

**En Bloc Amendments to H.R. 2500****Subcommittee on Military Personnel  
En Bloc # 5**

<b>Log #</b>	<b>Sponsor</b>	<b>Description</b>
<b>012</b>	Turner	If there is insufficient evidence to prosecute a sex-related offense and the case is referred back to a subordinate commander for appropriate action on other known offenses, such action must be taken within 90 days of receiving the case
<b>063</b>	Davis	Removes the statutory requirement that parental leave be taken in one increment.
<b>074r1</b>	Larsen	Creating a pilot program to give participating servicemembers the option of cryopreserving eggs or sperm before deploying to a combat zone.
<b>241</b>	Stefanik	To ensure specified training for Sexual Assault Initial Disposition Authorities on the exercise of disposition authority for sexual assault and collateral offenses.
<b>261</b>	Norcross	To authorize transportation expenses Dover, AFB for next of kin of servicemembers killed overseas rather than solely in a theater of combat.
<b>291</b>	Courtney	Include the US Coast Guard Academy in provision regarding "safe to report" policy applicability to military service academies.
<b>320</b>	Houlahan	This DRL asks Defense to submit a report to Congress on those deemed ineligible for service due to inadequate test scores on the ASVAB and the impact this population has on recruitment and military readiness.
<b>342r2</b>	Keating	Ensures DOD addresses gender advisor support, building partner capacity activities and research on gender considerations across the conflict spectrum in professional military education. .
<b>348</b>	Bergman	To ensure rank parity among the chiefs of the Reserve forces.
<b>353r1</b>	Gabbard	Sense of Congress on the importance of Innovative Readiness Training, particularly to non-contiguous States and territories.
<b>355</b>	Abraham	The grade of the Chief of the Veterinary Corps of the Army would be brigadier general.

**AMENDMENT TO H.R. 2500**  
**OFFERED BY MR. TURNER OF OHIO**

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

1 **SEC. 5\_\_\_. TIMELY DISPOSITION OF NONPROSECUTABLE**  
2 **SEX-RELATED OFFENSES.**

3 (a) **POLICY REQUIRED.**—Not later than 180 days  
4 after the date of the enactment of this Act, the Secretary  
5 of Defense shall develop and implement a policy to ensure  
6 the timely disposition of nonprosecutable sex-related of-  
7 fenses in accordance with subsection (b).

8 (b) **ELEMENTS.**—The policy developed under sub-  
9 section (a) shall require the following:

10 (1) Not later than seven days after the date on  
11 which a court-martial convening authority declines  
12 to refer a nonprosecutable sex-related offense for  
13 trial by general or special court-martial under chap-  
14 ter 47 of title 10, United States Code (the Uniform  
15 Code of Military Justice), the convening authority  
16 will forward the investigation to the commander of  
17 the accused.

1           (2) Not later than 90 days after the date on  
2           which the commander of the accused receives the in-  
3           vestigation under paragraph (1)—

4                   (A) the commander will determine whether  
5                   or not to take other judicial, nonjudicial, or ad-  
6                   ministrative action in connection with the con-  
7                   duct covered by the investigation, including any  
8                   lesser included offenses, as authorized under  
9                   section 815 of title 10, United States Code (ar-  
10                  ticle 15 of the Uniform Code of Military Jus-  
11                  tice); and

12                   (B) in a case in which the commander of  
13                   the accused decides to take additional action  
14                   under subparagraph (A), the commander take  
15                   such actions as appropriate.

16           (c) **NONPROSECUTABLE SEX-RELATED OFFENSE**  
17 **DEFINED.**—In this section, the term “nonprosecutable  
18 sex-related offense” means an alleged sex-related offense  
19 (as that term is defined in section 1044e(g) of title 10,  
20 United States Code) that a court-martial convening au-  
21 thority has declined to refer for trial by a general or spe-  
22 cial court-martial under chapter 47 of title 10, United  
23 States Code (the Uniform Code of Military Justice) due

- 1 to a determination that there is insufficient evidence to
- 2 support prosecution of the sex-related offense.



