

**AMENDMENT TO H.R. 5136, AS REPORTED  
OFFERED BY MS. GRANGER OF TEXAS**

At the end of subtitle E of title V, insert the following:

1 **SEC. 547. REIMBURSEMENT OF ATTORNEY FEES OF A MEM-**  
2 **BER OF THE ARMED FORCES WHO RETAINS**  
3 **PRIVATE COUNSEL AND HAS CHARGES**  
4 **BROUGHT UNDER THE UNIFORM CODE OF**  
5 **MILITARY JUSTICE DISMISSED OR WITH-**  
6 **DRAWN OR IS ACQUITTED.**

7 Section 827 of title 10, United States Code (article  
8 27 of the Uniform Code of Military Justice), is amended  
9 by adding at the end the following new subsection:

10 “(d)(1) Nothing in this section (article) prohibits an  
11 accused from retaining private counsel to serve as defense  
12 counsel before a general court-martial or special court-  
13 martial.

14 “(2)(A) If the accused retains private counsel to rep-  
15 resent the accused in a case described in subparagraph  
16 (B) and all of the charges against the accused are dis-  
17 missed or withdrawn or the accused is acquitted on all  
18 charges (or some combination of dismissed or withdrawn  
19 charges and acquittal), the Secretary concerned shall re-

1 imburse the accused for all attorney fees incurred by the  
2 accused in the case.

3       “(B) Subparagraph (A) applies with respect to a case  
4 against a person subject to this chapter who is accused  
5 of any offense in violation of this chapter under cir-  
6 cumstances involving the treatment of an insurgent,  
7 enemy combatant, detainee, or a suspected or known ter-  
8 rorist.

9       “(C) The Secretary concerned shall provide reim-  
10 bursement required under this paragraph using funds oth-  
11 erwise available to the Secretary to carry out this chap-  
12 ter.”.

