

cases, sexual assault cases, and proceedings of military commissions.

“(4) The independent views of each Judge Advocate General and of the Staff Judge Advocate to the Commandant of the Marine Corps as to the sufficiency of resources available within the respective armed forces, including total workforce, funding, training, and officer and enlisted grade structure, to capably perform military justice functions.

“(5) Such other matters regarding the operation of this chapter as may be appropriate.

“(c) SUBMISSION.—Each report under this section shall be submitted—

“(1) to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives; and

“(2) to the Secretary of Defense, the Secretaries of the military departments, and the Secretary of Homeland Security.”.

TITLE LXIII—CONFORMING AMENDMENTS AND EFFECTIVE DATES

SEC. 5441. AMENDMENTS TO UCMJ SUBCHAPTER TABLES OF SECTIONS.

The tables of sections for the specified subchapters of chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), are amended as follows:

(1) SUBCHAPTER II; APPREHENSION AND RESTRAINT.—The table of sections at the beginning of subchapter II is amended—

(A) by striking the item relating to section 810 (article 10) and inserting the following new item:

“810. Art. 10. Restraint of persons charged.”; and

(B) by striking the item relating to section 812 (article 12) and inserting the following new item:

“812. Art. 12. Prohibition of confinement of members of the armed forces with enemy prisoners and certain others.”.

(2) SUBCHAPTER V; COMPOSITION OF COURTS-MARTIAL.—The table of sections at the beginning of subchapter V is amended—

(A) by striking the item relating to section 825a (article 25a) and inserting the following new item:

“825. Art. 25a. Number of court-martial members in capital cases.”;

(B) by inserting after the item relating to section 826 (article 26) the following new item:

“826a. Art. 26a. Military magistrates.”; and

(C) by striking the item relating to section 829 (article 29) and inserting the following new item:

“829. Art. 29. Assembly and impaneling of members; detail of new members and military judges.”.

(3) SUBCHAPTER VI; PRE-TRIAL PROCEDURE.—The table of sections at the beginning of subchapter VI is amended—

(A) by inserting after the item relating to section 830 (article 30) the following new item:

“830. Art. 30a. Proceedings conducted before referral.”; and

(B) by striking the items relating to sections 832 through 835 (articles 32 through 35) and inserting the following new items:

“832. Art. 32. Preliminary hearing required before referral to general court-martial.

“833. Art. 33. Disposition guidance.

“834. Art. 34. Advice to convening authority before referral for trial.

“835. Art. 35. Service of charges; commencement of trial.”.

(4) SUBCHAPTER VII; TRIAL PROCEDURE.—The table of sections at the beginning of subchapter VII is amended—

(A) by striking the items relating to sections 846 through 848 (articles 46 through 48) and inserting the following new items:

“846. Art. 46. Opportunity to obtain witnesses and other evidence in trials by court-martial.

“847. Art. 47. Refusal of person not subject to chapter to appear, testify, or produce evidence.

“848. Art. 48. Contempt.”;

(B) by striking the item relating to section 850 (article 50) and inserting the following new item:

“850. Art. 50. Admissibility of sworn testimony from records of courts of inquiry.”; and

(C) by striking the items relating to sections 852 and 853 (articles 52 and 53) and inserting the following new items:

“852. Art. 52. Votes required for conviction, sentencing, and other matters.

“853. Art. 53. Findings and sentencing.

“853a. Art. 53a. Plea agreements.”.

(5) SUBCHAPTER VIII; SENTENCES.—The table of sections at the beginning of subchapter VIII is amended—

(A) by striking the item relating to section 856 (article 56) and inserting the following new item:

“856. Art. 56. Sentencing.”; and

(B) by striking the items relating to sections 856a and 857a (articles 56a and 57a).

(6) SUBCHAPTER IX; POST-TRIAL PROCEDURE.—The table of sections at the beginning of subchapter IX is amended—

(A) by striking the items relating to sections 860 and 61 (articles 60 and 61) and inserting the following new items:

“860. Art. 60. Post-trial processing in general and special courts-martial.

“860a. Art. 60a. Limited authority to act on sentence in specified post-trial circumstances.

“860b. Art. 60b. Post-trial actions in summary courts-martial and certain general and special courts-martial.

“860c. Art. 60c. Entry of judgment.

“861. Art. 61. Waiver of right to appeal; withdrawal of appeal.”;

(B) by striking the items relating to sections 864 through 866 (articles 64 through 66) and inserting the following new items:

“864. Art. 64. Judge advocate review of finding of guilty in summary court-martial.

“865. Art. 65. Transmittal and review of records.

“866. Art. 66. Courts of Criminal Appeals.”;

(C) by striking the item relating to section 869 (article 69) and inserting the following new item:

“869. Art. 69. Review by Judge Advocate General.”; and

(D) by striking the item relating to section 871 (article 71).

(7) SUBCHAPTER XI; MISCELLANEOUS PROVISIONS.—The table of sections at the beginning of subchapter XI is amended—

(A) by striking the item relating to section 936 (article 136) and inserting the following new item:

“936. Art. 136. Authority to administer oaths.”; and

(B) by inserting after the item relating to section 940 (article 140) the following new item:

“940a. Art. 140a. Case management; data collection and accessibility.”.

(8) SUBCHAPTER XII; UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES.—The table of sections at the beginning of subchapter XII is amended by striking the item

relating to section 946 (article 146) and inserting the following new items:

“946. Art. 146. Military Justice Review Panel.

“946a. Art. 146a. Annual reports.”.

SEC. 5442. EFFECTIVE DATES.

(a) IN GENERAL.—Except as otherwise provided in this division, the amendments made by this division shall take effect on the date designated by the President, which date shall be not later than the first day of the first calendar month that begins two years after the date of the enactment of this Act.

(b) IMPLEMENTING REGULATIONS.—The President shall prescribe regulations implementing this division and the amendments made by this division by not later than one year after the date of the enactment of this Act, except as otherwise provided in this division.

(c) APPLICABILITY.—

(1) IN GENERAL.—Subject to the provisions of this division and the amendments made by this division, the President shall prescribe in regulations whether, and to what extent, the amendments made by this division shall apply to a case in which one or more actions under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), have been taken before the effective date of such amendments.

(2) INAPPLICABILITY TO CASES IN WHICH CHARGES ALREADY REFERRED TO TRIAL ON EFFECTIVE DATE.—Except as otherwise provided by this division or the amendments made by this division, the amendments made by this division shall not apply to any case in which charges are referred to trial by court-martial before the effective date of such amendments. Proceedings in any such case shall be held in the same manner and with the same effect as if such amendments had not been enacted.

(3) PUNITIVE ARTICLE AMENDMENTS.—

(A) IN GENERAL.—The amendments made by title LX shall not apply to any offense committed before the effective date of such amendments.

(B) CONSTRUCTION.—Nothing in subparagraph (A) shall be construed to invalidate the prosecution of any offense committed before the effective date of such amendments.

(4) SENTENCING AMENDMENTS.—The regulations prescribing the authorized punishments for any offense committed before the effective date of the amendments made by title LVIII shall apply the authorized punishments for the offense, as in effect at the time the offense is committed.

ORDERS FOR THURSDAY, JUNE 16, 2016

Mr. ROUNDS. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Thursday, June 16; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; finally, that following leader remarks, the Senate resume consideration of H.R. 2578.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. ROUNDS. Mr. President, if there is no further business to come before