

105TH CONGRESS
1ST SESSION

H. R. 517

To amend title 10, United States Code, to establish a sentence under the Uniform Code of Military Justice of confinement for life without eligibility for parole and to provide that a decision to deny parole for a military offender serving a sentence of confinement for life may be appealed only to the President.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 4, 1997

Mr. BRYANT introduced the following bill; which was referred to the
Committee on National Security

A BILL

To amend title 10, United States Code, to establish a sentence under the Uniform Code of Military Justice of confinement for life without eligibility for parole and to provide that a decision to deny parole for a military offender serving a sentence of confinement for life may be appealed only to the President.

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

1 **SECTION 1. ESTABLISHMENT OF SENTENCE OF CONFINEMENT FOR LIFE WITHOUT ELIGIBILITY FOR**
2 **PAROLE.**

4 (a) ESTABLISHMENT OF SENTENCE.—(1) Chapter
5 47 of title 10, United States Code (the Uniform Code of
6 Military Justice), is amended by inserting after section
7 856 (article 56) the following new section (article):

8 **“§ 856a. Art. 56a. Sentence of confinement for life**
9 **without eligibility for parole**

10 “(a) For any offense for which a sentence of confine-
11 ment for life may be adjudged, a court-martial may ad-
12 judge a sentence of confinement for life without eligibility
13 for parole.

14 “(b) An accused who is sentenced to confinement for
15 life without eligibility for parole shall serve the sentence
16 of confinement as adjudged unless—

17 “(1) the sentence is set aside or otherwise
18 modified as a result of action taken by a Court of
19 Criminal Appeals, the Court of Appeals for the
20 Armed Forces, or the Supreme Court; or

21 “(2) the accused is pardoned.”.

22 (2) The table of sections at the beginning of sub-
23 chapter VIII of such chapter is amended by inserting after
24 the item relating to section 856 (article 56) the following
25 new item:

“856a. 56a. Sentence of confinement for life without eligibility for parole.”.

1 (b) EFFECTIVE DATE.—Section 856a of title 10,
2 United States Code (article 56a of the Uniform Code of
3 Military Justice), as added by subsection (a), shall apply
4 with respect to any offense for which a sentence is ad-
5 judged by a court-martial after the date of the enactment
6 of this Act.

7 **SEC. 2. APPEAL OF DENIAL OF PAROLE FOR OFFENDERS**
8 **SERVING LIFE SENTENCE.**

9 (a) EXCLUSIVE AUTHORITY OF PRESIDENT TO
10 GRANT PAROLE ON APPEAL OF DENIAL.—Section 952 of
11 title 10, United States Code, is amended—

12 (1) by inserting “(a)” before “The Secretary”;

13 and

14 (2) by adding at the end the following:

15 “(b) In a case in which parole for an offender serving
16 a sentence of confinement for life is denied, only the Presi-
17 dent may grant the offender parole on appeal of that de-
18 nial. The authority to grant parole on appeal in such a
19 case may not be delegated.”.

20 (b) EFFECTIVE DATE.—This section shall apply with
21 respect to any decision to deny parole made after the date
22 of the enactment of this Act.

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