

**AMENDMENT TO H.R. 8070**  
**OFFERED BY MR. BANKS OF INDIANA**

1       At the appropriate place in title V, insert the fol-  
2       lowing:

3       **SEC. 5\_\_\_ . SERVICE ACADEMIES: APPOINTMENTS AND AD-**  
4       **DITIONAL APPOINTEES.**

5       (a) UNITED STATES MILITARY ACADEMY.—

6               (1) APPOINTMENTS.—Section 7442 of title 10,  
7       United States Code, is amended—

8                       (A) in subsection (a)—

9                               (i) by striking “subsection (j)” and in-  
10                               serting “subsection (k)”;

11                               (ii) in paragraph (1), by striking “as  
12                               established by competitive examinations”  
13                               and inserting “as determined by candidate  
14                               composite score rank”; and

15                               (iii) in the matter following paragraph  
16                               (10)—

17                                       (I) in the second sentence, by in-  
18                                       serting “(in which event selection  
19                                       shall be in order of merit as deter-  
20                                       mined by candidate composite score  
21                                       rank)” after “without ranking”; and

1 (II) in the third sentence, by in-  
2 serting “, including qualified alter-  
3 nates and additional appointees” be-  
4 fore the period at the end;

5 (B) by redesignating subsections (b)  
6 through (j) as subsections (c) through (k), re-  
7 spectively;

8 (C) by inserting after subsection (a) the  
9 following new subsection:

10 “(b) There shall be appointed each year at the Acad-  
11 emy 275 cadets selected in order of merit as determined  
12 by candidate composite score rank by the Secretary of the  
13 Army from qualified alternates nominated pursuant to  
14 paragraphs (3) through (10) of subsection (a) and all  
15 other qualified, non-selected candidates holding nomina-  
16 tions from any other source pursuant to this chapter.”;

17 (D) in subsection (c), as redesignated by  
18 subparagraph (B)—

19 (i) in paragraph (1), by striking “one  
20 hundred selected by the President” and in-  
21 serting “up to one hundred selected by the  
22 President in order of merit as determined  
23 by candidate composite score rank”;

24 (ii) in paragraph (2)—

1 (I) by inserting “up to” before  
2 “85 nominated”; and

3 (II) by inserting “, selected in  
4 order of merit as determined by can-  
5 didate composite score rank” before  
6 the period at the end;

7 (iii) in paragraph (3)—

8 (I) by inserting “up to” before  
9 “85 nominated”; and

10 (II) by inserting “, selected in  
11 order of merit as determined by can-  
12 didate composite score rank” before  
13 the period at the end;

14 (iv) in paragraph (4)—

15 (I) by inserting “up to” before  
16 “20 nominated”; and

17 (II) by inserting “, selected in  
18 order of merit as determined by can-  
19 didate composite score rank” before  
20 the period at the end; and

21 (v) by striking paragraph (5);

22 (E) in subsection (f), as redesignated by  
23 subparagraph (B), by striking “subsection (b)”  
24 and inserting “subsection (c)”;

25 (F) in subsection (h), as so redesignated—

1 (i) by striking “subsection (b)” each  
2 place it appears and inserting “subsection  
3 (c)”;

4 (ii) in paragraph (4), by striking  
5 “subsection (e)” and inserting “subsection  
6 (f)”;

7 (G) by adding at the end the following new  
8 subsections:

9 “(l) Qualifications of candidates for admission shall  
10 be determined by use of, among others, a candidate com-  
11 posite score uniformly calculated for each applicant. Com-  
12 ponents of such composite score shall include the can-  
13 didate’s standardized test scores, weighted at not less than  
14 30 percent of the overall composite score. Any subjective  
15 component of such composite score shall be weighted at  
16 not more than 10 percent of the overall composite score.  
17 Candidates’ composite scores shall be used to determine  
18 order of merit. Race and ethnicity shall not be considered  
19 in any component of the candidate composite score, eval-  
20 uation of candidates or selection for appointment.

