

**AMENDMENT TO H.R. 2500**  
**OFFERED BY MS. SPEIER OF CALIFORNIA**

At the appropriate place in title V, add the following  
new section:

1 **SEC. 5\_\_\_ . SAFE TO REPORT POLICY APPLICABLE ACROSS**  
2 **THE ARMED FORCES.**

3 (a) **IN GENERAL.**—The Secretary of Defense shall,  
4 in consultation with the Secretaries of the military depart-  
5 ments and the Secretary of Homeland Security, prescribe  
6 in regulations a safe to report policy described in sub-  
7 section (b) that applies with respect to all members of the  
8 Armed Forces (including members of the reserve compo-  
9 nents of the Armed Forces) and cadets and midshipmen  
10 at the military service academies.

11 (b) **SAFE TO REPORT POLICY.**—The safe to report  
12 policy described in this subsection is a policy under which  
13 a member of the Armed Forces who is the alleged victim  
14 of sexual assault, but who may have committed minor col-  
15 lateral misconduct at or about the time of such sexual as-  
16 sault, or whose minor collateral misconduct is discovered  
17 only as a result of the investigation into such sexual as-  
18 sault, may report such sexual assault to proper authorities  
19 without fear or receipt of discipline in connection with

1 such minor collateral misconduct absent aggravating cir-  
2 cumstances that increase the gravity of the minor collat-  
3 eral misconduct or its impact on good order and discipline.

4 (c) MINOR COLLATERAL MISCONDUCT.—For pur-  
5 poses of the safe to report policy, minor collateral mis-  
6 conduct shall include any of the following:

7 (1) Improper use or possession of alcohol.

8 (2) Consensual intimate behavior (including  
9 adultery) or fraternization.

10 (3) Presence in an off-limits area.

11 (4) Such other misconduct as the Secretary of  
12 Defense shall specify in the regulations under sub-  
13 section (a).

14 (d) AGGRAVATING CIRCUMSTANCES.—The regula-  
15 tions under subsection (a) shall specify aggravating cir-  
16 cumstances that increase the gravity of minor collateral  
17 misconduct or its impact on good order and discipline for  
18 purposes of the safe to report policy.

