

Public Law 90-377

AN ACT

To amend titles 10, 14, and 37, United States Code, to provide for confinement and treatment of offenders against the Uniform Code of Military Justice.

July 5, 1968
[H. R. 5783]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subtitle A of title 10, United States Code, is amended by inserting the following new chapter after chapter 47:

Armed Forces.
Correctional
facilities.
70A Stat. 36.
10 USC 801-
940.

“Chapter 48.—MILITARY CORRECTIONAL FACILITIES

“Sec.

“951. Establishment; organization; administration.

“952. Parole.

“953. Remission or suspension of sentence; restoration to duty; reenlistment.

“954. Voluntary extension; probation.

“§ 951. Establishment; organization; administration

“(a) The Secretaries concerned may provide for the establishment of such military correctional facilities as are necessary for the confinement of offenders against chapter 47 of this title.

“(b) The Secretary concerned shall—

“(1) designate an officer for each armed force under his jurisdiction to administer military correctional facilities established under this chapter;

“(2) provide for the education, training, rehabilitation, and welfare of offenders confined in a military correctional facility of his department; and

“(3) provide for the organization and equipping of offenders selected for training with a view to their honorable restoration to duty or possible reenlistment.

“(c) There shall be an officer in command of each major military correctional facility. Under regulations to be prescribed by the Secretary concerned, the officer in command shall have custody and control of offenders confined within the facility which he commands, and shall usefully employ those offenders as he considers best for their health and reformation, with a view to their restoration to duty, enlistment for future service, or return to civilian life as useful citizens.

“(d) There may be made or repaired at each military correctional facility such supplies for the armed forces or other agencies of the United States as can properly and economically be made or repaired as such facilities.

“§ 952. Parole

“The Secretary concerned may provide a system of parole for offenders who are confined in military correctional facilities and who were at the time of commission of their offenses subject to the authority of that Secretary.

“§ 953. Remission or suspension of sentence; restoration to duty; reenlistment

“For offenders who were at the time of commission of their offenses subject to his authority, and who merit such action, the Secretary concerned shall establish—

“(1) a system for the remission or suspension of the unexecuted part of the sentences of selected offenders;

“(2) a system for the restoration to duty of such offenders who have had the unexecuted part of their sentences remitted or suspended and who have not been discharged; and

“(3) a system for the enlistment of such offenders who have had the unexecuted part of their sentences remitted and who have been discharged.

“§ 954. Voluntary extension; probation

“The Secretary concerned may provide for persons who were subject to this authority at the time of commission of their offenses a system for retention of selected offenders beyond expiration of normal service obligation in order to voluntarily serve a period of probation with a view to honorable restoration to duty.”

SEC. 2. The analysis of subtitle A of title 10, United States Code, and the analysis of part II of subtitle A thereof, are each amended by inserting the following new item:

“48. Military Correctional Facilities..... 951.”

SEC. 3. The analysis of subtitle B of title 10, United States Code, and the analysis of part II of subtitle B thereof, are each amended by striking out the following item:

“351. United States Disciplinary Barracks..... 3661.”

SEC. 4. The analysis of chapter 631 of title 10, United States Code, is amended by striking out the following item:

“7215. Naval prisons, prison farms, and prisoners.”

SEC. 5. The analysis of subtitle D of title 10, United States Code, and the analysis of part II of subtitle D thereof, are each amended by striking out the following item:

“851. United States Disciplinary Barracks..... 8662.”

Repeals.

SEC. 6. The following parts of title 10, United States Code, are repealed:

(1) Chapter 351.

(2) Section 7215.

(3) Chapter 851.

SEC. 7. The analysis of chapter 13 of title 14, United States Code, is amended by striking out the following item:

“509. Prisoners; allowances to; transportation.”

and inserting the following item in place thereof:

“509. Persons discharged as result of court-martial; allowances to.”

SEC. 8. Section 509 of title 14, United States Code, is amended to read as follows:

“§ 509. Persons discharged as result of court-martial; allowances to

“The Secretary may furnish persons discharged pursuant to the sentence of a Coast Guard court-martial suitable civilian clothing and a monetary allowance not to exceed \$25 if the person discharged would not otherwise have suitable clothing or funds to meet immediate needs.”

SEC. 9. The analysis of chapter 7 of title 37, United States Code, is amended by striking out the following item:

“426. Prisoners in naval confinement facilities.”

SEC. 10. Section 426 of title 37, United States Code, is repealed.

Approved July 5, 1968.

70A Stat. 208.
10 USC 3661-
3663.
10 USC 8662,
8663.

Coast Guard.
64 Stat. 148.

Repeal.
76 Stat. 480.