21 “(m) Not later than October 1 of each year, the Sec-  
22 retary of the Army shall submit to the Committees on  
23 Armed Services of the Senate and the House of Represent-  
24 atives a report including—

1           “(1) with respect to the preceding admissions  
2           cycle—

3                   “(A) the established minimum candidate  
4           composite score and college entrance examina-  
5           tion rank (CEER) score used in such cycle; and

6                   “(B) the total number of waivers of such  
7           minimum candidate composite score, including  
8           the candidate composite score and CEER score  
9           of each cadet to whom the waiver relates, a  
10          brief explanation of the reasons for such waiver,  
11          and the category of appointment under which  
12          each such cadet was appointed (and if congres-  
13          sional, the type of slate that nominated the  
14          waived appointee); and

15                  “(2) for each cadet who, during the four-year  
16          period preceding the date of the report, received a  
17          waiver for the established minimum candidate com-  
18          posite score, the status of each such cadet, including  
19          whether the cadet still at the Academy, the cir-  
20          cumstances of such cadet’s departure (if applicable),  
21          the cumulative academic GPA, cumulative military  
22          GPA, any major conduct or honor violations, any re-  
23          medial measures undertaken, and any other note-  
24          worthy information concerning such cadet.”.

1           (2) ADDITIONAL APPOINTEES.—Section 7443 of  
2           title 10, United States Code, is amended—

3           (A) in the section heading, by striking  
4           “**appointment**” and inserting “**additional**  
5           **appointments**”;

6           (B) in the first sentence—

7           (i) by inserting “(a)” before “If it is  
8           determined”; and

9           (ii) by striking “from other qualified  
10           candidates who competed for nomination”  
11           and inserting “from other qualified can-  
12           didates who hold a nomination”;

13           (C) in the second sentence, by striking  
14           “(8)” and inserting “(10)”;

15           (D) by inserting after the second sentence  
16           the following: “Subject to the preceding sen-  
17           tence, the first 100 such vacancies shall be  
18           filled with candidates who are selected in order  
19           of merit as determined by candidate composite  
20           score rank (as described in section 7442 of this  
21           title), after which all remaining vacancies may  
22           be filled with candidates who are selected out of  
23           merit rank order.”; and

24           (E) by adding at the end the following:

1 “(b) Not later than October 1 of each year, the Sec-  
2 retary of the Army shall submit to the congressional de-  
3 fense committees a report that includes, with respect to  
4 the preceding admissions cycle—

5 “(1) the composite scores and college entrance  
6 examination rank scores of the ten candidates nomi-  
7 nated under this section with the lowest combined  
8 scores that were selected;

9 “(2) the total number of qualified and not se-  
10 lected candidates nominated under this section; and

11 “(3) the composite scores and college entrance  
12 examination rank scores of the ten candidates nomi-  
13 nated under this section with the highest combined  
14 scores that were qualified and not selected.”.

15 (b) UNITED STATES NAVAL ACADEMY.—

16 (1) APPOINTMENTS.—Section 8454 of title 10,  
17 United States Code, is amended—

18 (A) in subsection (a)—

19 (i) by striking “subsection (h)” and  
20 inserting “subsection (i)”;

21 (ii) in paragraph (1), by striking “as  
22 established by competitive examination”  
23 and inserting “as determined by candidate  
24 composite score rank”; and

1 (iii) in the matter following paragraph

2 (10)—

3 (I) in the second sentence, by in-  
4 serting “(in which event selection  
5 shall be in order of merit as deter-  
6 mined by candidate composite score  
7 rank)” after “without ranking”; and

8 (II) in the third sentence, by in-  
9 serting “, including qualified alter-  
10 nates and additional appointees” be-  
11 fore the period at the end;

12 (B) by redesignating subsections (b)  
13 through (h) as subsections (c) through (i), re-  
14 spectively;

15 (C) by inserting after subsection (a) the  
16 following new subsection:

