AMENDMENT TO RULES COMMITTEE PRINT 117–13

OFFERED BY MR. FITZGERALD OF WISCONSIN

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

SEC. 5. ANNUAL REPORT REGARDING SEXUAL ASSAULTS INVOLVING MEMBERS OF THE ARMY NATIONAL GUARD AND THE AIR NATIONAL GUARD.

(a) ANNUAL REPORTS.—Not later than one year after the date of the enactment of this Act, and on an annual basis thereafter, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report regarding sexual assaults involving members of the Army National Guard and the Air National Guard.

(b) ELEMENTS.—Each report under subsection (a) shall include the following:

(1) The number of sexual assaults committed against members of the Army National Guard and the Air National Guard that were reported to military officials during the year covered by the report, and the number of cases that were substantiated.
(2) The number of sexual assaults committed by members of the Army National Guard or the Air National Guard that were reported to military officials during the year covered by the report, and the number of the cases so reported that were substantiated.

(3) A synopsis of each such substantiated case, organized by offense, and, for each such case, the action taken in the case, including the type of disciplinary or administrative sanction imposed, if any, including courts-martial sentences, nonjudicial punishments administered by commanding officers pursuant to section 815 of title 10, United States Code (article 15 of the Uniform Code of Military Justice), and administrative separations.

(4) The policies, procedures, and processes implemented by the Chief of the National Guard Bureau during the year covered by the report in response to incidents of sexual assault involving members of the Army National Guard or the Air National Guard.

(c) Presentation of Certain Information.—The information required under paragraphs (1) and (2) of subsection (b) shall be set forth separately for each such paragraph and may not be combined.
(d) CONSULTATION.—In preparing each report under subsection (a), the Secretary of Defense shall consult with—

(1) Under Secretary of Defense for Personnel and Readiness;

(2) the Chief of the National Guard Bureau;

and

(3) the heads of such other organizations and elements of the Department of Defense as the Secretary determines appropriate.