

for protective orders issued to or on behalf of members of the Armed Forces by civilian courts, and (B) for orders issued by military commanders to members of the Armed Forces ordering them not to have contact with a dependent.

“(3) To strengthen the capacity of attorneys and other legal advocates to respond appropriately to victims of military domestic violence.

“(4) To assist in educating judges, prosecutors, and legal offices in improved handling of military domestic violence cases.

“(5) To develop and implement more effective policies, protocols, orders, and services specifically devoted to preventing, identifying, and responding to domestic violence.

“(6) To develop, enlarge, or strengthen victims’ services programs, including sexual assault and domestic violence programs, developing or improving delivery of victims’ services, and providing confidential access to specialized victims’ advocates.

“(7) To develop and implement primary prevention programs.

“(8) To improve the response of health care providers to incidents of domestic violence, including the development and implementation of screening protocols.

“(c) PRIORITY.—The Secretary shall give priority in providing funds and other incentives under the program to installations at which the local program will emphasize building or strengthening partnerships and collaboration among military organizations such as family advocacy program, military police or provost marshal organizations, judge advocate organizations, legal offices, health affairs offices, and other installation-level military commands between those organizations and appropriate civilian organizations, including civilian law enforcement, domestic violence advocacy organizations, and domestic violence shelters.

“(d) APPLICATIONS.—The Secretary shall establish guidelines for applications for an award of funds under the program to carry out the program at an installation.

“(e) AWARDS.—The Secretary shall determine the award of funds and incentives under this section. In making a determination of the installations to which funds or other incentives are to be provided under the program, the Secretary shall consult with an award review committee consisting of representatives from the Armed Forces, the Department of Justice, the Department of Health and Human Services, and organizations with a demonstrated expertise in the areas of domestic violence and victims’ safety.”

UNIFORM DEPARTMENT OF DEFENSE POLICIES FOR RESPONSES TO DOMESTIC VIOLENCE

Pub. L. 106-65, div. A, title V, § 593, Oct. 5, 1999, 113 Stat. 643, provided that:

“(a) REQUIREMENT.—The Secretary of Defense shall prescribe the following:

“(1) Standard guidelines to be used by the Secretaries of the military departments for negotiating agreements with civilian law enforcement authorities relating to acts of domestic violence involving members of the Armed Forces.

“(2) A requirement (A) that when a commanding officer issues to a member of the Armed Forces under that officer’s command an order that the member not have contact with a specified person that a written copy of that order be provided within 24 hours after the issuance of the order to the person with whom the member is ordered not to have contact, and (B) that there be a system of recording and tracking such orders.

“(3) Standard guidelines on the factors for commanders to consider when seeking to substantiate allegations of domestic violence by a person subject to the Uniform Code of Military Justice and when determining appropriate action for such allegations that are so substantiated.

“(4) A standard training program for all commanding officers in the Armed Forces, including a stand-

ard curriculum, on the handling of domestic violence cases.

“(b) DEADLINE.—The Secretary of Defense shall carry out subsection (a) not later than six months after the date on which the Secretary receives the first report of the Defense Task Force on Domestic Violence under section 591(e) [set out as a note above].”

§ 1563. Consideration of proposals for posthumous and honorary promotions and appointments: procedures for review

(a) REVIEW BY SECRETARY CONCERNED.—Upon request of a Member of Congress, the Secretary concerned shall review a proposal for the posthumous or honorary promotion or appointment of a member or former member of the armed forces, or any other person considered qualified, that is not otherwise authorized by law. Based upon such review, the Secretary shall make a determination as to the merits of approving the posthumous or honorary promotion or appointment.

(b) NOTICE OF RESULTS OF REVIEW.—Upon making a determination under subsection (a) as to the merits of approving the posthumous or honorary promotion or appointment, the Secretary concerned shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives and to the requesting Member of Congress a detailed discussion of the rationale supporting the determination.

(c) DEFINITION.—In this section, the term “Member of Congress” means—

- (1) a Senator; or
- (2) a Representative in, or a Delegate or Resident Commissioner to, Congress.

(Added Pub. L. 106-398, § 1 [div. A], title V, § 542(a), Oct. 30, 2000, 114 Stat. 1654, 1654A-114; Pub. L. 108-136, div. A, title X, § 1031(a)(11), Nov. 24, 2003, 117 Stat. 1597.)

AMENDMENTS

2003—Pub. L. 108-136, § 1031(a)(11)(B), struck out “and recommendation” after “review” in section catchline.

Subsec. (a). Pub. L. 108-136, § 1031(a)(11)(A)(i), struck out “and the other determinations necessary to comply with subsection (b)” before period at end.

Subsec. (b). Pub. L. 108-136, § 1031(a)(11)(A)(ii), substituted “a detailed discussion of the rationale supporting the determination.” for “notice in writing of one of the following:

“(1) The posthumous or honorary promotion or appointment does not warrant approval on the merits.

“(2) The posthumous or honorary promotion or appointment warrants approval and authorization by law for the promotion or appointment is recommended.

“(3) The posthumous or honorary promotion or appointment warrants approval on the merits and has been recommended to the President as an exception to policy.

“(4) The posthumous or honorary promotion or appointment warrants approval on the merits and authorization by law for the promotion or appointment is required but is not recommended.

A notice under paragraph (1) or (4) shall be accompanied by a statement of the reasons for the decision of the Secretary.”

§ 1564. Security clearance investigations

(a) EXPEDITED PROCESS.—The Secretary of Defense may prescribe a process for expediting the completion of the background investigations necessary for granting security clearances for—