17 “(b) There shall be appointed each year at the Acad-  
18 emy 275 midshipmen selected in order of merit as deter-  
19 mined by candidate composite score rank by the Secretary  
20 of the Navy from qualified alternates nominated pursuant  
21 to paragraphs (3) through (10) of subsection (a) and all  
22 other qualified, non-selected candidates holding nomina-  
23 tions from any other source pursuant to this chapter.”;

24 (D) in subsection (c), as redesignated by  
25 subparagraph (B)—



1 (i) in paragraph (1), by striking “one  
2 hundred selected by the President” and in-  
3 sserting “up to one hundred selected by the  
4 President in order of merit as determined  
5 by candidate composite score rank”;

6 (ii) in paragraph (2)—

7 (I) by inserting “up to” before  
8 “85 nominated”; and

9 (II) by inserting “, selected in  
10 order of merit as determined by can-  
11 didate composite score rank” before  
12 the period at the end;

13 (iii) in paragraph (3)—

14 (I) by inserting “up to” before  
15 “85 nominated”; and

16 (II) by inserting “, selected in  
17 order of merit as determined by can-  
18 didate composite score rank” before  
19 the period at the end;

20 (iv) in paragraph (4)—

21 (I) by inserting “up to” before  
22 “20 nominated”; and

23 (II) by inserting “, selected in  
24 order of merit as determined by can-

1 didate composite score rank” before  
2 the period at the end; and

3 (v) by striking paragraph (5);

4 (E) in subsection (f), as redesignated by  
5 subparagraph (B), by striking “subsection (b)”  
6 and inserting “subsection (c)” both places it  
7 appears; and

8 (F) by adding at the end the following new  
9 subsections:

10 “(j) Qualifications of candidates for admission shall  
11 be determined by use of, among others, a candidate com-  
12 posite score uniformly calculated for each applicant. Com-  
13 ponents of such composite score shall include the can-  
14 didate’s standardized test scores, weighted at not less than  
15 30 percent of the overall composite score. Any subjective  
16 component of such composite score shall be weighted at  
17 not more than 10 percent of the overall composite score.  
18 Candidates’ composite scores shall be used to determine  
19 order of merit. Race and ethnicity shall not be considered  
20 in any component of the candidate composite score, eval-  
21 uation of candidates, or selection for appointment.

22 “(k) Not later than October 1 of each year, the Sec-  
23 retary of the Navy shall submit to the Committees on  
24 Armed Services of the Senate and the House of Represent-  
25 atives a report including—

1           “(1) with respect to the preceding admissions  
2 cycle—

3           “(A) the established minimum candidate  
4 composite score and college entrance examina-  
5 tion rank (CEER) score used in such cycle; and

6           “(B) the total number of waivers of such  
7 minimum candidate composite score, including  
8 the candidate composite score and CEER score  
9 of each midshipman to whom the waiver relates,  
10 a brief explanation of the reasons for such waiv-  
11 er, and the category of appointment under  
12 which each such midshipman was appointed  
13 (and if congressional, the type of slate that  
14 nominated the waived appointee); and

15           “(2) for each midshipman who, during the four-  
16 year period preceding the date of the report, received  
17 a waiver for the established minimum candidate  
18 composite score, the status of each such mid-  
19 shipman, including whether the midshipman is still  
20 at the Academy, the circumstances of such mid-  
21 shipman’s departure (if applicable), the cumulative  
22 academic GPA, cumulative military GPA, any major  
23 conduct or honor violations, any remedial measures  
24 undertaken, and any other noteworthy information  
25 concerning such midshipman.”.

