

**AMENDMENT TO H.R. _____ (NATIONAL DEFENSE
AUTHORIZATION ACT FOR FISCAL YEAR 2022)
OFFERED BY MR. GOHMERT OF TEXAS**

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

1 **SEC. 5 ____ . PREVENTION OF UNDUE INFLUENCE AND CON-**
2 **Flicts OF INTEREST INVOLVING MILITARY**
3 **JUDGES.**

4 (a) IN GENERAL.—Not later than 180 days after the
5 date of the enactment of this Act, the Secretary of De-
6 fense, in consultation with the Secretaries of the military
7 departments, shall issue regulations providing that—

8 (1) a member of the Armed Forces who served
9 as a military judge may not be assigned to serve as
10 a commander of any individual who was a trial coun-
11 sel in a matter presided over by that member while
12 serving as a military judge; and

13 (2) a court-martial convening authority may not
14 rate the performance of a member of the Armed
15 Forces, for purposes of promotion boards, officer
16 evaluation reports, or determining the suitability of
17 the member for subsequent assignments, while that
18 member is serving as a military judge.

1 (b) **MILITARY JUDGE DEFINED.**—In this section, the
2 term “military judge” has the meaning given that term
3 in section 801 of title 10, United States Code (article 1
4 of the Uniform Code of Military Justice).