**AMENDMENT TO H.R. 2500**  
**OFFERED BY MRS. DAVIS OF CALIFORNIA**

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

1 **SEC. 5** \_\_\_\_ . **AUTHORIZING MEMBERS TO TAKE LEAVE FOR A**  
2 **BIRTH OR ADOPTION IN MORE THAN ONE IN-**  
3 **CREMENT.**

4 Section 701(i) of title 10, United States Code, is  
5 amended by striking paragraph (5).



Revised 074

Log 074-1

**AMENDMENT TO H.R. 2500**  
**OFFERED BY MR. LARSEN OF WASHINGTON**

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

1 **SEC. 7. PILOT PROGRAM ON CRYOPRESERVATION AND**  
2 **STORAGE.**

3 (a) **PILOT PROGRAM.**—The Secretary of Defense  
4 shall establish a pilot program to provide not more than  
5 1,000 members of the Armed Forces serving on active  
6 duty with the opportunity to cryopreserve and store their  
7 gametes prior to deployment to a combat zone.

8 (b) **PERIOD.**—

9 (1) **IN GENERAL.**—The Secretary shall provide  
10 for the cryopreservation and storage of gametes of  
11 a participating member of the Armed Forces under  
12 subsection (a), at no cost to the member, in a facility  
13 of the Department of Defense or at a private entity  
14 pursuant to a contract under subsection (d)  
15 until the date that is one year after the retirement,  
16 separation, or release of the member from the  
17 Armed Forces.

18 (2) **CONTINUED CRYOPRESERVATION AND**  
19 **STORAGE.**—At the end of the one-year period speci-

1       fied in paragraph (1), the Secretary shall authorize  
2       an individual whose gametes were cryopreserved and  
3       stored in a facility of the Department as described  
4       in that paragraph to select, including pursuant to an  
5       advance medical directive or military testamentary  
6       instrument completed under subsection (c), one of  
7       the following options:

8               (A) To continue such cryopreservation and  
9       storage in such facility with the cost of such  
10      cryopreservation and storage borne by the indi-  
11      vidual.

12              (B) To transfer the gametes to a private  
13      cryopreservation and storage facility selected by  
14      the individual.

15              (C) To authorize the Secretary to dispose  
16      of the gametes of the individual not earlier than  
17      the date that is 90 days after the end of the  
18      one-year period specified in paragraph (1) with  
19      respect to the individual.

20      (c) ADVANCE MEDICAL DIRECTIVE AND MILITARY  
21      TESTAMENTARY INSTRUMENT.—A member of the Armed  
22      Forces who elects to cryopreserve and store their gametes  
23      under this section shall complete an advance medical di-  
24      rective described in section 1044c(b) of title 10, United  
25      States Code, and a military testamentary instrument de-

1 scribed in section 1044d(b) of such title, that explicitly  
2 specifies the use of their cryopreserved and stored gametes  
3 if such member dies or otherwise loses the capacity to con-  
4 sent to the use of their cryopreserved and stored gametes.

5 (d) AGREEMENTS.—To carry out this section, the  
6 Secretary may enter into agreements with private entities  
7 that provide cryopreservation and storage services for  
8 gametes.





**AMENDMENT TO H.R. 2500**  
**OFFERED BY Ms. STEFANIK OF NEW YORK**

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

1 **SEC. 5\_\_\_ . TRAINING FOR SEXUAL ASSAULT INITIAL DIS-**  
2 **POSITION AUTHORITIES ON EXERCISE OF**  
3 **DISPOSITION AUTHORITY FOR SEXUAL AS-**  
4 **SAULT AND COLLATERAL OFFENSES.**

5 (a) **IN GENERAL.**—The training for sexual assault  
6 initial Disposition authorities on the exercise of disposition  
7 authority under chapter 47 of title 10, United States Code  
8 (the Uniform Code of Military Justice), with respect to  
9 cases for which disposition authority is withheld to such  
10 authorities by the April 20, 2012, memorandum of the  
11 Secretary of Defense, or any successor memorandum, shall  
12 include comprehensive training on the exercise by such au-  
13 thorities of such authority with respect to such cases in  
14 order to enhance the capabilities of such Authorities in  
15 the exercise of such authority and thereby promote con-  
16 fidence and trust in the military justice process with re-  
17 spect to such cases.

