American Samoa
14 and in the Commonwealth of the Northern Mariana
15 Islands.

16 (3) A description of any required Department
17 of Defense actions to establish a unit of the National
18 Guard in American Samoa and in the Common-
19 wealth of the Northern Mariana Islands.

20 (4) A suggested timeline for completion of the
21 steps and actions described in the preceding para-
22 graphs.



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

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

1 **SEC. 5___ . EXTENSION OF CRIME VICTIMS' RIGHTS TO VIC-**
2 **TIMS OF OFFENSES UNDER THE UNIFORM**
3 **CODE OF MILITARY JUSTICE.**

4 (a) VICTIMS' RIGHTS.—

5 (1) IN GENERAL.—Subchapter I of chapter 47
6 of title 10, United States Code (the Uniform Code
7 of Military Justice), is amended by adding at the
8 end the following new section (article):

9 **“§ 806b. Art. 6b. Rights of victims of offenses under**
10 **this chapter**

11 **“(a) RIGHTS OF A VICTIM OF A MILITARY CRIME.—**

12 A victim of a military crime has the following rights:

13 “(1) The right to be reasonably protected from
14 the accused.

15 “(2) The right to reasonable, accurate, and
16 timely notice of any public proceeding in an inves-
17 tigation under section 832 of this title (article 32),
18 court-martial, involuntary plea hearing, pre-sen-

1 tencing hearing, or parole hearing involving the of-
2 fense or of any release or escape of the accused.

3 “(3) The right not to be excluded from any
4 such public proceeding, referred to in paragraph (2)
5 unless the military judge, after receiving clear and
6 convincing evidence, determines that testimony by
7 the victim of a military crime would be materially al-
8 tered if the victim of a military crime heard other
9 testimony at that proceeding.

10 “(4) The reasonable right to confer with the
11 trial counsel in the case.

12 “(5) The right to full and timely restitution as
13 provided in law.

14 “(6) The right to proceedings free from unrea-
15 sonable delay.

16 “(7) The right to be treated with fairness and
17 with respect for the dignity and privacy of the victim
18 of a military crime.

19 “(b) DUTY OF MILITARY JUDGE.—In any court-mar-
20 tial proceeding involving an offense against a victim of a
21 military crime, the military judge shall ensure that the vic-
22 tim of a military crime is afforded the rights described
23 in subsection (a). Before making a determination de-
24 scribed in subsection (a)(3), the military judge shall make
25 every effort to permit the fullest attendance possible by

1 the victim of a military crime and shall consider reason-
2 able alternatives to the exclusion of the victim of a military
3 crime from the criminal proceeding. The reasons for any
4 decision denying relief under this subsection shall be clear-
5 ly stated on the record.

6 “(c) BEST EFFORTS REQUIRED.—(1) Military
7 judges, trial and defense counsel, military criminal inves-
8 tigation organizations, services, and personnel, and other
9 members and personnel of the Department of Defense en-
10 gaged in the detection, investigation, or prosecution of of-
11 fenses under this chapter (the Uniform Code of Military
12 Justice) shall make their best efforts to see that a victim
13 of a military crime is notified of, and accorded, the rights
14 described in subsection .

15 “(2) The trial counsel in a case shall advise a victim
16 of a military crime that the victim of a military crime can
17 seek the advice of an attorney with respect to the rights
18 described in subsection (a).

19 “(3) Notice of release otherwise required pursuant to
20 this chapter shall not be given if such notice may endanger
21 the safety of any person.

22 “(d) VICTIM OF A MILITARY CRIME DEFINED.—

23 “(1) DEFINITION.—In this section, the term
24 ‘victim of a military crime’ means a person who has
25 suffered direct physical, emotional, or pecuniary

1 harm as a result of the commission of a crime in
 2 violation of this chapter (the Uniform Code of Mili-
 3 tary Justice) or in violation of the law of another ju-
 4 risdiction if any portion of the investigation of the
 5 violation of that law was conducted primarily by a
 6 military criminal investigative organization (Army
 7 Criminal Investigation Command, Naval Criminal
 8 Investigative Service, or Air Force Office of Special
 9 Investigation). The term shall include, at a min-
 10 imum, the following:

11 “(A) Members of the armed forces and
 12 their dependents.

