

**AMENDMENT TO**  
**RULES COMMITTEE PRINT 118–10**  
**OFFERED BY MR. RASKIN OF MARYLAND**

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

1 **SEC. 5\_\_\_ . JROTC SAFETY IMPROVEMENT.**

2 (a) JROTC PROGRAM CERTIFICATION.—Section  
3 2031 of title 10, United States Code, is amended by add-  
4 ing at the end the following new subsection:

5 “(i)(1) The Secretary of Defense shall permanently  
6 suspend any Junior Reserve Officers’ Training Corps unit  
7 that fails to notify the Department of Defense and the  
8 Department of Education of allegations that an instructor  
9 sexually harassed or assaulted a student participating in  
10 the Junior Reserve Officers’ Training Corps within 48  
11 hours after the institution is notified of the allegation.

12 “(2) The Secretary of Defense shall submit to the  
13 Committee on Armed Services of the Senate and the Com-  
14 mittee on Armed Services of the House of Representatives  
15 an annual report including information on units sus-  
16 pended pursuant to this subsection and a justification for  
17 the reinstatement of any such unit.”.

1 (b) DEPARTMENT OF DEFENSE CLIMATE SUR-  
2 VEYS.—Section 481 of title 10, United States Code, is  
3 amended—

4 (1) in subsection (a)—

5 (A) in paragraph (1), by striking “four  
6 surveys” and inserting “five surveys”; and

7 (B) in paragraph (2)—

8 (i) by striking “four surveys” and in-  
9 serting “five surveys”; and

10 (ii) by adding at the end the following  
11 new subparagraph:

12 “(E) To identify and assess gender issues and  
13 discrimination, disability issues and discrimination,  
14 and racial and ethnic issues and discrimination  
15 among members of the Junior Reserve Officers’  
16 Training Corps and the Senior Reserve Officers’  
17 Training Corps.”; and

18 (2) in subsection (e), by inserting “and publish  
19 on a publicly accessible website of the Department”  
20 after “the Secretary shall submit to Congress”.

21 (c) PROGRAM INSPECTIONS.—Section 2031(b) of title  
22 10, United States Code, is amended—

23 (1) in paragraph (4), by striking “; and” and  
24 inserting a semicolon;

1           (2) by redesignating paragraph (5) as para-  
2           graph (8); and

3           (3) by inserting after paragraph (4) the fol-  
4           lowing new paragraphs:

5           “(5) the institution has been inspected and ap-  
6           proved by the military department concerned in the  
7           previous 18 months;

8           “(6) the military department concerned certifies  
9           that—

10           “(A) the institution—

11           “(i) has created a process for students  
12           to report violations of their rights under  
13           title IX of the Education Amendments of  
14           1972 (20 U.S.C. 1681 et seq.), title VI of  
15           the Civil Rights Act of 1964 (42 U.S.C.  
16           2000d et seq.), and section 504 of the Re-  
17           habilitation Act (29 U.S.C. 794), including  
18           the rights of students to not be subject to  
19           discrimination or subject to retaliation for  
20           reporting a violation of those laws; and

21           “(ii) has notified the students and in-  
22           structors of those rights and the process  
23           for reporting violations of those rights, in-  
24           cluding information on available reporting  
25           options, including mandatory reporters,

1 and available supportive measures to en-  
2 sure students have access to any accom-  
3 modations needed in the aftermath of ex-  
4 perienicing discrimination; and

5 “(B) the unit includes biannual training to  
6 inform students of methods to prevent, respond  
7 to, and report sexual assault and harassment;

8 “(7) the institution agrees to report all allega-  
9 tions of violations described under paragraph (6)(A)  
10 to the military department concerned and the De-  
11 partment of Education’s Office for Civil Rights not  
12 less than annually; and”.

13 (d) INFORMED CONSENT.—

14 (1) INFORMED CONSENT REQUIREMENT.—Sec-  
15 tion 2031 of title 10, United States Code, as amend-  
16 ed by subsection (a), is further amended by inserting  
17 after subsection (i) the following new subsection:

18 “(j)(1) No student shall be enrolled in the Junior Re-  
19 serve Officers’ Training Corps without the full and in-  
20 formed consent of both the student and the student’s legal  
21 guardian. Students and legal guardians shall be notified  
22 of the voluntary nature of the program, process for  
23 disenrolling from the program, and the program’s require-  
24 ments, including academic and physical expectations for  
25 students.

1       “(2) The Secretary of Defense shall suspend any  
2 Junior Reserve Officers’ Training Corps unit found to  
3 have violated the full and informed consent requirement  
4 under paragraph (1).”.

5           (2) PLAN.—Not later than 180 days after the  
6 date of the enactment of this Act, the Secretary of  
7 Defense shall, in consultation with the Secretary of  
8 Education, develop and implement a plan to collect  
9 affirmative, informed consent from students and  
10 their legal guardians before enrollment in the Junior  
11 Reserve Officers’ Training Corps, as required by  
12 subsection (j) of section 2031 of title 10, United  
13 States Code, as added by subsection (a).

