

AMENDMENT TO RULES COMMITTEE PRINT

116-19

OFFERED BY MR. BROWN OF MARYLAND

At the end of subtitle J of title V, add the following:

1 **SEC. ____ . REPORT ON CERTAIN WAIVERS RECEIVED BY**
2 **TRANSGENDER INDIVIDUALS.**

3 (a) IN GENERAL.—Not later than 120 days after the
4 date of the enactment of this Act, and annually thereafter
5 during the two subsequent calendar years, the Secretary
6 of Defense shall submit to the Committees on Armed Serv-
7 ices of the House of Representatives and the Senate a re-
8 port identifying the number of individuals (disaggregated
9 by the status of the individuals as exempt individuals or
10 nonexempt individuals) to whom the following applied dur-
11 ing the reporting period for such report:

12 (1) Diagnosed with a covered medical condi-
13 tion—

14 (A) prior to accession into the Armed
15 Forces; or

16 (B) as a member of the Armed Forces.

17 (2) Presumptively denied accession into the
18 Armed Forces as a result of a covered medical con-
19 dition.

1 (3) Applied for a service waiver as a result of
2 a covered medical condition.

3 (4) Received a service waiver for a covered med-
4 ical condition.

5 (5) Denied a service waiver for a covered med-
6 ical condition.

7 (6) Separated from the Armed Forces as a re-
8 sult of a covered medical condition.

9 (b) DEFINITIONS.—In this section:

10 (1) EXEMPT AND NONEXEMPT INDIVIDUALS.—
11 The terms “exempt individuals” and “nonexempt in-
12 dividuals” have the meanings given those terms in
13 attachment 3 of the memorandum—

14 (A) issued by the Office of the Deputy Sec-
15 retary of Defense;

16 (B) dated March 12, 2019; and

17 (C) with the subject heading “Directive-
18 type Memorandum (DTM)-19-004 - Military
19 Service by Transgender Persons and Persons
20 with Gender Dysphoria”.

21 (2) COVERED MEDICAL CONDITION.—The term
22 “covered medical condition” means—

23 (A) gender dysphoria;

24 (B) gender transition treatment; or

1 (C) any other condition related to gender
2 dysphoria or gender transition treatment.

3 (3) REPORTING PERIOD.—The term “reporting
4 period” means, with respect to a report submitted
5 under subsection (a), the calendar year most re-
6 cently completed before the date on which such re-
7 port is to be submitted.

8 (4) SERVICE WAIVER.—The term “service waiv-
9 er” includes a waiver—

10 (A) for accession into the Armed Forces;

11 (B) to continue service in the Armed
12 Forces; or

13 (C) to otherwise permit service in the
14 Armed Forces.