13 “(B) Civilian employees of the Department
 14 of Defense and contractor employees stationed
 15 outside the continental United States and their
 16 dependents residing with them.

17 “(C) Such other individuals as the Sec-
 18 retary of Defense determines should be in-
 19 cluded.

20 “(2) TREATMENT OF CERTAIN VICTIMS.—In
 21 the case of a victim of a military crime who is under
 22 18 years of age, incompetent, incapacitated, or de-
 23 ceased, the term shall also include an individual act-
 24 ing on behalf of the victim who is (in order of prece-
 25 dence) a spouse, parent, legal guardian, child, sib-

1 ling, or another dependent of the victim or another
2 person designated by the military judge, but in no
3 event shall an accused be designated or included.”.

4 (2) CLERICAL AMENDMENT.—The table of sec-
5 tions at the beginning of subchapter I of chapter 47
6 of such title (the Uniform Code of Military Justice)
7 is amended by adding at the end the following new
8 item:

“806b. Art. 6b. Victims’ rights of victims of offenses under this chapter.”.

9 (b) PROCEDURES TO PROMOTE COMPLIANCE.—

10 (1) IN GENERAL.—Not later than one year
11 after the date of the enactment of this Act, the Sec-
12 retary of Defense shall recommend to the President
13 changes to the Manual for Courts-Martial, and pre-
14 scribe such other regulations as the Secretary con-
15 siders appropriate, to implement section 806b of
16 title 10, United States Code (article 6b of the Uni-
17 form Code of Military Justice), as added by sub-
18 section (a).

19 (2) ELEMENTS.—The modifications and regula-
20 tions issued pursuant to paragraph (1) shall include
21 the following:

22 (A) The designation of an administrative
23 authority within the Department of Defense to
24 oversee the implementation of such section
25 806(b), and within each Armed Force, an au-

1 thority to receive and investigate complaints re-
2 lating to the provision or violation of the rights
3 of victims of military crimes.

4 (B) A requirement for a course of training
5 for judge advocates and other appropriate mem-
6 bers of the Armed Forces and personnel of the
7 Department to promote compliance with and
8 implementation of such section 806b and assist
9 such personnel in responding more effectively to
10 the needs of victims of military crimes.

11 (C) Disciplinary sanctions for members of
12 the Armed Forces and other personnel of the
13 Department of Defense, including suspension or
14 termination from employment in the case of
15 employees of the Department, who willfully or
16 wantonly fail to comply with such section 806b.

17 (D) Mechanisms to ensure that the Sec-
18 retary of Defense shall be the final arbiter of a
19 complaint authorized pursuant to subparagraph
20 (A) by a victim of a military crime that the vic-
21 tim was not afforded a right under such section
22 806b.

23 (c) **ADDITIONAL DUTY FOR RESPONSE SYSTEMS**
24 **INDEPENDENT PANEL.**—The independent panel estab-
25 lished by the Secretary of Defense under subsection (a)(1)

Log 114

1 of section 576 of the National Defense Authorization Act
2 for Fiscal Year 2013 (Public Law 112-239; 126 Stat.
3 1758) shall assess the feasibility and appropriateness of
4 extending to victims of military crimes the additional right
5 afforded a crime victim in civilian criminal legal pro-
6 ceedings under subsection (a)(4) of section 3771 of title
7 18, United States Code, and the legal standing to seek
8 enforcement of crime victim rights provided by subsection
9 (d) of such section. The panel shall include the results of
10 the assessment in the report required by subsection (c)(1)
11 of such section.



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

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

1 **SEC. 6____. SURVEY OF MILITARY PAY AND BENEFITS PREFERRED.**
2 **REFERENCES.**

3 (a) **SURVEY REQUIRED.**—The Secretary of Defense
4 shall carry out a anonymous survey of random members
5 of the Armed Forces regarding military pay and benefits.

