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:

SEC. 5. ASSESSMENT OF RACIAL, ETHNIC, AND GENDER DISPARITIES IN THE MILITARY JUSTICE SYSTEM.

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

(b) ACTIVITIES DESCRIBED.—The activities described in this subsection are the following:

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

(A) to record the race, ethnicity, and gender of the victim and the accused, and such other demographic information about the victim
and the accused as the Secretary considers appropriate;

(B) to include data based on the information described in subparagraph (A) in the annual military justice reports of the Armed Force.

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

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

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

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

(A) conduct an evaluation to identify the causes of any racial, ethnic, or gender disparities in the military justice system

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