

sentence of confinement for life without eligibility for parole that has been ordered executed. The Secretary concerned may, however, suspend or remit the unexecuted part of a sentence of confinement for life without eligibility for parole after the service of a period of confinement of not less than 20 years. The commander of the accused who has the authority to convene a court-martial of the kind that adjudged the sentence may suspend or remit any part of the unexecuted part of any sentence by summary court-martial or of any sentence by special court-martial that does not include a bad-conduct discharge regardless of whether the person acting has previously approved the sentence. The “unexecuted part of any sentence” is that part that has been approved and ordered executed but that has not actually been carried out.”

(xx) R.C.M. 1301(c) is amended to insert the following before the rule’s text:

“[Note: R.C.M. 1301(c) applies to offenses committed on or after 24 June 2014.]”

(yy) R.C.M. 1301(c) is amended to number the current paragraph as (1), and a new R.C.M.

1301(c)(2) is inserted after the new R.C.M. 1301(c)(1) and reads as follows:

“(2) Notwithstanding subsection (c)(1) of this Rule, summary courts-martial do not have jurisdiction over offenses under Articles 120(a), 120(b), 120b(a), 120b(b), forcible sodomy under Article 125, and attempts thereof under Article 80. Such offenses shall not be referred to a summary court-martial.”

(zz) R.C.M. 406(b)(2) and R.C.M. 1103 are amended by changing “report of investigation” to “report of preliminary hearing”.

(aaa) R.C.M. 603(b) and R.C.M. 912(f)(1)(F) are amended by changing “an investigating officer” to “a preliminary hearing officer”.

(bbb) R.C.M. 705(c)(2)(E), R.C.M. 905(b)(1), and R.C.M. 906(b)(3) are amended by changing “Article 32 investigation” to “Article 32 preliminary hearing”.

(ccc) R.C.M. 706(a), R.C.M. 706(c)(3)(A), R.C.M. 902(b)(2), R.C.M. 912(a)(1)(K), R.C.M. 1106(b), and R.C.M. 1112(c) are amended by changing “investigating officer” to “preliminary hearing officer”.