6 (b) **CONTENT OF SURVEY.**—A survey under this section shall be conducted for the purpose of soliciting information on the following:

9 (1) The value that members of the Armed
10 Forces place on the following forms of compensation
11 relative to one another:

12 (A) Basic pay.

13 (B) Allowances for housing and subsistence.
14

15 (C) Bonuses and special pays.

16 (D) Dependent healthcare benefits.

17 (E) Healthcare benefits for retirees under
18 65 years old.

1 (F) Healthcare benefits for Medicare-eligible
2 retirees.

3 (G) Retirement pay.

4 (2) How the members value different levels of
5 pay or benefits, including the impact of co-payments
6 or deductibles on the value of benefits.

7 (3) Any other issues related to military pay and
8 benefits as the Secretary of Defense considers appropriate.
9

10 (4) How information collected pursuant to a
11 previous paragraph varies by age, rank, dependent
12 status, and other factors the Secretary of Defense
13 considers appropriate.

14 (c) SUBMISSION OF RESULTS.—Upon the completion
15 of a survey conducted under this section, the Secretary
16 of Defense shall submit to Congress and make publicly
17 available a report containing the results of the survey, including
18 both the analyses and the raw data collected.



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

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

1 **SEC. 5___. AMENDMENT TO MANUAL FOR COURTS-MAR-**
2 **TIAL TO ELIMINATE CONSIDERATIONS RE-**
3 **LATING TO CHARACTER AND MILITARY SERV-**
4 **ICE OF ACCUSED IN INITIAL DISPOSITION OF**
5 **SEX-RELATED OFFENSES.**

6 (a) **AMENDMENT REQUIRED.**—Not later than 180
7 days after the date of the enactment of this Act, the Sec-
8 retary of Defense shall submit to the President a proposed
9 amendment to rule 306 of the Manual for Courts-Martial
10 (relating to policy on initial disposition of offenses) to
11 eliminate the character and military service of the accused
12 from the list of factors that may be considered by the dis-
13 position authority in disposing of a sex-related offense.

14 (b) **SEX-RELATED OFFENSE DEFINED.**—In this sec-
15 tion, a “sex-related offense” includes—

16 (1) any offense covered by section 920, 920a,
17 920b, 920c, or 925 of title 10, United States Code

1 (article 120, 120a, 120b, 120c, or 125 of the Uni-
2 form Code of Military Justice); or

3 (2) an attempt to commit an offense specified
4 in a paragraph (1) as punishable under section 880
5 of such title (article 80 of the Uniform Code of Mili-
6 tary Justice).



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 Programs for Male Victims of Sexual Assault in the U.S. Military

In 2010, the Department of Veterans Affairs reported that approximately 1 in 100 service men indicated that they experienced sexual trauma in the military. During that same year, the veteran health facilities documented 244,074 occasions in which male veterans were provided military sexual trauma-related outpatient care. In its latest Report on Sexual Assault in the Military Services, the Department of Defense estimates that only about 14% of its service members who are sexually assaulted report that they were a victim of this crime. Reporting a sexual assault is difficult for any victim, but for males in the military, it may be especially daunting. The committee is concerned that the DOD has not focused on efforts to assist male service members to ensure victims receive the specialized care that may be needed. Therefore, the committee directs the Comptroller General of the United States to undertake a review to determine to what extent (1) does the culture of the U.S. military pose unique challenges for preventing and responding to sexual assaults of male service members, (2) what steps the DOD has taken steps to address the incidence of and response to male service members who are sexually assaulted, and (3) whether the DOD established policies and protocols for the provision of medical and mental healthcare to address sexual trauma given the unique requirements for male victims of sexual assault. The Comptroller General shall submit the results of the review by May 30, 2014.

