

**AMENDMENT TO
RULES COMMITTEE PRINT 116–19
OFFERED BY MS. PORTER OF CALIFORNIA**

At the end of subtitle G of title V, add the following:

1 **SEC. 567. LIMITATIONS AND REQUIREMENTS IN CONNEC-**
2 **TION WITH SEPARATIONS FOR MEMBERS OF**
3 **THE ARMED FORCES WHO SUFFER FROM**
4 **MENTAL HEALTH CONDITIONS IN CONNEC-**
5 **TION WITH A SEX-RELATED, INTIMATE PART-**
6 **NER VIOLENCE-RELATED, OR SPOUSAL-**
7 **ABUSE OFFENSE.**

8 (a) CONFIRMATION OF DIAGNOSIS OF CONDITION
9 REQUIRED BEFORE SEPARATION.—Before a member of
10 the Armed Forces who was the victim of a sex-related of-
11 fense, an intimate partner violence-related offense, or a
12 spousal-abuse offense during service in the Armed Forces
13 (whether or not such offense was committed by another
14 member of the Armed Forces), and who has a mental
15 health condition not amounting to a physical disability, is
16 separated, discharged, or released from the Armed Forces
17 based solely on such condition, the diagnosis of such condi-
18 tion must be—

1 (1) corroborated by a competent mental health
2 care professional at the peer level or a higher level
3 of the health care professional making the diagnosis;
4 and

5 (2) endorsed by the Surgeon General of the
6 military department concerned.

7 (b) NARRATIVE REASON FOR SEPARATION IF MEN-
8 TAL HEALTH CONDITION PRESENT.—If the narrative rea-
9 son for discharge, separation, or release from the Armed
10 Forces of a member of the Armed Forces is a mental
11 health condition that is not a disability, the appropriate
12 narrative reason for the discharge, separation, or release
13 shall be condition, not a disability, or Secretarial author-
14 ity.

15 (c) DEFINITIONS.—In this section:

16 (1) The term “intimate partner violence-related
17 offense” means the following:

18 (A) An offense under section 928 or 930
19 of title 10, United States Code (article 128 or
20 130 of the Uniform Code of Military Justice).

21 (B) An offense under State law for con-
22 duct identical or substantially similar to an of-
23 fense described in subparagraph (A).

24 (2) The term “sex-related offense” means the
25 following:

1 (A) An offense under section 920 or 920b
2 of title 10, United States Code (article 120 or
3 120b of the Uniform Code of Military Justice).

4 (B) An offense under State law for con-
5 duct identical or substantially similar to an of-
6 fense described in subparagraph (A).

7 (3) The term “spousal-abuse offense” means
8 the following:

9 (A) An offense under section 928 of title
10 10, United States Code (article 128 of the Uni-
11 form Code of Military Justice).

12 (B) An offense under State law for con-
13 duct identical or substantially similar to an of-
14 fense described in subparagraph (A).

15 (d) EFFECTIVE DATE.—This section shall take effect
16 180 days after the date of the enactment of this Act, and
17 shall apply with respect to separations, discharges, and re-
18 leases from the Armed Forces that occur on or after that
19 effective date.

