

113TH CONGRESS
1ST SESSION

H. R. 2777

To amend title 10, United States Code, to authorize the Secretaries of the military departments to suspend the pay and allowances of a member of the Armed Forces who is held in confinement pending trial by court-martial or by civil authority for any sex-related offense or capital offense.

IN THE HOUSE OF REPRESENTATIVES

JULY 22, 2013

Mr. GRIFFIN of Arkansas (for himself and Mr. WOLF) introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To amend title 10, United States Code, to authorize the Secretaries of the military departments to suspend the pay and allowances of a member of the Armed Forces who is held in confinement pending trial by court-martial or by civil authority for any sex-related offense or capital offense.

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 “Stop Pay for Violent
5 Offenders Act”.

1 **SEC. 2. SUSPENSION OF THE PAY AND ALLOWANCES OF A**
2 **MEMBER OF THE ARMED FORCES IN CON-**
3 **FINEMENT PENDING TRIAL FOR ANY SEX-RE-**
4 **LATED OFFENSE OR CAPITAL OFFENSE.**

5 Section 813 of title 10, United States Code (article
6 13 of the Uniform Code of Military Justice) is amended—

7 (1) by striking “No person” and inserting “(1)
8 Except as provided in subsection (b), no person”;
9 and

10 (2) by adding at the end the following new sub-
11 section:

12 “(b)(1) Under regulations prescribed by the Sec-
13 retary of Defense, the Secretary of a military department
14 shall suspend all or a portion of the pay and allowances
15 of a member of the armed forces under the jurisdiction
16 of the Secretary who is being held in confinement pending
17 trial by court-martial or by civil authority for any sex-re-
18 lated offense or capital offense. The requirement to sus-
19 pend the pay and allowances of certain members under
20 this subsection is consistent with the authority to suspend
21 civilian employees of the Department of Defense without
22 pay under subchapter II of chapter 75 of title 5.

23 “(2) A member whose pay and allowances are sus-
24 pended under paragraph (1) is entitled to—

25 “(A) written notice of the suspension stating
26 the specific reasons for the suspension;

1 “(B) a reasonable time, but not less than seven
2 days, to request a waiver of the suspension and to
3 furnish affidavits and other documentary evidence in
4 support of the waiver;

5 “(C) be represented by an attorney or other
6 representative in making such waiver request; and

7 “(D) a written response by the Secretary of the
8 military department concerned to the waiver request,
9 and if denied, the specific reasons for the denial.

10 “(3) The Secretary of the military department con-
11 cerned may provide for a hearing as part of consideration
12 of a waiver request under paragraph (2).

13 “(4) If a member whose pay and allowances is sus-
14 pended under this subsection is acquitted of the charges
15 for which the pay and allowances were suspended or the
16 sentence is disapproved, commuted, or suspended, the Sec-
17 retary of the military department concerned shall pay the
18 member the full amount of pay and allowances withheld.
19 Otherwise, the withheld amounts shall be paid to the vic-
20 tim or, if multiple victims, to the victims of the crime in
21 an equitable manner.

22 “(5) In this subsection, the term ‘sex-related offense’
23 means—

24 “(A) a sexual assault or other offense covered
25 by section 920, 920a, 920b, or 920c of this title (ar-

1 ticle 120, 120a, 120b, or 120c of the Uniform Code
2 of Military Justice), or an attempt to commit such
3 an offense; or

4 “(B) a comparable offense punishable under
5 other Federal or State law.”.

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