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

At the appropriate place in the bill, insert the following:

1 **SEC. ____.** **PROVISION OF STATUS UNDER LAW BY HON-**
2 **ORING CERTAIN MEMBERS OF THE RESERVE**
3 **COMPONENTS AS VETERANS.**

4 (a) **VETERAN STATUS.**—

5 (1) **IN GENERAL.**—Chapter 1 of title 38, United
6 States Code, is amended by inserting after section
7 107 the following new section:

8 **“§ 107A. Honoring as veterans certain persons who**
9 **performed service in the reserve compo-**
10 **nents**

11 “Any person who is entitled under chapter 1223 of
12 title 10. to retired pay for nonregular service or, but for
13 age, would be entitled under such chapter to retired pay
14 for nonregular service shall be honored as a veteran but
15 shall not be entitled to any benefit by reason of this sec-
16 tion.”.

17 (2) **CLERICAL AMENDMENT.**—The table of sec-
18 tions at the beginning of such chapter is amended

1 by inserting after the item relating to section 107

2 the following new item:

“107A. Honoring as veterans certain persons who performed service in the re-
serve components.”

3 (b) CLARIFICATION REGARDING BENEFITS.—No

4 person may receive any benefit under the laws adminis-

5 tered by the Secretary of Veterans Affairs solely by reason

6 of section 107A of title 38, United States Code, as added

7 by subsection (a).



Amendment Offered by Rep. Duncan Hunter

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

To be inserted in the appropriate place the report:

Amend Fully Burdened Life Cycle Cost of Military Personnel Report
Language

After, “as well as homeland defense and natural disaster response. The Committee,” and insert “directs the Secretary of Defense to incorporate at a minimum, all of the existing elements of the FCoM tool for the reserve model.”

AMENDMENT TO H.R. 1960
OFFERED BY MR. WILSON OF SOUTH CAROLINA

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

1 **SEC. 5 ____ . APPLICABILITY OF MEDICAL EXAMINATION RE-**
2 **QUIREMENT REGARDING POST-TRAUMATIC**
3 **STRESS DISORDER OR TRAUMATIC BRAIN IN-**
4 **JURY TO PROCEEDINGS UNDER THE UNI-**
5 **FORM CODE OF MILITARY JUSTICE.**

6 Section 1177 of title 10, United States Code, is
7 amended by striking subsection (c).



AMENDMENT TO H.R. 1960
OFFERED BY MR. SMITH OF WASHINGTON

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

1 **SEC. 10___ . COMMISSION ON SERVICE TO THE NATION.**

2 (a) **ESTABLISHMENT.**—There is established a com-
3 mission to be known as the “Commission on Service to
4 the Nation”.

5 (b) **DUTIES.**—

6 (1) **STUDY.**—The Commission shall carry out a
7 study of the following:

8 (A) The effect of warfare, focusing on re-
9 cent wars and conflicts, on members of the
10 Armed Forces, the families of members, and
11 the communities of members.

12 (B) The outgoing experience and transition
13 between military and civilian life.

14 (C) The gaps between the military and
15 those Americans who do not participate directly
16 in the military community.

17 (2) **TESTIMONY AND RESEARCH.**—In carrying
18 out the study under paragraph (1), the Commission
19 shall—

1 (A) hear testimony from all aspects of mili-
2 tary and civilian life, including public, private,
3 individual and institutional stakeholders, with
4 personal testimony, expert testimony, academic
5 testimony, as well as testimony from association
6 and community leaders, and other testimony as
7 appropriate;

8 (B) hear and accept testimony in an open
9 and public manner, accepting testimony in a
10 wide variety of ways for each hearing, including
11 submissions made through a public internet
12 website, and testimony heard remotely if appro-
13 priate;

14 (C) retain the records of all hearings and
15 artifacts of testimony for the purposes of his-
16 torical documentation and research;

17 (D) assess the social, mental, and physical
18 effects of war on active members of the Armed
19 Forces, the families of members, and the com-
20 munities of members and the preparation they
21 receive for transitioning out of the military; and

22 (E) assess the existing academic and social
23 science research and analysis on transition from
24 active military to civilian life.

1 (3) RECOMMENDATIONS.—The Commission
2 shall make recommendations, based on the analyses
3 in subparagraphs (A) through (C) of paragraph (1),
4 on how to better—

5 (A) support the transition to civilian life of
6 a member of the Armed Forces;

7 (B) support the families and communities
8 of the member; and

9 (C) better connect the military community
10 and civilians.

