AMENDMENT TO
RULES COMMITTEE PRINT 116–57
OFFERED BY MS. HAALAND OF NEW MEXICO

At the end of subtitle H of title V, insert the following:

SEC. 5. PLAN TO IMPROVE RESPONSES TO PREGNANCY AND CHILDBIRTH BY MEMBERS OF THE ARMED FORCES AND EMPLOYEES OF THE DEPARTMENT OF DEFENSE.

(a) PLAN REQUIRED.—The Secretary of Defense, in coordination with the Secretaries of the military departments, shall develop a plan to ensure that the career of a covered individual is not unduly affected because of being a covered individual. The plan shall address the following policy considerations:

(1) Enforcement and implementation of the Pregnancy Discrimination Act (Public Law 95–555; 42 U.S.C. 2000e(k)) by the Department of Defense and the Equal Employment Opportunity Commission with regards to civilian employees of the Department of Defense.
(2) The need for individual determinations regarding the ability of members of the Armed Forces to serve during and after pregnancy.

(3) Responses to the effects specific to covered individuals who reintegrate into home life after deployment.

(4) Pregnancy discrimination training, including comprehensive education of new policies to diminish stigma, stereotypes, and negative perceptions regarding covered individuals, including with regards to commitment to the Armed Forces and abilities.

(5) Opportunities to maintain readiness when positions are unfilled due to pregnancy, medical conditions arising from pregnancy or childbirth, pregnancy convalescence, or parental leave.

(6) Reasonable accommodations for covered individuals in general and specific accommodations based on career field or military occupational specialty.

(7) Reissuing school enrollments or special assignments to covered individuals.

(8) Extended assignments and performance reporting periods for covered individuals.
(9) A mechanism by which covered individuals may report harassment or discrimination, including retaliation, relating to being a covered individual.

(b) REPORT ON PLAN.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report detailing the plan required under this section and a strategy to implement the plan.

(e) IMPLEMENTATION.—Not later than two years after the date of the enactment of this Act, the Secretary of Defense shall—

(1) complete implementation of the plan under this section; and

(2) submit to the congressional defense committees a report detailing the research performed, considerations, and policy changes implemented under this section.

(d) COVERED INDIVIDUAL DEFINED.—In this section, the term “covered individual” means a member of the Armed Forces or employee of the Department of Defense who—

(1) is pregnant;

(2) gives birth to a child; or
(3) incurs a medical condition arising from pregnancy or childbirth.