

En Bloc Amendments to H.R. 5515**Subcommittee on Military Personnel
En Bloc #4**

Log #	Sponsor	Description
042	Tsongas	Requires the Secretary of Defense to organize and index the board of corrections decisions on their existing website.
049	Davis	Directs the SECDEF to report on the feasibility of permitting flexible (noncontinuous) use of maternity leave.
098r2	Speier	Changes military rules of evidence to restrict the use of general military character as a defense.
107	Carbajal	Limitation on changes to federal emergency services certification levels of the Air Force.
131	Smith	Directs the Secretary of Defense to provide a briefing on the establishment of Threat Assessment Teams at Military Treatment Facilities and the training provided to such teams.
165	Shea-Porter	Requires the Secretary of Defense to provide a report on whether DOD can deconflict reserve components and civilian deployments in order to provide adequate dwell time, determine scale of the problem, and make recommendations for procedures for RC and defense agencies to fully account for each other's deployments.
211	Bacon	Directs the secretary of Defense to review the eligibility of the Korean Constabulary for active service under the provisions of section 401 of public law 95-202 and report his findings to the committee.
232r1	Speier	Requires military service academies to provide cadets/midshipmen an information sheet with certain resources and information regarding sexual assault resources.
318	Turner	Amends the UCMJ to require a minimum confinement period for those convicted of certain sex-related offenses.
349	Knight	Gives SECDEF authority to carry out a pilot program to improve treatment of service members for PTSD relating to military sexual trauma.

AMENDMENT TO H.R. 5515
OFFERED BY Ms. TSONGAS OF MASSACHUSETTS

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

1 **SEC. 5___ . CORRECTION OF MILITARY RECORDS; WEBSITE.**

2 (a) **IN GENERAL.**—Section 1552(a)(5) of title 10,
3 United States Code, is amended by striking the second
4 sentence and inserting the following: “The Secretary shall
5 also publish on such website a summary of each such deci-
6 sion, indexed by subject matter. The Secretary shall redact
7 all personally identifiable information from any such deci-
8 sion and summary.”

9 (b) **EFFECTIVE DATE.**—The amendments made by
10 this section shall take effect on October 1, 2019.



**Amendment to H.R. 5515
National Defense Authorization Act for Fi**

Log 049

Offered by Mrs. Davis of Califor

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

Examination of Flexible/Noncontinuous Maternity Leave

The Committee commends the Department for granting up to 84 days for service members following child birth. Although current maternity and parental leave policies are a strong step in the right direction, more can be done to tailor leave to families' unique situations. Continuing its work from 2015 and 2016, Defense Advisory Committee on Women in the Services (DACOWITS) examined issues and concerns surrounding pregnancy, the postpartum period, and parenthood. There is evidence to suggest that Service members' ability to maintain work-life balance is one of the military's top retention challenges, with service members expressing concern that a military career is incompatible with having a family. In its most recent report, DACOWITS recommends the Secretary of Defense consider allowing the Military Services to permit flexible (noncontinuous) use of maternity and parental leave if requested by the military parent(s). Allowing flexible (noncontinuous) use of maternity and parental leave is a strategy mentioned by DACOWITS and modeled by leading companies in the private sector. This is one potential way to support a servicemember after a child joins the member's family. Noncontinuous leave, when requested, could help servicemembers better balance their unique family needs during critical junctures of their lives and, in turn, help support retention efforts. Therefore, not later than December 1, 2018 the committee directs the Secretary of Defense to submit a report assessing the feasibility of permitting flexible (noncontinuous) use of maternity leave.

AMENDMENT TO H.R. 5515
OFFERED BY Ms. SPEIER OF CALIFORNIA

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

1 **SEC. ____ . MODIFICATION OF MILITARY RULES OF EVI-**
2 **DENCE TO EXCLUDE ADMISSIBILITY OF GEN-**
3 **ERAL MILITARY CHARACTER TOWARD PROB-**
4 **ABILITY OF INNOCENCE IN ANY OFFENSE**
5 **NOT STRICTLY RELATED TO PERFORMANCE**
6 **OF MILITARY DUTIES.**

7 (a) **IN GENERAL.**—Not later than 180 days after the
8 date of the enactment of this Act, Rule 404(a) of the Mil-
9 itary Rules of Evidence shall be amended to provide that
10 the general military character of an accused is not admis-
11 sible for the purpose of showing the probability of inno-
12 cence of the accused for any offense under chapter 47 of
13 title 10, United States Code (the Uniform Code of Military
14 Justice), unless such offense is strictly and solely related
15 to the performance of military duties.

