

## SUBMITTED RESOLUTIONS

## SENATE RESOLUTION 583—DESIGNATING NOVEMBER 30, 2014, AS “DRIVE SAFER SUNDAY”

Mr. ISAKSON submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 583

Whereas motor vehicle travel is the primary means of transportation in the United States;

Whereas every individual traveling on the roads and highways needs to drive in a safer manner to reduce deaths and injuries that result from motor vehicle accidents;

Whereas according to the National Highway Traffic Safety Administration, wearing a seat belt saves as many as 15,000 lives each year; and

Whereas the Sunday after Thanksgiving is the busiest highway traffic day of the year: Now, therefore, be it

*Resolved*, That the Senate—

(1) encourages—

(A) high schools, colleges, universities, administrators, teachers, primary schools, and secondary schools to launch campus-wide educational campaigns to urge students to focus on safety when driving;

(B) national trucking firms to alert their drivers to be especially focused on driving safely on the Sunday after Thanksgiving, and to publicize the importance of the day through use of the Citizens Band Radio Service and at truck stops across the United States;

(C) clergies to remind their congregations to travel safely when attending services and gatherings;

(D) law enforcement personnel to remind drivers and passengers to drive safely, particularly on the Sunday after Thanksgiving;

(E) motorists to drive safely, not just during the holiday season, but every time they get behind the wheel; and

(F) all people of the United States to understand the life-saving importance of wearing a seat belt and to use the Sunday after Thanksgiving as an opportunity to educate themselves about highway safety; and

(2) designates November 30, 2014, as “Drive Safer Sunday”.

## SENATE RESOLUTION 584—COMMEMORATING JERALD D. LINNELL ON HIS SERVICE TO THE UNITED STATES SENATE

Mr. REID of Nevada (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 584

Whereas Jerry Linnell, a native of Minnesota, graduated from the court reporting program of the Minnesota School of Business in Minneapolis;

Whereas Jerry Linnell, joined the Official Reporters of Debate of the United States Senate in 1982 and became Chief Reporter in 1999 supervising a staff of reporters and transcribers and producing the Senate's portion of the Congressional Record with remarkable accuracy;

Whereas Jerry Linnell has earned the respect and affection of the Senators, their staffs and all of his colleagues for his professionalism, dedication and good humor;

Whereas Jerry Linnell now retires from the Senate after 32 years to spend more time with his wife Jane, his four children and five grandchildren: Now, therefore, be it

*Resolved*, That the Senate expresses its appreciation to Jerry Linnell and commends him for his lengthy, faithful and outstanding service to the Senate.

*Resolved*, That the Secretary of the Senate shall transmit a copy of this resolution to Jerald D. Linnell.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 3949. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

## TEXT OF AMENDMENTS

**SA 3949.** Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 2410, to authorize appropriations for fiscal year 2015 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

**Subtitle I—Uniform Code of Military Justice Reform****SEC. 591. SHORT TITLE.**

This subtitle may be cited as the “Military Justice Improvement Act of 2014”.

**SEC. 592. MODIFICATION OF AUTHORITY TO DETERMINE TO PROCEED TO TRIAL BY COURT-MARTIAL ON CHARGES ON CERTAIN OFFENSES WITH AUTHORIZED MAXIMUM SENTENCE OF CONFINEMENT OF MORE THAN ONE YEAR.**

(a) MODIFICATION OF AUTHORITY.—

(1) IN GENERAL.—

(A) MILITARY DEPARTMENTS.—With respect to charges under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that allege an offense specified in paragraph (2) and not excluded under paragraph (3), the Secretary of Defense shall require the Secretaries of the military departments to provide for the determination under section 830(b) of such chapter (article 30(b) of the Uniform Code of Military Justice) on whether to try such charges by court-martial as provided in paragraph (4).

(B) HOMELAND SECURITY.—With respect to charges under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that allege an offense specified in paragraph (2) and not excluded under paragraph (3) against a member of the Coast Guard (when it is not operating as a service in the Navy), the Secretary of Homeland Security shall provide for the determination under section 830(b) of such chapter (article 30(b) of the Uniform Code of Military Justice) on whether to try such charges by court-martial as provided in paragraph (4).

(2) COVERED OFFENSES.—An offense specified in this paragraph is an offense as follows:

(A) An offense under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that is triable by court-martial under that chapter for which the maximum punishment authorized under that

chapter includes confinement for more than one year.

(B) A conspiracy to commit an offense specified in subparagraph (A) as punishable under section 881 of title 10, United States Code (article 81 of the Uniform Code of Military Justice).

(C) A solicitation to commit an offense specified in subparagraph (A) as punishable under section 882 of title 10, United States Code (article 82 of the Uniform Code of Military Justice).

(D) An attempt to commit an offense specified in subparagraphs (A) through (C) as punishable under section 880 of title 10, United States Code (article 80 of the Uniform Code of Military Justice).

(3) EXCLUDED OFFENSES.—Paragraph (1) does not apply to an offense as follows:

(A) An offense under sections 883 through 917 of title 10, United States Code (articles 83 through 117 of the Uniform Code of Military Justice).

(B) An offense under section 933 or 934 of title 10, United States Code (articles 133 and 134 of the Uniform Code of Military Justice).

(C) A conspiracy to commit an offense specified in subparagraph (A) or (B) as punishable under section 881 of title 10, United States Code (article 81 of the Uniform Code of Military Justice).

(D) A solicitation to commit an offense specified in subparagraph (A) or (B) as punishable under section 882 of title 10, United States Code (article 82 of the Uniform Code of Military Justice).

(E) An attempt to commit an offense specified in subparagraph (A) through (D) as punishable under section 880 of title 10, United States Code (article 80 of the Uniform Code of Military Justice).

(4) REQUIREMENTS AND LIMITATIONS.—The disposition of charges pursuant to paragraph (1) shall be subject to the following:

(A) The determination whether to try such charges by court-martial shall be made by a commissioned officer of the Armed Forces designated in accordance with regulations prescribed for purposes of this subsection from among commissioned officers of the Armed Forces in grade O-6 or higher who—

(i) are available for detail as trial counsel under section 827 of title 10, United States Code (article 27 of the Uniform Code of Military Justice);

(ii) have significant experience in trials by general or special court-martial; and

(iii) are outside the chain of command of the member subject to such charges.

(B) Upon a determination under subparagraph (A) to try such charges by court-martial, the officer making that determination shall determine whether to try such charges by a general court-martial convened under section 822 of title 10, United States Code (article 22 of the Uniform Code of Military Justice), or a special court-martial convened under section 823 of title 10, United States Code (article 23 of the Uniform Code of Military Justice).

(C) A determination under subparagraph (A) to try charges by court-martial shall include a determination to try all known offenses, including lesser included offenses.

(D) The determination to try such charges by court-martial under subparagraph (A), and by type of court-martial under subparagraph (B), shall be binding on any applicable convening authority for a trial by court-martial on such charges.

(E) The actions of an officer described in subparagraph (A) in determining under that subparagraph whether or not to try charges by court-martial shall be free of unlawful or unauthorized influence or coercion.

(F) The determination under subparagraph (A) not to proceed to trial of such charges by