

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 1960
OFFERED BY MS. SPEIER OF CALIFORNIA**

At the end of subtitle D of title V, add the following
new section:

1 **SEC. 5___ . CONVENING AUTHORITY RELIANCE ON OFFICE**
2 **OF THE CHIEF PROSECUTOR RECOMMENDA-**
3 **TION TO PROCEED TO TRIAL OF ANY CHARGE**
4 **INVOLVING SEXUAL ASSAULT OR OTHER SEX-**
5 **RELATED OFFENSE.**

6 (a) IN GENERAL.—Section 834 of title 10, United
7 States Code (article 34 of the Uniform Code of Military
8 Justice) is amended—

9 (1) by redesignating subsection (c) as sub-
10 section (d); and

11 (2) by inserting after the subsection (b) the fol-
12 lowing new subsection (c):

13 “(c)(1) In the case of any charge involving sexual as-
14 sault or other sex-related offense covered by section 920,
15 920a, 920b, or 920c of this title (article 120, 120a, 120b,
16 or 120c of the Uniform Code of Military Justice), the con-
17 vening authority shall also refer the charge to the Office
18 of the Chief Prosecutor of the armed force of which the

1 accused is a member for additional consideration and ad-
2 vice.

3 “(2) If the Office of the Chief Prosecutor rec-
4 ommends that a charge covered by paragraph (1) be re-
5 ferred to trial, the recommendation shall be binding on
6 the convening authority and the convening authority shall
7 promptly direct a trial of the charge.”.

8 (b) APPOINTMENT OF CHIEF PROSECUTOR.—For
9 any Armed Force for which the position of Chief Pros-
10 ecutor does not exist before the date of the enactment of
11 this Act, the Judge Advocate General of that Armed Force
12 shall establish the position of Chief Prosecutor and ap-
13 point as the Chief Prosecutor a commissioned officer in
14 the grade of O–6 or above who has significant experience
15 prosecuting sexual assault trials by court-martial.