16 (b) **SPECIFICATION OF OFFENSES FOR WHICH AD-**
17 **MISSIBILITY ALLOWED.**—

18 (1) **IN GENERAL.**—Each Secretary concerned
19 shall specify, and may from time to time modify, the

1 offenses under chapter 47 of title 10, United States
2 Code, for which the military character of members
3 of the Armed Forces under the jurisdiction of such
4 Secretary is admissible pursuant to subsection (a) as
5 a result of such offense being strictly and solely re-
6 lated to the performance of military duties.

7 (2) APPROVAL OF PRESIDENT REQUIRED.—The
8 specification of an offense pursuant to paragraph
9 (1), and any modification of such specification, shall
10 not be effective unless approved by the President.

11 (3) SECRETARY CONCERNED DEFINED.—In this
12 subsection, the term “Secretary concerned” has the
13 meaning given that term in section 101(a)(9) of title
14 10, United States Code.



AMENDMENT TO H.R. 5515
OFFERED BY MR. CARBAJAL OF CALIFORNIA

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

1 **SEC. 7____. LIMITATION ON CHANGES TO FEDERAL EMER-**
2 **GENCY SERVICES CERTIFICATION LEVELS OF**
3 **THE AIR FORCE.**

4 The Secretary of the Air Force may not transition
5 Federal Emergency Services certification levels from
6 Emergency Management Technician level to Emergency
7 Medical Responder level until the Secretary submits to the
8 congressional defense committees a report that contains
9 the following:

10 (1) Details on the process and factors the Air
11 Force Emergency Medical Services Working Group
12 used and considered to determine which military in-
13 stallations would be required to transition Federal
14 Emergency Services certification levels from Emer-
15 gency Medical Technician level to Emergency Med-
16 ical Responder level.

17 (2) The required base and community emer-
18 gency response standards the Air Force Emergency
19 Medical Services Working Group based such transi-

1 tion on, including information on where these stand-
2 ards are defined and how these standards were de-
3 veloped.

4 (3) Information on how the Air Force will meet
5 the needs of trench rescue, water rescue, high angle
6 rescue, and confined space rescue pursuant to De-
7 partment of Defense Instructions with less Emer-
8 gency Management Technician certified personnel.

9 (4) Information on the required response time
10 standard for advanced life support and how the Air
11 Force Emergency Medical Services Working Group
12 determined a military installation could meet this
13 standard.

14 (5) Details on any contingency plans the Air
15 Force has developed when basic and advance life
16 support care and ambulance transport are unavail-
17 able as a result of these resources being used to
18 transport patients to medical facilities located off the
19 military installation.



Log 131

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

Offered by Mr. Smith of Washington

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

Mitigating Work Place Violence in Military Treatment Facilities

The committee notes that the Department of Defense incorporated many of the recommendations into policy to address workplace violence following the 2009 Ft. Hood shooting review. The committee is concerned that there are still gaps in the implementation of the policies with respect to establishing Threat Assessment Teams in Military Treatment Facilities. This is evident by the 2016 incident at Ft. Leavenworth hospital when an employee set his supervisor on fire. Therefore, the committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services no later than 1 March 2019 on the establishment of the Threat Assessment Teams at Military Treatment Facilities and the training provided to the members of the team.

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

Offered by: Carol Shea-Porter

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

Deconflicting Reserve Component and Expeditionary Civilian Deployments to Provide Adequate Dwell Time

The committee notes that according to DoDI 1235.12, Accessing the Reserve Components, issued June 7, 2016, "The RC provides an operational capability and strategic depth in support of the national defense strategy," and further that if the mobilization-to-dwell ratio for a unit or a member of the RC is less than 1 to 4, Secretary of Defense approval is required. In addition, the Department of Defense has an expeditionary workforce that includes defense civilian personnel who also deploy in support of contingency operations and may also be members of the Reserve Components. The committee is concerned that if the Reserve Components order a member to active duty who is employed as a defense civilian, the defense agency or military department may not count the member's previous recent deployment as an RC member when calculating the mobilization-to-dwell ratio. This lack of awareness by the Reserve Components of a civilian employee's deployment, or alternatively by the military departments or defense agencies about a Reserve Component member's expeditionary civilian deployment may lead to a lack of sufficient dwell time, with an impact on civilian personnel or RC retention.