11 (4) WEBSITE.—The Commission shall maintain
12 an Internet website available to the public to—

13 (A) share the schedule of the Commission;

14 (B) notify the public of events;

15 (C) accept feedback; and

16 (D) post records of events and other infor-
17 mation to inform the public in a manner con-
18 sistent with the mission of the Commission.

19 (c) COMPOSITION.—

20 (1) MEMBERS.—The Commission shall be com-
21 posed of 15 members appointed as follows:

22 (A) Four members appointed by Majority
23 Leader of the Senate, in consultation with the
24 chairman of the Committee on Armed Services
25 of the Senate.

1 (B) Four members appointed by the
2 Speaker of the House of Representatives, in
3 consultation with the chairman of the Com-
4 mittee on Armed Services of the House of Rep-
5 resentatives.

6 (C) Two members appointed by the Minor-
7 ity Leader of the Senate, in consultation with
8 the ranking minority member of the Committee
9 on Armed Services of the Senate.

10 (D) Two members appointed by the Minor-
11 ity Leader of the House of Representatives, in
12 consultation with the ranking minority member
13 of the Committee on Armed Service of the
14 House of Representatives.

15 (E) Three members appointed by the
16 President.

17 (2) QUALIFICATIONS.—The members of the
18 Commission shall be appointed from among persons
19 who have knowledge and expertise in the following
20 areas:

21 (A) The effects of war on members of the
22 Armed Forces, their families, and society.

23 (B) The process of transitioning out of the
24 Armed Forces.

1 (C) The resources available to members
2 and their families as members transition out of
3 the Armed Forces and into society.

4 (D) Personnel benefits, including
5 healthcare and job training, available to mem-
6 bers.

7 (E) Policy making and policy analysis.

8 (3) SERVICE REQUIREMENT.—Not less than
9 one member of the Commission appointed under
10 each of subparagraphs (A) through (E) of paragraph
11 (1) shall have served in the Armed Forces.

12 (4) DURATION AND VACANCIES.—Members of
13 the Commission shall be appointed for the life of the
14 Commission. A vacancy in the membership of the
15 Commission shall not affect the powers of the Com-
16 mission, but shall be filled in the same manner as
17 the original appointment.

18 (5) CHAIRMAN.—The President shall designate
19 a member of the Commission to serve as chairman
20 of the Commission.

21 (6) DEADLINE FOR APPOINTMENT.—The mem-
22 bers shall be appointed by not later than 90 days
23 after the date of the enactment of this Act

24 (d) PROCEDURES.—

1 (1) INITIAL MEETING.—The Commission shall
2 hold its initial meeting not later than 30 days after
3 the date on which all members of the Commission
4 have been appointed.

5 (2) MEETINGS.—After the initial meeting under
6 paragraph (1), the Commission shall meet at the call
7 of the chairman.

8 (3) QUORUM.—Four members of the Commis-
9 sion shall constitute a quorum, but a lesser number
10 of members may hold hearings.

11 (4) PROCEDURE.—The Commission shall act by
12 resolution agreed to by a majority of the members
13 of the Commission.

14 (5) PANELS.—The Commission may establish
15 panels composed of less than the full membership of
16 the Commission for the purpose of carrying out the
17 Commission's duties. The actions of each such panel
18 shall be subject to the review and control of the
19 Commission. Any findings and determinations made
20 by such a panel shall not be considered the findings
21 and determinations of the Commission unless ap-
22 proved by the Commission.

23 (e) COMPENSATION AND STAFF.—

24 (1) PAY.—Each member of the Commission
25 shall be paid at a rate equal to the daily equivalent

1 of the annual rate of basic pay payable for level IV
2 of the Executive Schedule under section 5316 of title
3 5, United States Code, for each day (including travel
4 time) during which the member is engaged in the
5 performance of the duties of the Commission. All
6 members of the Commission who are officers or em-
7 ployees of the United States shall serve without pay
8 in addition to that received for their services as offi-
9 cers or employees of the United States.

