

119TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

To amend title 10, United States Code, and the National Defense Authorization Act for Fiscal Year 1994, to codify and clarify gender neutral standards for members of certain Armed Forces, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

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Ms. HIRONO (for herself, Ms. DUCKWORTH, Mrs. GILLIBRAND, Mr. SCHUMER, Ms. ALSOBROOKS, Mr. VAN HOLLEN, Mrs. MURRAY, Ms. WARREN, Ms. ROSEN, Ms. SLOTKIN, Mr. HICKENLOOPER, Mr. MARKEY, Mr. KIM, Mr. WYDEN, Mr. BOOKER, Mr. FETTERMAN, Mrs. SHAHEEN, Mr. KELLY, Mr. SCHIFF, and Ms. BALDWIN) introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To amend title 10, United States Code, and the National Defense Authorization Act for Fiscal Year 1994, to codify and clarify gender neutral standards for members of certain Armed Forces, and for other purposes.

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

1 **SECTION 1. GENDER NEUTRAL STANDARDS IN CERTAIN**  
2 **ARMED FORCES.**

3 (a) PROHIBITION ON EXCLUSION OF A MEMBER OF  
4 CERTAIN ARMED FORCES FROM AN ASSIGNMENT ON THE  
5 BASIS OF GENDER.—

6 (1) IN GENERAL.—Section 652 of title 10,  
7 United States Code, is amended to read as follows:  
8 **“§ 652. Prohibition of exclusion from assignments on**  
9 **the basis of gender**

10 “(a) PROHIBITION.—A member of the Army, Navy,  
11 Marine Corps, Air Force, or Space Force may not be ex-  
12 cluded from an occupational specialty, career field, or as-  
13 signment on the basis of gender.

14 “(b) ANNUAL REPORT.—The Secretary of Defense  
15 shall submit to the Committees on Armed Services of the  
16 Senate and House of Representatives an annual report  
17 that includes, with respect to the year preceding the date  
18 of the report, the following:

19 “(1) Any change to an occupational standard,  
20 including a description of how such change predicts  
21 performance of actual, regular, and recurring duties  
22 of a military occupational specialty.

23 “(2) The number of members, disaggregated by  
24 military occupational specialty and gender, who were  
25 involuntarily reclassified or separated for a reason

1 other than discipline or pursuant to a sentence of a  
2 court-martial.

3 “(3) The reasons for reclassifications or separa-  
4 tions described in paragraph (2).”.

5 (2) CONFORMING AMENDMENT.—Section 8225  
6 of title 10, United States Code, is repealed.

7 (3) EFFECTIVE DATE.—The amendments made  
8 by this subsection shall take effect on September 30,  
9 2026. The first report under subsection (b) of sec-  
10 tion 652 of such title, as amended by this section,  
11 shall be due on September 30, 2027.

12 (b) GENDER-NEUTRAL OCCUPATIONAL STANDARD  
13 FOR A MILITARY CAREER DESIGNATOR: MODERNIZATION;  
14 ADDITIONAL INFORMATION TO CONGRESS TO REVIEW A  
15 PROPOSED CHANGE.—

16 (1) MODERNIZATION.—Section 543 of the Na-  
17 tional Defense Authorization Act for Fiscal Year  
18 1994 (Public Law 103–160; 10 U.S.C. 113 note) is  
19 amended—

20 (A) in subsection (a)—

21 (i) in the matter preceding paragraph  
22 (1), by striking “that is open to both male  
23 and female members of the Armed  
24 Forces”; and

1 (ii) in paragraph (3), by striking  
2 “women in that occupational career field”  
3 and inserting “individuals in such occupa-  
4 tional career field on the basis of gender”;  
5 (B) in subsection (b)—

6 (i) in the heading, by striking “SPE-  
7 CIFIC PHYSICAL REQUIREMENTS” and in-  
8 serting “**OCCUPATIONAL PERFORM-**  
9 **ANCE STANDARDS**”;

10 (ii) in paragraph (1)—

11 (I) by striking “physical” both  
12 places it appears;

13 (II) by inserting “, based on a  
14 scientifically rigorous process,” after  
15 “determines”;

16 (III) by inserting “technical, tac-  
17 tical, cognitive, or physical abilities,  
18 including” before “muscular  
19 strength”; and

20 (IV) by striking “(in the case of  
21 a career designator that is open to  
22 both male and female members of the  
23 Armed Forces)”; and

24 (iii) in paragraph (2)—

1 (I) by inserting “not shorter than  
2 18 months” after “a reasonable pe-  
3 riod”; and

4 (II) by inserting “that are based  
5 on input from health care providers  
6 and researchers of the Department of  
7 Defense” after “prescribed by the  
8 Secretary”; and

9 (C) in subsection (c), by striking “female  
10 members of the Armed Forces” and inserting  
11 “members of the Armed Forces, of any gen-  
12 der,”.

13 (2) INFORMATION TO CONGRESS.—Such section  
14 is further amended, in subsection (c)—

15 (A) by striking “are expected to” and in-  
16 serting “may”;

17 (B) by striking “Congress” and inserting  
18 “the congressional defense committees”; and

19 (C) by striking “change and the justifica-  
20 tion and rationale” and inserting “proposed  
21 change, the estimated costs, the justification  
22 (including the relevant research and data that  
23 the Secretary reviewed and relied upon before  
24 making such proposal), and rationale”; and

1 (D) by striking “60-day period” and in-  
2 serting “180-day period”.

3 (c) SUBMISSION OF THE REVIEW OF OPERATIONAL  
4 EFFECTIVENESS OF ARMY AND MARINE CORPS GROUND  
5 COMBAT UNITS.—

6 (1) SUBMISSION OF UNREDACTED VERSION.—

7 Not later than 7 days after it is completed, the Sec-  
8 retary of Defense shall provide to Congress the full,  
9 unredacted review of operational effectiveness of  
10 Army and Marine Corps ground combat units that  
11 is the subject of the memorandum issued by the  
12 Under Secretary of Defense for Personnel and Read-  
13 iness on December 18, 2025, relating to “Review of  
14 the Operational Effectiveness of Army and Marine  
15 Corps Ground Combat Units,” and which was reas-  
16 signed to the Johns Hopkins University Applied  
17 Physics Laboratory.

18 (2) BRIEFING.—Not later than 30 days after  
19 submitting the review under paragraph (1), the Sec-  
20 retary of Defense shall provide a briefing to the  
21 Committees on Armed Services of the Senate and  
22 the House of Representatives. The briefing shall in-  
23 clude the full, unredacted findings of the review and  
24 report methodology.

1           (3) PRELIMINARY FINDINGS AND INFORMA-  
2           TION.—The Secretary of Defense shall provide to  
3           Congress any preliminary findings, methodology, and  
4           information delivered by the Institute for Defense  
5           Analyses to the Department of Defense related to  
6           the study required under paragraph (1) before the  
7           study’s reassignment to the Johns Hopkins Univer-  
8           sity Applied Physics Laboratory.

9           (4) COMPTROLLER GENERAL REVIEW.—Not  
10          later than 180 days after the date of the enactment  
11          of this Act, the Comptroller General of the United  
12          States shall submit to the congressional defense  
13          committees a report reviewing—

14                (A) the review provided to Congress under  
15                paragraph (1); and

16                (B) any actions taken by the Department  
17                of Defense in response to the review.

18          (d) EFFECTIVE DATE.—The amendments made by  
19          this section shall take effect on September 30, 2026. The  
20          first report under subsection (b) of section 652 of title  
21          10, United States Code, as amended by this section, shall  
22          be due on September 30, 2027.