



AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To prohibit the establishment or maintenance of Senior Reserve Officers' Training Corps units at public educational institutions that display Confederate battle flag.

IN THE SENATE OF THE UNITED STATES—114th Cong., 2d Sess.

**S. 2943**

To au	<b>AMENDMENT N<sup>o</sup> 4401</b>	itary
a	<i>Reid for Booker</i>	itary
c	By _____	part-
n	To: _____	nnel
s	<i>S. 2943</i>	oses.
Refe	<i>4</i>	and
	<b>Page(s)</b>	
	GPO: 2010 63-070 (mac)	

AMENDMENT intended to be proposed by Mr. BOOKER (for himself and Mr. BROWN)

Viz:

1 At the end of subtitle E of title V, add the following:

1 **SEC. 565. PROHIBITION ON ESTABLISHMENT, MAINTENANCE, OR SUPPORT OF SENIOR RESERVE**  
2 **OFFICERS' TRAINING CORPS UNITS AT PUBLIC EDUCATIONAL INSTITUTIONS THAT DISPLAY CONFEDERATE BATTLE FLAG.**

6 (a) PROHIBITION.—Section 2102 of title 10, United  
7 States Code, is amended by adding at the end the following new subsection:

9 “(e) PROHIBITION RELATED TO DISPLAY OF CONFEDERATE BATTLE FLAG.—(1) The Secretary of a military department may not establish, maintain, or support  
12 a unit of the program at any public educational institution, including any senior military college specified in section 2111a of this title, that displays, in a location other  
15 than in a museum exhibit, the Confederate battle flag.

16 “(2)(A) Upon making a determination under paragraph (1) that an educational institution displays, in a location other than in a museum exhibit, the Confederate battle flag, the Secretary of the military department concerned shall terminate, in accordance with subparagraph  
21 (B), any unit of the program at that educational institution in existence as of the date of the determination.

23 “(B) The termination of a unit of the program at  
24 an educational institution pursuant to this paragraph shall  
25 take effect on the date on which—

1 “(i) each member of the program who, as of the  
2 date of the determination, is enrolled in the edu-  
3 cational institution is no longer so enrolled; and

4 “(ii) each student who, as of the date of the de-  
5 termination, is enrolled in the educational institution  
6 but not yet a member of the program, is no longer  
7 so enrolled.

8 “(3) Not later than January 31, 2017, and each Jan-  
9 uary 31 thereafter through January 31, 2021, the Sec-  
10 retary of Defense shall submit to the congressional defense  
11 committees a report—

12 “(A) identifying each unit of the program lo-  
13 cated at an educational institution that displays, in  
14 a location other than in a museum exhibit, the Con-  
15 federate battle flag; and

16 “(B) describing the implementation of this sub-  
17 section with respect to that educational institution.

18 “(4) In this subsection, the term ‘Confederate battle  
19 flag’ means the battle flag of the Army of Northern Vir-  
20 ginia, the battle flag of the Army of Tennessee, the battle  
21 flag of Forrest’s Cavalry Corps, the Second Confederate  
22 Navy Jack, the Second Confederate Navy Ensign, or other  
23 flag with a like design.”.

24 (b) CONFORMING AMENDMENTS.—Such title is fur-  
25 ther amended as follows:

1           (1) In section 2102(d), striking “The Presi-  
2       dent” and inserting “Subject to subsection (e), the  
3       President”.

4           (2) In section 2111a—

5               (A) in subsection (d), by striking “The  
6       Secretary” and inserting “Except as provided  
7       in section 2102(e) of this title, the Secretary”.

8               (B) in subsection (e)(1), by striking “The  
9       Secretary” and inserting “Except in the case of  
10      a senior miliary college at which a unit of the  
11      program is terminated pursuant to section  
12      2102(e) of this title, the Secretary”.