

AMENDMENT TO RULES COMMITTEE PRINT

118-10

OFFERED BY MR. GAETZ OF FLORIDA

Add at the end of subtitle C of title V the following
new section:

1 **SEC. 5___ . LIMITATION OF AUTHORITY OF THE SECRETARY**
2 **OF THE MILITARY DEPARTMENT CONCERNED**
3 **TO ALTER A PERMANENT CHANGE OF STA-**
4 **TION ON THE BASIS THAT A STATE DISCRIMI-**
5 **NATES AGAINST INDIVIDUALS ON THE BASIS**
6 **OF THE SEXUAL ORIENTATION OR GENDER**
7 **IDENTITY.**

8 (a) **LIMITATION.**—The Secretary of the military de-
9 partment concerned may not take any action regarding a
10 permanent change of station for a member of an Armed
11 Force on the basis that the member is a covered member
12 unless such Secretary determines, without delegation, that
13 a State, from or to which such member shall relocate pur-
14 suant to such permanent change of station, is a covered
15 State.

16 (b) **DEFINITIONS.**—In this section:

1 (1) The term “covered member” means a mem-
2 ber of the Army, Navy, Air Force, Marine Corps, or
3 Space Force—

4 (A) with a dependent enrolled in the Ex-
5 ceptional Family Member Program on the basis
6 of the sexual orientation or gender identity of
7 such dependent; and

8 (B) who alleges that a State from or to
9 which the member shall relocate pursuant to a
10 permanent change of station discriminates
11 against individuals on such basis.

12 (2) The term “covered State” means a State
13 with an official who has been found by a court of
14 competent jurisdiction to have violated section 242
15 of title 18, United States Code.

