

**AMENDMENT TO RULES COMMITTEE PRINT 116-**

**57**

**OFFERED BY MR. GOHMERT OF TEXAS**

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

1 **SEC. 5\_\_\_ . CERTIORARI TO THE UNITED STATES COURT OF**  
2 **APPEALS FOR THE ARMED FORCES.**

3 (a) COURT OF APPEALS FOR THE ARMED FORCES;  
4 CERTIORARI.—

5 (1) IN GENERAL.—Section 1259 of title 28,  
6 United States Code, is amended—

7 (A) in paragraph (3), by inserting “or de-  
8 nied” after “granted”; and

9 (B) in paragraph (4), by inserting “or de-  
10 nied” after “granted”.

11 (2) TECHNICAL AND CONFORMING AMEND-  
12 MENTS.—

13 (A) TITLE 10.—Section 867a(a) of title 10,  
14 United States Code, is amended by striking  
15 “The Supreme Court may not review by a writ  
16 of certiorari under this section any action of the  
17 United States Court of Appeals for the Armed

1 Forces in refusing to grant a petition for re-  
2 view.”.

3 (B) TIME FOR APPLICATION FOR WRIT OF  
4 CERTIORARI.—Section 2101(g) of title 28,  
5 United States Code, is amended to read as fol-  
6 lows:

7 “(g) The time for application for a writ of certiorari  
8 to review a decision of the United States Court of Appeals  
9 for the Armed Forces, or the decision of a Court of Crimi-  
10 nal Appeals that the United States Court of Appeals for  
11 the Armed Forces refuses to grant a petition to review,  
12 shall be as prescribed by rules of the Supreme Court.”.

13 (b) EFFECTIVE DATE.—

14 (1) IN GENERAL.—Subject to paragraph (2),  
15 the amendments made by this section shall take ef-  
16 fect upon the expiration of the 180-day period begin-  
17 ning on the date of the enactment of this Act and  
18 shall apply to any petition granted or denied by the  
19 United States Court of Appeals for the Armed  
20 Forces on or after that effective date.

21 (2) AUTHORITY TO PRESCRIBE RULES.—The  
22 authority of the Supreme Court to prescribe rules to  
23 carry out section 2101(g) of title 28, United States  
24 Code, as amended by subsection (a)(2)(B) of this

1 Act, shall take effect on the date of the enactment  
2 of this Act.

