

AMENDMENT TO H.R. 8800
OFFERED BY MS. JACOBS OF CALIFORNIA

At the appropriate place in title X, insert the following new section:

1 **SEC. 10 ___. OMBUDSMAN FOR STARS AND STRIPES.**

2 (a) IN GENERAL.—There is an Ombudsman of Stars
3 and Stripes (in this section referred to as the “Ombuds-
4 man”).

5 (b) APPOINTMENT; QUALIFICATIONS; TERMS.—

6 (1) APPOINTMENT.—The Publisher of Stars
7 and Stripes has the sole authority to appoint the
8 Ombudsman.

9 (2) QUALIFICATIONS.—The Ombudsman ap-
10 pointed under paragraph (1) shall be appointed from
11 among qualified individuals with significant career
12 experience in independent journalism and may not
13 be a member of the Armed Forces or a civilian em-
14 ployee of the Department of Defense.

15 (3) TERMS.—The Ombudsman appointed under
16 paragraph (1) shall be appointed for a term of not
17 more than three years.

18 (c) SUSPENSION AND REMOVAL.—

1 (1) SOLE BASIS.—The Publisher has the sole
2 authority to suspend or remove the Ombudsman and
3 may only suspend or remove the Ombudsman on the
4 basis of documented misconduct or performance fail-
5 ure during the term served.

6 (2) NOTIFICATION REQUIREMENT.—Not later
7 than five days after any date on which the Publisher
8 suspends or removes the Ombudsman from such po-
9 sition, the Publisher shall submit to the Committees
10 on Armed Services of the House of Representatives
11 and the Senate a written notification of such action,
12 including—

13 (A) a detailed justification for such sus-
14 pension or removal; and

15 (B) documentation of evidence supporting
16 such suspension or removal.

17 (d) DUTIES.—The duties of the Ombudsman shall in-
18 clude the following:

19 (1) Providing to the commanders of the unified
20 combatant commands, the Publisher of Stars and
21 Stripes, any Editor of Stars and Stripes, and the
22 Director of the Defense Media Activity, independent
23 advice on matters of readership interest in Stars and
24 Stripes.

1 (2) Providing to the Committees on Armed
2 Services of the House of Representatives and the
3 Senate an annual briefing on—

4 (A) the operations of Stars and Stripes;
5 and

6 (B) the state of the free flow of news and
7 information to the Armed Forces and Depart-
8 ment of Defense through Stars and Stripes.

9 (e) INDEPENDENT NATURE.—In conducting the du-
10 ties under subsection (d), the Ombudsman shall be inde-
11 pendent from the authority, direction, and control of the
12 Secretary of Defense. No member of the Armed Forces
13 or Department of Defense officer or employee within the
14 civil service (as that term is defined in section 2101 of
15 title 5, United States Code), including any political ap-
16 pointee, may interfere with the conduct of such duties.

17 (f) POLITICAL APPOINTEE DEFINED.—In this sec-
18 tion, the term “political appointee” means an individual
19 who is—

20 (1) employed in a position described under sec-
21 tions 5312 through 5316 of title 5, United States
22 Code (relating to the Executive Schedule);

23 (2) a limited term appointee, limited emergency
24 appointee, or noncareer appointee in the Senior Ex-
25 ecutive Service, as defined under paragraphs (5),

1 (6), and (7), respectively, of section 3132(a) of such
2 title 5; or

3 (3) employed in a position of a confidential or
4 policy-determining character under schedule C of
5 subpart C of part 213 of title 5, Code of Federal
6 Regulations, or successor regulation.

