

113TH CONGRESS
2D SESSION

H. R. 4863

To amend title 10, United States Code, to provide certain members of the reserve components of the Armed Forces who are victims of sex-related offenses with access to a special victims' counsel.

IN THE HOUSE OF REPRESENTATIVES

JUNE 12, 2014

Mr. KLINE (for himself, Mr. PAULSEN, and Mr. TURNER) introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To amend title 10, United States Code, to provide certain members of the reserve components of the Armed Forces who are victims of sex-related offenses with access to a special victims' counsel.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Guard and
5 Reserve Equal Access to Legal Services Act”.

1 **SEC. 2. ACCESS TO SPECIAL VICTIMS' COUNSEL.**

2 (a) IN GENERAL.—Subsection (a) of section 1044e
3 of title 10, United States Code, is amended to read as
4 follows:

5 “(a) DESIGNATION; PURPOSES.—(1) The Secretary
6 concerned shall designate legal counsel (to be known as
7 ‘Special Victims’ Counsel’) for the purpose of providing
8 legal assistance to an individual described in paragraph
9 (2) who is the victim of an alleged sex-related offense, re-
10 gardless of whether the report of that offense is restricted
11 or unrestricted.

12 “(2) An individual described in this paragraph is any
13 of the following:

14 “(A) An individual eligible for military legal as-
15 sistance under section 1044 of this title.

16 “(B) An individual who is—

17 “(i) not covered under subparagraph (A);

18 “(ii) a member of a reserve component of
19 the armed forces; and

20 “(iii) a victim of an alleged sex-related of-
21 fense as described in paragraph (1) that was al-
22 legedly committed by a member of the armed
23 forces—

24 “(I) during a period in which the indi-
25 vidual served on active duty, full-time Na-

1 tional Guard duty, or inactive-duty train-
2 ing; or

3 “(II) during any period, regardless of
4 the duty status of the individual, if the cir-
5 cumstances of the alleged sex-related of-
6 fense have a nexus to the military service
7 of the individual based on the membership
8 in the armed forces of either the victim or
9 the member who allegedly committed such
10 offense.”.

11 (b) CONFORMING AMENDMENT.—Subsection (f) of
12 such section is amended by striking “eligible for military
13 legal assistance under section 1044 of this title” each
14 place it appears and inserting “described in subsection
15 (a)(2)”.

16 (c) CONSTRUCTION.—The amendments made by this
17 section may not be construed to authorize any additional
18 benefit to a member of a reserve component of the Armed
19 Forces other than the access to a Special Victims’ Counsel
20 under section 1044e of title 10, United States Code, as
21 so amended.

○