

113<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 2843

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.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 17 (legislative day, SEPTEMBER 16), 2014

Ms. KLOBUCHAR (for herself and Ms. AYOTTE) introduced the following bill;  
which was read twice and referred to the Committee on Armed Services

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## 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 Access to Counsel 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)—

22 “(I) during a period in which the indi-  
23 vidual served on active duty, full-time Na-  
24 tional Guard duty, or inactive-duty train-  
25 ing; or

1                   “(II) during any period, regardless of  
2                   the duty status of the individual, if the cir-  
3                   cumstances of the alleged sex-related of-  
4                   fense have a nexus to the military service  
5                   of the victim, as determined under regula-  
6                   tions prescribed by the Secretary of De-  
7                   fense.”.

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

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