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:

SEC. 5. CONDITIONAL AUTHORIZATION OF AN OFFICER OR MEMBER OF THE ARMED FORCES, SERVING ON ACTIVE DUTY, TO SEEK CIVIL OFFICE.

(a) AUTHORIZATION.—Section 973 of title 10, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraphs (1) through (5), by striking “officer” each place it appears and inserting “officer or member”; 

(B) by redesignating paragraph (6) as paragraph (7); and 

(C) by inserting after paragraph (5) the following new paragraph (6):

“(6) The Secretary concerned may permit an officer or member serving on active duty to seek civil office (including participating in political campaign activities) if—
“(A) such officer or member is eligible for preseparation counseling under section 1142 of this title;

“(B) such officer or member is on terminal leave;

“(C) the term of such civil office begins after the anticipated date of the discharge or release from active duty of the officer or member; and

“(D) in the course of seeking civil office, the officer or member does not use any Federal property or refer to the rank or grade of such officer or member.”; and

(2) in subsection (e), by striking “officer” and inserting “officer or member”.

(b) CLERICAL AMENDMENT.—Such section is amended in the heading by striking “officers” and inserting “members”.