

AMENDMENT TO RULES COMMITTEE PRINT 116-

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OFFERED BY MR. GOSAR OF ARIZONA

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

1 **SEC. 5__ . PUNITIVE ARTICLE IN THE UNIFORM CODE OF**
2 **MILITARY JUSTICE ON PROSECUTORIAL MIS-**
3 **CONDUCT.**

4 (a) IN GENERAL.—Subchapter X of chapter 47 of
5 title 10, United States Code (the Uniform Code of Military
6 Justice), is amended by inserting after section 934 (article
7 134) the following new section (article):

8 **“§ 934a. Art 134a. Prosecutorial misconduct**

9 “Any person subject to this chapter who, as a pros-
10 ecutor in a judicial proceeding willfully and corruptly with-
11 holds exculpatory evidence from the accused, is guilty of
12 prosecutorial misconduct and shall be punished as a court-
13 martial may direct.”.

14 (b) CLERICAL AMENDMENT.—The table of sections
15 at the beginning of such subchapter is amended by insert-

1 ing after the item relating to section 934 (article 134) the

2 following new item:

“934a. 134a. Prosecutorial misconduct.”.