18 (b) **MEMORANDUM OF SECRETARY OF DEFENSE.**—  
19 The April 20, 2012, memorandum of the Secretary of De-

1 fense referred to in subsection (a) is the memorandum of  
2 the Secretary of Defense entitled "Withholding Initial Dis-  
3 position Authority Under the Uniform Code of Military  
4 Justice in Certain Sexual Assault Cases" and dated April  
5 20, 2012.



**AMENDMENT TO H.R. 2500**  
**OFFERED BY MR. NORCROSS OF NEW JERSEY**

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

1 **SEC. 5 \_\_\_\_ . TRANSPORTATION OF REMAINS OF CASUALTIES;**

2 **TRAVEL EXPENSES FOR NEXT OF KIN.**

3 (a) TRANSPORTATION FOR REMAINS OF A MEMBER  
4 WHO DIES NOT IN A THEATER OF COMBAT OPER-  
5 ATIONS.—Section 562 of the John Warner National De-  
6 fense Authorization Act for Fiscal Year 2007 (Public Law  
7 109–364; 10 U.S.C. 1482 note) is amended—

8 (1) in the heading, by striking “**DYING IN A**  
9 **THEATER OF COMBAT OPERATIONS**”; and

10 (2) in subsection (a), by striking “in a combat  
11 theater of operations” and inserting “outside of the  
12 United States”.

13 (b) TRANSPORTATION FOR FAMILY.—The Secretary  
14 of Defense shall revise Department of Defense Instruction  
15 1300.18 to extend travel privileges via Invitational Travel  
16 Authorization to family members of members of the  
17 Armed Forces who die outside of the United States and

- 1 whose remains are returned to the United States through
- 2 the mortuary facility at Dover Air Force Base, Delaware.



**AMENDMENT TO H.R. 2500**  
**OFFERED BY MR. COURTNEY OF CONNECTICUT**

Add at the end of section 556(d) the following new paragraph:

- 1 (4) The United States Coast Guard Academy.



## Amendment to H.R. 2500

### National Defense Authorization Act for Fiscal Year 2020

#### Offered by: Ms. Houlihan of Pennsylvania

In the appropriate place in the report to accompany H.R. 2500, insert the following new Directive Report Language:

#### Report on the Armed Services Vocational Aptitude Battery

The committee notes that according to the Department of Defense 71 percent of Americans ages 17 to 24 are not eligible for military service. Approximately 24 percent of this same population who take the Armed Services Vocational Aptitude Battery (ASVAB) do not receive a score that qualifies them for enlistment in the Armed Forces without a waiver. The committee believes the Department of Defense's data on the ASVAB could be useful in identifying the kinds of test takers who struggle to meet the minimum educational standards for enlistment and identifying the educational needs of local education agencies. Therefore, the committee directs the Secretary of Defense to provide the Committees on Armed Services of the Senate and the House of Representatives, not later than March 1, 2020, a report on those deemed ineligible for service due to inadequate test scores on the ASVAB and the impact this population has on recruitment and military readiness. The report shall include:

- 1) Detailed information on the most recent 10 years of data available for all candidates who took the ASVAB by mean and median Armed Forces Qualification Test (AFQT) score, including a breakdown by section of the test and category the test takers' overall scores falls into, for:
  - a) ethnicity;
  - b) race;
  - c) gender;
  - d) age at time of test;
  - e) state of residency at time of test;
  - f) county of residency at time of test;
  - g) zip code at time of test;
  - h) highest level of education attained at time of test; and

- i) if available:
  - (a) type of secondary educational institution attended;
  - (b) school and/or school district enrolled in at time of test;
  - (c) percentage of students in school district attended qualifying for free and reduced-priced lunch at time of test,
  - (d) National Center for Education Statistics school identification number for secondary educational institution;
  - (e) free and reduced-price lunch status at time of test;
  - (f) Individual Education Plan or 504 Plan status; and
  - (g) English Language Learner status;
- 2) Correlation metrics between ASVAB scores and demographic indicators;
- 3) A list of the counties and school districts scoring in the bottom five percent on the ASVAB nationally over the past 10 years;
- 4) Number of test takers deemed ineligible for service based on their Category V ASVAB score each year over the past 10 years;
- 5) Number of test takers who were granted a waiver for enlistment who received a Category IV score each year over the past 10 years; and
- 6) The feasibility of sharing the information required in the report with the Secretary of Education to assist in improving the education of young American.

