

113TH CONGRESS  
1ST SESSION

# H. R. 2227

To improve the response to and prevention of sexual assaults involving  
members of the Armed Forces.

---

IN THE HOUSE OF REPRESENTATIVES

JUNE 3, 2013

Mrs. NOEM introduced the following bill; which was referred to the Committee  
on Armed Services

---

## A BILL

To improve the response to and prevention of sexual assaults  
involving members of the Armed Forces.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. REVIEW AND POLICY REGARDING DEPART-**  
4 **MENT OF DEFENSE INVESTIGATIVE PRAC-**  
5 **TICES IN RESPONSE TO ALLEGATIONS OF**  
6 **SEX-RELATED OFFENSES.**

7 (a) REVIEW.—Not later than 180 days after the date  
8 of the enactment of this Act, the Secretary of Defense  
9 shall conduct a review of the practices of the military  
10 criminal investigative organizations (Army Criminal Inves-

1 tigation Command, Naval Criminal Investigative Service,  
2 and Air Force Office of Special Investigation) regarding  
3 the investigation of alleged sex-related offenses involving  
4 members of the Armed Forces, including the extent to  
5 which the military criminal investigative organizations  
6 make a recommendation regarding whether an allegation  
7 of a sex-related offense appears founded or unfounded.

8 (b) POLICY.—After conducting the review required by  
9 subsection (a), the Secretary of Defense shall develop a  
10 uniform policy for the Armed Forces, to the extent prac-  
11 ticable, regarding the use of case determinations to record  
12 the results of the investigation of a sex-related offense.  
13 In developing the policy, the Secretary shall consider the  
14 feasibility of adopting case determination methods, such  
15 as the uniform crime report, used by nonmilitary law en-  
16 forcement agencies.

17 (c) SEX-RELATED OFFENSE DEFINED.—In this sec-  
18 tion, the term “sex-related offense” includes—

19 (1) any offense covered by section 920, 920a,  
20 920b, 920c, or 925 of title 10, United States Code  
21 (article 120, 120a, 120b, 120c, or 125 of the Uni-  
22 form Code of Military Justice); or

23 (2) an attempt to commit an offense specified  
24 in a paragraph (1) as punishable under section 880

1 of such title (article 80 of the Uniform Code of Mili-  
2 tary Justice).

3 **SEC. 2. DEVELOPMENT OF SELECTION CRITERIA FOR AS-**  
4 **SIGNMENT AS SEXUAL ASSAULT RESPONSE**  
5 **AND PREVENTION PROGRAM MANAGERS,**  
6 **SEXUAL ASSAULT RESPONSE COORDINA-**  
7 **TORS, AND SEXUAL ASSAULT VICTIM ADVO-**  
8 **CATES.**

9 (a) QUALIFICATIONS FOR ASSIGNMENT.—Section  
10 1602(e)(2) of the Ike Skelton National Defense Authoriza-  
11 tion Act for Fiscal Year 2011 (Public Law 111–383; 10  
12 U.S.C. 1561 note; 124 Stat. 4431) is amended—

13 (1) by redesignating subparagraph (B) as sub-  
14 paragraph (C); and

15 (2) by striking subparagraph (A) and inserting  
16 the following new subparagraphs:

17 “(A) the qualifications necessary for a  
18 member of the Armed Forces or a civilian em-  
19 ployee of the Department of Defense to be se-  
20 lected for assignment to duty as a Sexual As-  
21 sault Response and Prevention Program Man-  
22 ager, Sexual Assault Response Coordinator, or  
23 Sexual Assault Victim Advocate, whether as-  
24 signed to such duty on a full-time or part-time  
25 basis;

1           “(B) consistent with section 584(e) of the  
2           National Defense Authorization Act for Fiscal  
3           Year 2012 (Public Law 112–81; 10 U.S.C.  
4           1561 note; 125 Stat. 1433), the training, cer-  
5           tification, and status of members of the Armed  
6           Forces and civilian employees of the department  
7           assigned to duty as Sexual Assault Response  
8           and Prevention Program Managers, Sexual As-  
9           sault Response Coordinators, and Sexual As-  
10          sault Victim Advocates for the Armed Forces;  
11          and”.

12          (b) CONFORMING AMENDMENTS.—Section 584 of the  
13          National Defense Authorization Act for Fiscal Year 2012  
14          (Public Law 112–81; 10 U.S.C. 1561 note; 125 Stat.  
15          1432) is amended—

16                 (1) in subsection (a)(2), by inserting “who sat-  
17                 isfy the selection criteria established under section  
18                 1602(e)(2) of the Ike Skelton National Defense Au-  
19                 thorization Act for Fiscal Year 2011 (Public Law  
20                 111–383; 10 U.S.C. 1561 note; 124 Stat. 4431)”  
21                 after “Defense”; and

22                 (2) in subsection (b)(2), by inserting “who sat-  
23                 isfy the selection criteria established under section  
24                 1602(e)(2) of the Ike Skelton National Defense Au-

1       thorization Act for Fiscal Year 2011” after “De-  
2       fense”.

3       **SEC. 3. UNIFORM TRAINING AND EDUCATION PROGRAMS**  
4                               **FOR SEXUAL ASSAULT PREVENTION AND RE-**  
5                               **SPONSE PROGRAM.**

6       Section 585(a) of the National Defense Authorization  
7       Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat.  
8       1434; 10 U.S.C. 1561 note) is amended—

9               (1) in paragraph (1)—

10                       (A) in the first sentence, by striking “Not  
11                       later than one year after the date of the enact-  
12                       ment of this Act, the Secretary of each military  
13                       department shall develop a curriculum to pro-  
14                       vide sexual assault prevention and response  
15                       training and education for members of the  
16                       Armed Forces under the jurisdiction of the Sec-  
17                       retary and civilian employees of the military de-  
18                       partment” and inserting “Not later than June  
19                       30, 2014, the Secretary of Defense shall de-  
20                       velop a uniform curriculum to provide sexual  
21                       assault prevention and response training and  
22                       education for members of the Armed Forces  
23                       and civilian employees of the Department of  
24                       Defense”; and

1 (B) in the second sentence, by inserting  
2 “including lesson plans to achieve core com-  
3 petencies and learning objectives,” after “cur-  
4 rriculum,”; and

5 (2) in paragraph (3)—

6 (A) by striking “CONSISTENT TRAINING.—  
7 The Secretary of Defense shall ensure” and in-  
8 serting “UNIFORM TRAINING.—The Secretary  
9 of Defense shall require”; and

10 (B) by striking “consistent” and inserting  
11 “uniform”.

○