

Congress of the United States
Washington, DC 20515

December 5, 2011

The Honorable Carl Levin
Chairman
Senate Armed Services Committee
228 Russell Senate Office Building
Washington, DC 20510

The Honorable John McCain
Ranking Member
Senate Armed Services Committee
228 Russell Senate Office Building
Washington, DC 20510

The Honorable Buck McKeon
Chairman
House Armed Services Committee
2120 Rayburn House Office Building
Washington, DC 20515

The Honorable Adam Smith
Ranking Member
House Armed Services Committee
2120 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Levin, Chairman McKeon, Ranking Member McCain, and Ranking Member Smith:

Thank you for your leadership in addressing the problem of sexual assault and rape in the military by including provisions in both the House- and the Senate-passed versions of the Fiscal Year 2011 National Defense Authorization Act that will provide greater protections for our service women and men stationed in the U.S. and abroad and help ensure zero tolerance for sexual assault in the ranks. We have a duty to protect our men and women in uniform from the tragedy that is sexual assault in the military.

As the FY 2011 National Defense Authorization Act proceeds to conference, we ask that you strongly consider finalizing the House-passed language from H.R. 1540 addressing sexual assault, specifically in the following sections of the bill:

- H.R. 1540 Section 583, as opposed to S. 1253 Section 563, regarding the access of sexual assault victims to legal counsel. The House version of the bill makes it clear that a victim of sexual assault is entitled to legal assistance.
- H.R. 1540 Section 584, as opposed to S. 1253 Section 564, regarding privileged communications between sexual assault victims and sexual assault response coordinators and victim advocates. The House version clearly states that the communications between a victim and a Victim Advocate are confidential.
- H.R. 1540 Section 585, as opposed to S. 1253 Section 566, regarding the maintenance of records prepared in connection with sexual assaults. Specifically, we believe that the final NDAA must spell out that records of sexual assault should be retained for as long as technically possible and that victims must have access to these records. Further, it must require the Department of Defense (DOD) to prepare a verbatim record of all court proceedings in which a charge of sexual assault is adjudicated and provide a copy to the victim, regardless of the outcome. These records are essential so that victims can claim Veterans benefits.

- H.R. 1540 Section 586, as opposed to S. 1253 Section 565, regarding expedited consideration and priority for application for consideration of a permanent change of station or unit transfer. The House version is more sensitive to the needs of the victim by requiring commanders to approve the victim's request to transfer duty stations.
- H.R. 1540 Section 587, regarding training and education programs for sexual assault prevention. While the DOD has made strides in training and education programs addressing sexual assault, we believe that DOD must have a comprehensive program where they consult with military and civilian experts that have experience with the prevention of and the response to sexual assault.

Including these provisions in the final FY 2011 National Defense Authorization Act will greatly improve the military's response to sexual assault. We must keep the pressure on DOD to protect our men and women in uniform, and we urge you to support this effort.

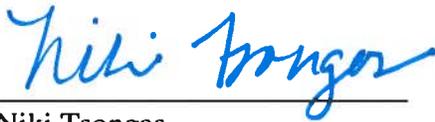
Sincerely,



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Member of Congress



Michael Turner
Member of Congress



Niki Tsongas
Member of Congress



Chellie Pingree
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Rob Andrews
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Walter B. Jones
Member of Congress



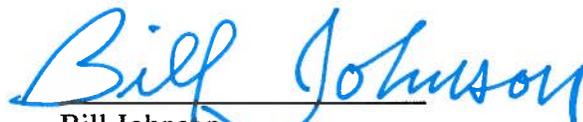
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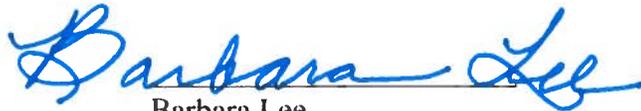


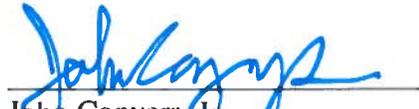
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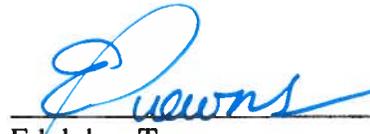

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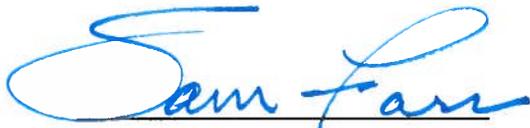

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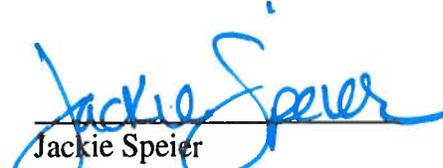

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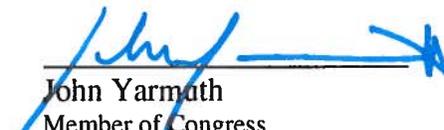

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