

AMENDMENT TO
RULES COMMITTEE PRINT 119-33
OFFERED BY MS. HOULAHAN OF PENNSYLVANIA

At the end of subtitle F of title X, add the following new section:

1 **SEC. 10__ . POLICY OF MILITARY DEPARTMENTS AND DE-**
2 **PARTMENT OF DEFENSE REGARDING RELI-**
3 **GIOUS NEUTRALITY.**

4 (a) **POLICY OF RELIGIOUS NEUTRALITY.**—The De-
5 partment of Defense and the military departments shall
6 maintain a policy of official neutrality regarding religion
7 and may neither favor nor disfavor any religion or reli-
8 gious belief.

9 (b) **PROHIBITION ON PREFERENTIAL TREATMENT.**—
10 Consistent with subsection (a), no commanding officer, su-
11 pervisor, manager, or other covered individual acting in
12 an official supervisory capacity may—

13 (1) directly or indirectly require or coerce sub-
14 ordinate personnel to practice, or otherwise affiliate
15 with, any religion or religious belief (including by re-
16 quiring or coercing participation in any religious ac-
17 tivity); or

1 (2) condition any professional opportunity, posi-
2 tive evaluation, advancement, or promotion, on the
3 basis of practice or affiliation with a religion or reli-
4 gious belief (including on the basis of participation
5 in a religious activity).

6 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
7 tion shall be construed to prohibit the religious expression
8 of any covered individual protected under the Constitution
9 and authorized under applicable regulations of the Depart-
10 ment of Defense or the military departments.

11 (d) REPORTING AND OVERSIGHT.—

12 (1) PROCEDURES FOR CONFIDENTIAL REPORT-
13 ING.—The Secretary of Defense shall establish pro-
14 cedures for the confidential reporting of alleged vio-
15 lations of any policy, requirement, or prohibition
16 under this section.

17 (2) REPORT.—Not later than 180 days after
18 the date of the enactment of this Act, the Secretary
19 of Defense shall submit to the congressional defense
20 committees a report on the status of implementing
21 the confidential reporting procedures established
22 pursuant to paragraph (1).

23 (e) DEFINITIONS.—In this section:

24 (1) The term “covered individual” means—

1 (A) a member of the Armed Forces under
2 the jurisdiction of the Secretary of a military
3 department; or

4 (B) a Department of Defense officer or
5 employee within the civil service (as such term
6 is defined in section 2101 of title 5, United
7 States Code), including any political appointee.

8 (2) The term “political appointee” means an in-
9 dividual who is—

10 (A) employed in a position described under
11 sections 5312 through 5316 of title 5, United
12 States Code (relating to the Executive Sched-
13 ule);

14 (B) a limited term appointee, limited emer-
15 gency appointee, or noncareer appointee in the
16 Senior Executive Service, as defined under
17 paragraphs (5), (6), and (7), respectively, of
18 section 3132(a) of such title 5; or

19 (C) employed in a position of a confidential
20 or policy-determining character under schedule
21 C of subpart C of part 213 of title 5, Code of
22 Federal Regulations, or successor regulation.

23 (3) The term “religion or religious belief” in-
24 cludes any denomination, sect, religious body, faith

- 1 tradition, or other system of belief (including minor-
- 2 ity faith traditions and humanist belief systems).

