

112TH CONGRESS
2D SESSION

H. R. 5638

To direct the Secretary concerned to develop and implement policies and procedures to prevent and respond to hazing in the Armed Forces, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 8, 2012

Ms. VELÁZQUEZ introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To direct the Secretary concerned to develop and implement policies and procedures to prevent and respond to hazing in the 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Service Member Anti-
5 Hazing Act”.

6 **SEC. 2. DUTIES OF THE SECRETARY CONCERNED.**

7 (a) HAZING POLICIES AND PROCEDURES.—The Sec-
8 retary concerned, in consultation with the Panel estab-
9 lished in section 3, shall—

1 (1) develop and implement a policy to prevent
2 and respond to hazing of members of that branch of
3 the Armed Forces;

4 (2) develop and implement a program to train
5 members of that branch of the Armed Forces on the
6 dangers of and the need to avoid hazing and on
7 issues related to diversity, which each such member
8 shall attend not less than annually;

9 (3) expand any policies for reporting incidents
10 of hazing to include a phone service through which
11 an individual can anonymously call to report inci-
12 dents of hazing in that branch of the Armed Forces;
13 and

14 (4) develop and implement a procedure to
15 transfer a member of that branch of the Armed
16 Forces who has been the victim of a substantiated
17 incident of hazing to another unit in such branch of
18 the Armed Forces.

19 (b) DATA COLLECTION.—The Secretary concerned
20 shall collect and maintain data on each incident of hazing
21 reported, including—

22 (1) the gender, race or ethnicity, sexual orienta-
23 tion, and religion of the victim and perpetrator of
24 the incident of hazing; and

1 (2) whether the Secretary concerned responded
2 to the incident of hazing, and if there was a re-
3 sponse, information about such response.

4 (c) REPORT.—The Secretary concerned shall submit
5 an annual report to Congress on the data collected and
6 maintained under subsection (b).

7 **SEC. 3. MILITARY HAZING PREVENTION OVERSIGHT**
8 **PANEL.**

9 (a) ESTABLISHMENT.—There is established a panel
10 to be known as the Military Hazing Prevention Oversight
11 Panel (in this Act referred to as the “Panel”).

12 (b) MEMBERSHIP.—The Panel shall be composed of
13 the following members:

14 (1) The Secretary of the Army or the Sec-
15 retary’s designee.

16 (2) The Secretary of the Navy or the Sec-
17 retary’s designee.

18 (3) The Secretary of the Air Force or the Sec-
19 retary’s designee.

20 (4) The Secretary of Homeland Security (with
21 respect to the Coast Guard) or the Secretary’s des-
22 ignee.

23 (5) Members appointed by the Secretary of De-
24 fense from among individuals who are not officers or

1 employees of any government and who have exper-
2 tise in advocating for—

3 (A) women;

4 (B) racial or ethnic minorities;

5 (C) religious minorities; or

6 (D) gay, lesbian, bisexual, or transgender
7 individuals.

8 (c) DUTIES.—The Panel shall—

9 (1) make recommendations to the Secretary
10 concerned on the development of the policies, pro-
11 grams, and procedures described in section 2(a); and

12 (2) monitor the policies, programs, and proce-
13 dures described in section 2(a) and make rec-
14 ommendations to the Secretary concerned, based on
15 the data collected in section 2(b), on ways to im-
16 prove such policies, programs, and procedures.

17 (d) INITIAL MEETING.—Not later than 180 days
18 after the date of the enactment of this Act, the Panel shall
19 hold its initial meeting.

20 (e) MEETINGS.—The Panel shall meet not less than
21 annually.

22 **SEC. 4. DEFINITIONS.**

23 (a) HAZING.—The term “hazing” means any conduct
24 whereby a member of the Armed Forces, regardless of
25 branch or rank, without proper authority causes another

1 member to suffer, or be exposed to, any activity which is
2 cruel, abusive, humiliating, oppressive, demeaning, or
3 harmful, and includes—

4 (1) soliciting or coercing another individual to
5 perpetrate any such activity;

6 (2) verbal or psychological conduct; and

7 (3) instances in which the victim of such activ-
8 ity gave actual or implied consent.

9 (b) SECRETARY CONCERNED.—The term “Secretary
10 concerned” has the meaning given the term in section
11 101(a) of title 10, United States Code.

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