Therefore, in order to determine the scope of the problem of deconflicting Reserve Component and expeditionary civilian deployments for the purpose of providing adequate dwell time, the Secretary of Defense is directed to provide a report to the congressional defense committees by Feb. 15, 2019, as to whether the Reserve Components or the defense agencies and military departments have mechanisms in place to track and account for deployments of defense civilians who are also Reservists; to establish to scale of this problem; and to make recommendations to the committee for procedures to make it possible for the Reserve Components, and the defense agencies and military departments, to fully account for the service of civilian employees in contingency operations, whether in the RC or as expeditionary civilians.

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

Log 211

2019

Offered by: Mr. Bacon

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

Active Military Service of the Korean Constabulary

The Committee acknowledges the service and sacrifice of the officers and men of the Korean Constabulary formed under the operational command of the United States Military Government in Korea following the end of the Second World War. Organized, trained, equipped, and led by the United States Army, the Korean Constabulary performed vital security missions on behalf of the United States in the interwar period and played a crucial role in the formation and defense of the Republic of Korea. Repeatedly called to defend their homeland against attacks and insurrection by Communist forces allied with the Korean People's Army and supported by the Soviet Union, the men of the Korean Constabulary fought with distinction in some of the earliest battles of the Cold War.

The Committee therefore requests the Secretary of Defense to review the eligibility of the officers and men of the Korean Constabulary for active military service from November 1945 to January 1949 under the provisions of Section 401 of Public Law 95-202, and report his findings to the House Armed Services Committee by March 1, 2019.

LG232r1

~~Log 232~~
Revised

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

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

1 **SEC. 5** . **DEVELOPMENT OF RESOURCE GUIDES REGARD-**
2 **ING SEXUAL ASSAULT FOR THE MILITARY**
3 **SERVICE ACADEMIES.**

4 (a) **DEVELOPMENT.**—Not later than 30 days after
5 the date of the enactment of this Act, each Superintendent
6 of a military service academy shall develop and maintain
7 a resource guide for students at the respective military
8 service academies regarding sexual assault.

9 (b) **ELEMENTS.**—Each guide developed under this
10 section shall include the following information with re-
11 gards to the relevant military service academy:

12 (1) **PROCESS OVERVIEW AND DEFINITIONS.**—

13 (A) A clear explanation of prohibited con-
14 duct, including examples.

15 (B) A clear explanation of consent.

16 (C) Victims' rights.

17 (D) Clearly described complaint process,
18 including multiple ways to file a complaint.

1 (E) Explanations of restricted and unre-
2 stricted reporting.

3 (F) List of mandatory reporters.

4 (G) Protections from retaliation.

5 (H) Assurance that leadership will take
6 immediate and proportionate corrective action.

7 (I) References to specific policies.

8 (J) Additional resources for survivors.

9 (2) EMERGENCY SERVICES.—

10 (A) Contact information.

11 (B) Location.

12 (3) SUPPORT AND COUNSELING.—Contact in-
13 formation for the following support and counseling
14 resources:

15 (A) The Sexual Assault Prevention and
16 Response Victim Advocate or other equivalent
17 advocate or counselor available to students in
18 cases of sexual assault.

19 (B) The Sexual Harassment/Assault Re-
20 sponse and Prevention Resource Program Cen-
21 ter.

22 (C) Peer counseling.

23 (D) Medical care.

24 (E) Legal counsel.

25 (F) Hotlines.

1 (G) Chaplain or other spiritual representa-
2 tives.

3 (4) ESCALATION.—

4 (A) A victim may report an incident to any
5 authority.

6 (B) A victim may consult any authority
7 named in this paragraph.

8 (C) The Superintendent determines the
9 outcome of an investigation and has the author-
10 ity to convene a court-martial after an initial
11 hearing.

12 (D) The Secretary of the military depart-
13 ment concerned reviews determinations in cases
14 not referred for trial by court-martial.

15 (E) The Inspector General reviews cases of
16 reprisal or professional retaliation.

17 (F) A Member of Congress (as that term
18 is defined in section 1563 of title 10, United
19 States Code).

20 (c) DISTRIBUTION.—Each Superintendent shall pro-
21 vide a copy of the current guide developed by that Super-
22 intendent under this section—

23 (1) not later than 30 days after completing de-
24 velopment under subsection (a) to each student who
25 is enrolled at the military service academy of that

1 Superintendent on the date of the enactment of this
2 Act;

3 (2) at the beginning of each academic year
4 after the date of the enactment of this Act to each
5 student who enrolls at the military service academy
6 of that Superintendent; and

7 (3) as soon as practicable to a student at the
8 military service academy of that Superintendent re-
9 ports that such student is a victim of sexual assault.