1           (2) ADDITIONAL APPOINTEES.—Section 8456 of  
2           title 10, United States Code, is amended—

3                   (A) in the section heading, by inserting  
4                   “**additional appointments**” after “**Mid-**  
5                   **shipmen**”;

6                   (B) in subsection (b)—

7                           (i) in the first sentence, by striking  
8                           “from other qualified candidates who com-  
9                           peted for nomination” and inserting “from  
10                           other qualified candidates who hold a nom-  
11                           ination”;

12                           (ii) in the second sentence, by striking  
13                           “(8)” and inserting “(10)”; and

14                           (iii) by inserting after the second sen-  
15                           tence the following: “Subject to the pre-  
16                           ceding sentence, the first 100 such vacan-  
17                           cies shall be filled with candidates who are  
18                           selected in order of merit as determined by  
19                           candidate composite score rank (as de-  
20                           scribed in section 8454 of this title), after  
21                           which all remaining vacancies may be filled  
22                           with candidates who are selected out of  
23                           merit rank order.”; and

24                   (C) by adding at the end the following:

1           “(c) Not later than October 1 of each year, the Sec-  
2 retary of the Navy shall submit to the congressional de-  
3 fense committees a report that includes, with respect to  
4 the preceding admissions cycle—

5           “(1) the composite scores and college entrance  
6 examination rank scores of the ten candidates nomi-  
7 nated under this section with the lowest combined  
8 scores that were selected;

9           “(2) the total number of qualified and not se-  
10 lected candidates nominated under this section; and

11           “(3) the composite scores and college entrance  
12 examination rank scores of the ten candidates nomi-  
13 nated under this section with the highest combined  
14 scores that were qualified and not selected.”.

15       (c) UNITED STATES AIR FORCE ACADEMY.—

16           (1) APPOINTMENTS.—Section 9442 of title 10,  
17 United States Code, is amended—

18           (A) in subsection (a)—

19           (i) by striking “subsection (j)” and in-  
20 serting “subsection (k)”;

21           (ii) in paragraph (1), by striking “as  
22 established by competitive examination”  
23 and inserting “as determined by candidate  
24 composite score rank”; and

1 (iii) in the matter following paragraph

2 (10)—

3 (I) in the second sentence, by in-  
4 serting “(in which event selection  
5 shall be in order of merit as deter-  
6 mined by candidate composite score  
7 rank)” after “without ranking”; and

8 (II) in the third sentence, by in-  
9 serting “, including qualified alter-  
10 nates and additional appointees” be-  
11 fore the period at the end;

12 (B) by redesignating subsections (b)  
13 through (j) as subsections (e) through (k), re-  
14 spectively;

15 (C) by inserting after subsection (a) the  
16 following new subsection:

17 “(b) There shall be appointed each year at the Acad-  
18 emy 275 cadets selected in order of merit as determined  
19 by candidate composite score rank by the Secretary of the  
20 Air Force from qualified alternates nominated pursuant  
21 to paragraphs (3) through (10) of subsection (a) and all  
22 other qualified, non-selected candidates holding nomina-  
23 tions from any other source pursuant to this chapter.”;

24 (D) in subsection (e), as redesignated by  
25 subparagraph (B)—

1 (i) in paragraph (1), by striking “one  
2 hundred selected by the President” and in-  
3 sserting “up to one hundred selected by the  
4 President in order of merit as determined  
5 by candidate composite score rank”;

6 (ii) in paragraph (2)—

7 (I) by inserting “up to” before  
8 “85 nominated”; and

9 (II) by inserting “, selected in  
10 order of merit as determined by can-  
11 didate composite score rank” before  
12 the period at the end;

13 (iii) in paragraph (3)—

14 (I) by inserting “up to” before  
15 “85 nominated”; and

16 (II) by inserting “, selected in  
17 order of merit as determined by can-  
18 didate composite score rank” before  
19 the period at the end;

20 (iv) in paragraph (4)—

21 (I) by inserting “up to” before  
22 “20 nominated”; and

23 (II) by inserting “, selected in  
24 order of merit as determined by can-

1 candidate composite score rank” before  
2 the period at the end; and

3 (v) by striking paragraph (5);

4 (E) in subsection (f), as redesignated by  
5 subparagraph (B), by striking “subsection (b)”  
6 and inserting “subsection (c)”;