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

17 (3) EXECUTIVE DIRECTOR.—The Commission
18 shall appoint and fix the rate of basic pay for an Ex-
19 ecutive Director in accordance with section 3161 of
20 title 5, United States Code.

21 (4) STAFF.—The Executive Director, with the
22 approval of the Commission, may appoint and fix
23 the rate of basic pay for additional personnel as
24 staff of the Commission in accordance with section
25 3161 of title 5, United States Code.

1 (5) DETAIL OF GOVERNMENT EMPLOYEES.—

2 Upon request of the chairman of the Commission,
3 the head of any Federal department or agency may
4 detail, on a nonreimbursable basis, any personnel of
5 that department or agency to the Commission to as-
6 sist it in carrying out its duties.

7 (f) POWERS.—

8 (1) HEARINGS.—For the purpose of carrying
9 out this Act, the Commission (or on the authority of
10 the Commission, any subcommittee or member) may
11 hold such hearings and forums, and sit and act at
12 such times and places, take such testimony, receive
13 such evidence, and administer such oaths as the
14 Commission considers appropriate. The Commission
15 shall hold not less than one hearing in each State
16 and the District of Columbia, and may hold hearings
17 and forums in any commonwealth, territory, or pos-
18 session of the United States as the Commission de-
19 termines appropriate.

20 (2) INFORMATION FROM FEDERAL AGENCIES.—

21 The Commission, or designated staff member, may
22 secure directly from any department or agency of
23 the United States information necessary to enable it
24 to carry out this Act. Upon request of the chairman
25 of the Commission, the chairman of any sub-

1 committee created by a majority of the Commission,
2 or any member designated by a majority of the
3 Commission, the head of that department or agency
4 shall furnish that information to the Commission.

5 (3) MISCELLANEOUS ADMINISTRATIVE AND
6 SUPPORT SERVICES.—The Secretary of Defense shall
7 furnish the Commission, on a reimbursable basis,
8 any administrative and support services requested by
9 the Commission.

10 (4) PROCUREMENT OF TEMPORARY AND INTER-
11 MITTENT SERVICES.—The chairman of the Commis-
12 sion may procure temporary and intermittent serv-
13 ices under section 3109(b) of title 5, United States
14 Code, at rates for individuals which do not exceed
15 the daily equivalent of the annual rate of basic pay
16 payable for level V of the Executive Schedule under
17 section 5316 of such title.

18 (5) GIFTS.—The Commission may accept, use,
19 and dispose of gifts, bequests, or devises of services
20 or property, both real and personal, for the purpose
21 of aiding or facilitating the work of the Commission.
22 Gifts, bequests, or devises of money and proceeds
23 from sales of other property received as gifts, be-
24 quests, or devises shall be deposited in the Treasury

1 and shall be available for disbursement upon order
2 of the chairman, vice chairman, or designee.

3 (g) REPORTS.—

4 (1) INITIAL REPORT.—Not later than 90 days
5 after the initial meeting of the Commission, the
6 Commission shall submit to the President, the Sec-
7 retary of Defense, and the Committees on Armed
8 Services of the Senate and the House of Representa-
9 tives, and release to the public, a report setting
10 forth—

11 (A) a strategic plan for the work of the
12 Commission;

13 (B) a discussion of the activities of the
14 Commission; and

15 (C) any initial findings of the Commission.

16 (2) FINAL REPORT.—Not later than 18 months
17 after the initial meeting of the Commission, the
18 Commission shall submit to the President, the Sec-
19 retary of Defense, and the Committees on Armed
20 Services of the Senate and the House of Representa-
21 tives, and release to the public, a final report. Such
22 report shall include any recommendations developed
23 under subsection (b)(3) that the Commission deter-
24 mines appropriate, including any recommended legis-
25 lation, policies, regulations, directives, and practices.

1 (h) TERMINATION.—The Commission shall terminate
2 90 days after the date on which the final report is sub-
3 mitted under subsection (g)(2).

