

AMENDMENT TO RULES COMMITTEE PRINT 116-

19

OFFERED BY MR. CUMMINGS OF MARYLAND

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

1 **SEC. 5___ . ASSESSMENT OF RACIAL, ETHNIC, AND GENDER**
2 **DISPARITIES IN THE MILITARY JUSTICE SYS-**
3 **TEM.**

4 (a) **IN GENERAL.**—Not later than 180 days after the
5 date of the enactment of this Act, the Secretary of Defense
6 shall carry out the activities described in subsection (b)
7 to improve the ability of the Department of Defense to
8 detect and address racial, ethnic, and gender disparities
9 in the military justice system.

10 (b) **ACTIVITIES DESCRIBED.**—The activities de-
11 scribed in this subsection are the following:

12 (1) For each court-martial carried out by an
13 Armed Force after the date of the enactment of this
14 Act, the Secretary of Defense shall require the head
15 of the Armed Force concerned—

16 (A) to record the race, ethnicity, and gen-
17 der of the victim and the accused, and such
18 other demographic information about the victim

1 and the accused as the Secretary considers ap-
2 propriate;

3 (B) to include data based on the informa-
4 tion described in subparagraph (A) in the an-
5 nual military justice reports of the Armed
6 Force.

7 (2) The Secretary of Defense, in consultation
8 with the Secretaries of the military departments and
9 the Secretary of Homeland Security, shall issue
10 guidance that—

11 (A) establishes criteria to determine when
12 data indicating possible racial, ethnic, or gender
13 disparities in the military justice process should
14 be further reviewed; and

15 (B) describes how such a review should be
16 conducted.

17 (3) The Secretary of Defense, in consultation
18 with the Secretaries of the military departments and
19 the Secretary of Homeland Security, shall—

20 (A) conduct an evaluation to identify the
21 causes of any racial, ethnic, or gender dispari-
22 ties in the military justice system

23 (B) take steps to address the causes of
24 such disparities, as appropriate.