7 (F) in subsection (h), as so redesignated—

8 (i) by striking “subsection (b)” each  
9 place it appears and inserting “subsection  
10 (c)”;

11 (ii) in paragraph (4), by striking  
12 “subsection (e)” and inserting “subsection  
13 (f)”;

14 (G) by adding at the end the following new  
15 subsections:

16 “(l) Qualifications of candidates for admission shall  
17 be determined by use of, among others, a candidate com-  
18 posite score uniformly calculated for each applicant. Com-  
19 ponents of such composite score shall include the can-  
20 didate’s standardized test scores, weighted at not less than  
21 30 percent of the overall composite score. Any subjective  
22 component of such composite score shall be weighted at  
23 not more than 10 percent of the overall composite score.  
24 Candidates’ composite scores shall be used to determine  
25 order of merit rank order. Race and ethnicity shall not



1 be considered in any component of the candidate com-  
2 posite score, evaluation of candidates, or selection for ap-  
3 pointment.

4 “(m) Not later than October 1 of each year, the Sec-  
5 retary of the Air Force shall submit to the Committees  
6 on Armed Services of the Senate and the House of Rep-  
7 resentatives a report including—

8 “(1) with respect to the preceding admissions  
9 cycle—

10 “(A) the established minimum candidate  
11 composite score and college entrance examina-  
12 tion rank (CEER) score used in such cycle; and

13 “(B) the total number of waivers of such  
14 minimum candidate composite score, including  
15 the candidate composite score and CEER score  
16 of each cadet to whom the waiver relates, a  
17 brief explanation of the reasons for such waiver,  
18 and the category of appointment under which  
19 each such cadet was appointed (and if congress-  
20 sional, the type of slate that nominated the  
21 waived appointee); and

22 “(2) for each cadet who, during the four-year  
23 period preceding the date of the report, received a  
24 waiver for the established minimum candidate com-  
25 posite score, the status of each such cadet, including

1       whether the cadet still at the Academy, the cir-  
2       cumstances of such cadet’s departure (if applicable),  
3       the cumulative academic GPA, cumulative military  
4       GPA, any major conduct or honor violations, any re-  
5       medial measures undertaken, and any other note-  
6       worthy information concerning such cadet.”.

7               (2) ADDITIONAL APPOINTEES.—Section 9443 of  
8       title 10, United States Code, is amended—

9               (A) in the section heading, by striking  
10       **“appointment”** and inserting **“additional**  
11       **appointments”**;

12              (B) in the first sentence—

13                   (i) by inserting “(a)” before “If it is  
14       determined”; and

15                   (ii) by striking “from other qualified  
16       candidates who competed for nomination”  
17       and inserting “from other qualified can-  
18       didates who hold a nomination”;

19              (C) in the second sentence, by striking  
20       “(8)” and inserting “(10)”;

21              (D) by inserting after the second sentence  
22       the following: “Subject to the preceding sen-  
23       tence, the first 100 such vacancies shall be  
24       filled with candidates who are selected in order  
25       of merit as determined by candidate composite

1 score rank (as described in section 9442 of this  
2 title), after which all remaining vacancies may  
3 be filled with candidates who are selected out of  
4 merit rank order.”; and

5 (E) by adding at the end the following:

6 “(b) Not later than October 1 of each year, the Sec-  
7 retary of the Navy shall submit to the congressional de-  
8 fense committees a report that includes, with respect to  
9 the preceding admissions cycle—

10 “(1) the composite scores and college entrance  
11 examination rank scores of the ten candidates nomi-  
12 nated under this section with the lowest combined  
13 scores that were selected;

14 “(2) the total number of qualified and not se-  
15 lected candidates nominated under this section; and

16 “(3) the composite scores and college entrance  
17 examination rank scores of the ten candidates nomi-  
18 nated under this section with the highest combined  
19 scores that were qualified and not selected.”.

