

116TH CONGRESS
1ST SESSION

H. R. 2388

To amend the Uniform Code of Military Justice to eliminate the statute of limitations for child abuse offenses, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 29, 2019

Mr. MAST (for himself, Ms. STEVENS, Mr. POSEY, Mr. BILIRAKIS, Mr. GAETZ, Mr. SOTO, Mr. CISNEROS, Ms. KUSTER of New Hampshire, Ms. CASTOR of Florida, Mr. DIAZ-BALART, and Mrs. DEMINGS) introduced the following bill; which was referred to the Committee on Armed Services, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Uniform Code of Military Justice to eliminate the statute of limitations for child abuse offenses, and for other purposes.

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 “Harmony’s Law”.

1 **SEC. 2. ELIMINATION OF STATUTE OF LIMITATIONS FOR**
2 **CHILD ABUSE OFFENSES.**

3 (a) ELIMINATION OF LIMITATION PERIOD.—Sub-
4 paragraph (A) of section 843(b)(2) of title 10, United
5 States Code (article 43(b)(2) of the Uniform Code of Mili-
6 tary Justice), is amended to read as follows: “(A) A person
7 charged with having committed a child abuse offense
8 against a child may be tried and punished at any time
9 without limitation.”.

10 (b) APPLICATION.—The amendment made by sub-
11 section (a) shall apply to the prosecution of any child
12 abuse offense (as that term is defined in section 843(b)(2)
13 of title 10, United States Code (article 43(b)(2) of the
14 Uniform Code of Military Justice)) committed before, on,
15 or after the date of the enactment of this Act if the appli-
16 cable limitation period has not yet expired.

17 **SEC. 3. PARTICIPATION OF HOUSE OF REPRESENTATIVES**
18 **IN CASES INVOLVING STATUTE OF LIMITA-**
19 **TIONS FOR RAPE OR SEXUAL ASSAULT.**

20 The Office of General Counsel of the House of Rep-
21 resentatives, under the direction of the Bipartisan Legal
22 Advisory Group established under clause 8(b) of rule II
23 of the Rules of the House of Representatives, is authorized
24 to take steps to protect the institutional interests of the
25 House of Representatives in any case in which the opinion
26 of the United States Court of Appeals for the Armed

1 Forces regarding the statute of limitations for rape or sex-
2 ual assault under U.S. v. Mangahas, No. 17-0434-AF,
3 is invoked in a defendant's appeal, including filing amicus
4 briefs and providing other support for the position that
5 the prosecution of an individual under the Uniform Code
6 of Military Justice for a rape or sexual assault committed
7 before January 6, 2006, should not be time-barred based
8 on such opinion.

9 **SEC. 4. SENSE OF CONGRESS ON STATUTE OF LIMITATIONS**
10 **FOR RAPE OR SEXUAL ASSAULT.**

11 It is the sense of Congress that—

12 (1) the passage of time should not bar the pros-
13 ecution of rape or sexual assault under the Uniform
14 Code of Military Justice; and

15 (2) the prosecution of an individual under such
16 Code for a rape or sexual assault committed before
17 January 6, 2006, should not be time-barred based
18 on the opinion of the United States Court of Ap-
19 peals for the Armed Forces in the case U.S. v.
20 Mangahas.

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