

AMENDMENT TO RULES COMMITTEE PRINT 114-

51

OFFERED BY Ms. MCSALLY OF ARIZONA

Page 384, after line 15, insert the following:

1 **SEC. 1038. PROHIBITION ON ENFORCEMENT OF MILITARY**
2 **COMMISSION RULINGS PREVENTING MEM-**
3 **BERS OF THE ARMED FORCES FROM CAR-**
4 **RYING OUT OTHERWISE LAWFUL DUTIES**
5 **BASED ON MEMBER GENDER.**

6 (a) PROHIBITION.—No order, ruling, finding, or
7 other determination of a military commission may be con-
8 strued or implemented to prohibit or restrict a member
9 of the Armed Forces from carrying out duties otherwise
10 lawfully assigned to such member to the extent that the
11 basis for such prohibition or restriction is the gender of
12 such member.

13 (b) APPLICABILITY TO PRIOR ORDERS, ETC.—In the
14 case of an order, ruling, finding, or other determination
15 described in subsection (a) that was issued before the date
16 of the enactment of this Act in a military commission and
17 is still effective as of the date of the enactment of this
18 Act, such order, ruling, finding, or determination shall be
19 deemed to be vacated and null and void only to the extent

1 of any prohibition or restriction on the duties of members
2 of the Armed Forces that is based on the gender of mem-
3 bers.

4 (c) MILITARY COMMISSION DEFINED.—In this sec-
5 tion, the term “military commission” means a military
6 commission established under chapter 47A of title 10,
7 United States Code, and any military commission other-
8 wise established or convened by law.

