

AMENDMENT TO
RULES COMMITTEE PRINT 116–19
OFFERED BY MR. POCAN OF WISCONSIN

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

1 SEC. 530. REVIEW OF DISCHARGE CHARACTERIZATION.

2 (a) **SHORT TITLE.**—This section may cited as the
3 “Restore Honor to Service Members Act”.

4 (b) **IN GENERAL.**—In accordance with this section,
5 and in a manner that is consistent across the entire De-
6 partment of Defense, the appropriate discharge boards
7 shall review the discharge characterization of covered
8 members at the request of a covered member, and shall
9 change the discharge characterization of a covered mem-
10 ber to honorable if such change is determined to be appro-
11 priate after a review is conducted.

12 (c) **APPEAL.**—A covered member, or the representa-
13 tive of the member, may appeal a decision by the appro-
14 priate discharge board to not change the discharge charac-
15 terization by using the regular appeals process of the
16 board.

17 (d) **CHANGE OF RECORDS.**—For each covered mem-
18 ber whose discharge characterization is changed under

1 subsection (a), or for each covered member who was hon-
2 orably discharged but whose DD-214 form reflects the
3 sexual orientation of the member, the Secretary of Defense
4 shall reissue to the member or their representative a re-
5 vised DD-214 form that does not reflect the sexual ori-
6 entation of the member or reason for initial discharge.

7 (e) BENEFITS AND HONORS.—Each covered member
8 whose discharge characterization is changed under sub-
9 section (a) shall be treated without regard to the original
10 discharge characterization of the member, including for
11 purposes of—

12 (1) benefits provided by the Federal Govern-
13 ment to an individual by reason of service in the
14 Armed Forces; and

15 (2) all recognitions and honors that the Sec-
16 retary of Defense provides to members of the Armed
17 Forces.

18 (f) DEFINITIONS.—In this section:

19 (1) The term “appropriate discharge board”
20 means the boards for correction of military records
21 under section 1552 of title 10, United States Code,
22 or the discharge review boards under section 1553
23 of such title, as the case may be.

24 (2) The term “covered member” means any
25 former member of the Armed Forces who was dis-

1 charged from the Armed Forces because of the sex-
2 ual orientation of the member.

3 (3) The term “discharge characterization”
4 means the characterization under which a member
5 of the Armed forces is discharged or released, in-
6 cluding “dishonorable”, “general”, “other than hon-
7 orable”, and “honorable”.

8 (4) The term “representative” means the sur-
9 viving spouse, next of kin, or legal representative of
10 a covered member.