Log 342 r2

**Amendment to H.R. 2500  
National Defense Authorization Act for Fiscal Year 2020**

**Offered by Mr. Keating of Massachusetts**

In the appropriate place in the report to accompany H.R. 2500, insert the following new Directive Report Language:

*Implementation of the Women, Peace and Security Act of 2017*

“The committee directs the Secretary of Defense, through implementation of the Women, Peace, and Security Act of 2017 (Public Law 115-68), to ensure gender advisor support, building partner capacity activities, and research on gender considerations across the conflict spectrum is addressed in professional military education.”



**AMENDMENT TO H.R. 2500**  
**OFFERED BY MR. BERGMAN OF MICHIGAN**

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

1 **SEC. 5\_\_\_ . GRADE OF CERTAIN CHIEFS OF RESERVE COM-**  
2 **PONENTS.**

3 (a) IN GENERAL.—

4 (1) CHIEF OF ARMY RESERVE.—Section  
5 7038(b)(1) of title 10, United States Code, is  
6 amended by striking “general officers of the Army  
7 Reserve” and inserting “officers of the Army Re-  
8 serve in the grade of lieutenant general and”.

9 (2) CHIEF OF NAVY RESERVE.—Section  
10 8083(b)(1) of such title is amended by striking “flag  
11 officers of the Navy (as defined in section 8001(1))”  
12 and inserting “officers of the Navy Reserve in the  
13 grade of vice admiral and”.

14 (3) COMMANDER, MARINE FORCES RESERVE.—  
15 Section 8084(b)(1) of such title is amended by strik-  
16 ing “general officers of the Marine Corps (as defined  
17 in section 8001(2))” and inserting “officers of the  
18 Marine Corps Reserve in the grade of lieutenant  
19 general and”.

1           (4) CHIEF OF AIR FORCE RESERVE.—Section  
2           9038(b)(1) of such title is amended by striking  
3           “general officers of the Air Force Reserve” and in-  
4           serting “officers of the Air Force Reserve in the  
5           grade of lieutenant general and”.

6           (b) EFFECTIVE DATE.—The amendments made  
7           under subsection (a) shall take effect on the date that is  
8           one year after the date of the enactment of this Act and  
9           shall apply to appointments made after such date.



**AMENDMENT TO H.R. 2500**  
**OFFERED BY MS. GABBARD OF HAWAII**

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

1 **SEC. 3 \_\_\_\_ . SENSE OF CONGRESS REGARDING INNOVATIVE**  
2 **READINESS TRAINING PROGRAM.**

3 It is the sense of Congress that—

4 (1) the Innovative Readiness Training program  
5 is an effective training program for members of the  
6 Armed Forces and is highly beneficial to civilian-  
7 military relationships with local American commu-  
8 nities;

9 (2) due to the geographic complexities and re-  
10 alities of non-contiguous States and territories, In-  
11 novative Readiness Training has lent greater benefit  
12 to such States and territories while providing unique  
13 and realistic training opportunities and deployment  
14 readiness for members of the Armed Forces;

15 (3) the Department of Defense should pursue  
16 continued Innovative Readiness Training opportuni-  
17 ties, and, where applicable, strongly encourage the  
18 use of Innovative Readiness Training in non-contig-  
19 uous States and territories; and

1           (4) in considering whether to recommend a  
2           project, the Secretary should consider the benefits of  
3           the project to the economy of a region damaged by  
4           natural disasters.



**AMENDMENT TO H.R. 2500**  
**OFFERED BY MR. ABRAHAM OF LOUISIANA**

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

1 **SEC. 5 \_\_\_\_ . GRADE OF CHIEF OF THE VETERINARY CORPS**  
2 **OF THE ARMY.**

3 Section 7084 of title 10, United States Code, is  
4 amended by adding at the end the following: "An officer  
5 appointed to that position who holds a lower grade shall  
6 be appointed in the grade of brigadier general."