AMENDMENT TO H.R. 5515
OFFERED BY MR. TURNER OF OHIO

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

1 **SEC. 5 ____ . MINIMUM CONFINEMENT PERIOD REQUIRED**
2 **FOR CONVICTION OF CERTAIN SEX-RELATED**
3 **OFFENSES COMMITTED BY MEMBERS OF THE**
4 **ARMED FORCES.**

5 Section 856(b)(1) of title 10, United States Code (ar-
6 ticle 56(b)(1) of the Uniform Code of Military Justice),
7 is amended by striking “such punishment must include,
8 at a minimum, dismissal or dishonorable discharge, except
9 as provided for in section 860 of this title (article 60)”
10 and inserting “except as provided for in section 860 of
11 this title (article 60), such punishment must include, at
12 a minimum—”

13 “(A) dismissal or dishonorable discharge; and

14 “(B) confinement for two years.”



AMENDMENT TO H.R. 5515
OFFERED BY MR. KNIGHT OF CALIFORNIA

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

1 **SEC. 7 ____ . PILOT PROGRAM ON TREATMENT OF MEMBERS**
2 **OF THE ARMED FORCES FOR POST-TRAU-**
3 **MATIC STRESS DISORDER RELATED TO MILI-**
4 **TARY SEXUAL TRAUMA.**

5 (a) IN GENERAL.—The Secretary of Defense may
6 carry out a pilot program to assess the feasibility and ad-
7 visability of using intensive outpatient programs to treat
8 members of the Armed Forces suffering from post-trau-
9 matic stress disorder resulting from military sexual trau-
10 ma, including treatment for substance abuse, depression,
11 and other issues related to such conditions.

12 (b) DISCHARGE THROUGH PARTNERSHIPS.—The
13 pilot program authorized by subsection (a) shall be carried
14 out through partnerships with public, private, and non-
15 profit health care organizations and institutions that—

16 (1) provide health care to members of the
17 Armed Forces;

18 (2) provide evidence-based treatment for psy-
19 chological and neurological conditions that are com-

1 mon among members of the Armed Forces, includ-
2 ing post-traumatic stress disorder, traumatic brain
3 injury, substance abuse, and depression;

4 (3) provide health care, support, and other ben-
5 efits to family members of members of the Armed
6 Forces; and

7 (4) provide health care under the TRICARE
8 program (as that term is defined in section 1072 of
9 title 10, United States Code).

10 (c) PROGRAM ACTIVITIES.—Each organization or in-
11 stitution that participates in a partnership under the pilot
12 program authorized by subsection (a) shall—

13 (1) carry out intensive outpatient programs of
14 short duration to treat members of the Armed
15 Forces suffering from post-traumatic stress disorder
16 resulting from military sexual trauma, including
17 treatment for substance abuse, depression, and other
18 issues related to such conditions;

19 (2) use evidence-based and evidence-informed
20 treatment strategies in carrying out such programs;

21 (3) share clinical and outreach best practices
22 with other organizations and institutions partici-
23 pating in the pilot program; and

24 (4) annually assess outcomes for members of
25 the Armed Forces individually and among the orga-

1 nizations and institutions participating in the pilot
2 program with respect to the treatment of conditions
3 described in paragraph (1).

4 (d) EVALUATION METRICS.—Before commencement
5 of the pilot program, the Secretary shall establish metrics
6 to be used to evaluate the effectiveness of the pilot pro-
7 gram and the activities under the pilot program.

8 (e) REPORTS.—

9 (1) INITIAL REPORT.—Not later than 180 days
10 after the date of the enactment of this Act, the Sec-
11 retary shall submit to the Committees on Armed
12 Services of the Senate and the House of Representa-
13 tives a report on the pilot program authorized by
14 subsection (a). The report shall include a description
15 of the pilot program and such other matters on the
16 pilot program as the Secretary considers appro-
17 priate.

18 (2) FINAL REPORT.—Not later than 180 days
19 after the cessation of the pilot program under sub-
20 section (f), the Secretary shall submit to the com-
21 mittees of Congress referred to in paragraph (1) a
22 report on the pilot program. The report shall include
23 the following:

1 (A) A description of the pilot program, in-
2 cluding the partnership under the pilot program
3 as described in subsection (b).

4 (B) An assessment of the effectiveness of
5 the pilot program and the activities under the
6 pilot program.

7 (C) Such recommendations for legislative
8 or administrative action as the Secretary con-
9 siders appropriate in light of the pilot program,
10 including recommendations for extension or
11 making permanent the authority for the pilot
12 program.

13 (f) TERMINATION.—The Secretary may not carry out
14 the pilot program authorized by subsection (a) after the
15 date that is three years after the date of the enactment
16 of this Act.

