

116TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

To improve the ability of the Department of Defense to effectively prevent, track, and respond to military-connected child abuse.

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IN THE SENATE OF THE UNITED STATES

Mrs. GILLIBRAND introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

**A BILL**

To improve the ability of the Department of Defense to effectively prevent, track, and respond to military-connected child abuse.

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 “End Military-Con-  
5 nected Child Abuse and Neglect Act”.

6 **SEC. 2. ACTIONS TO ADDRESS MILITARY-CONNECTED**  
7 **CHILD ABUSE.**

8 (a) IN GENERAL.—Consistent with the recommenda-  
9 tions of the Government Accountability Office in the re-  
10 port titled “Increased Guidance and Collaboration Needed

1 to Improve DOD’s Tracking and Response to Child  
2 Abuse” (GAO–20–110), the Secretary of Defense shall  
3 carry out activities to improve the ability of the Depart-  
4 ment of Defense to effectively prevent, track, and respond  
5 to military-connected child abuse.

6 (b) **ACTIVITIES REQUIRED.**—The activities carried  
7 out under subsection (a) shall include the following:

8 (1) The Secretary of Defense shall expand the  
9 scope of the Department of Defense’s centralized  
10 database on problematic sexual behavior in children  
11 and youth to track information on all incidents in-  
12 volving child abuse reported to a Family Advocacy  
13 Program or investigated by a military law enforce-  
14 ment organization, regardless of whether the pepe-  
15 trator of the abuse is another child, an adult, or a  
16 person in a noncaregiving role at the time of the in-  
17 cident.

18 (2) The Secretary of Defense, in consultation  
19 with the Secretary of each military department, shall  
20 ensure—

21 (A) that each Family Advocacy Program  
22 records, in a database of the Program, the date  
23 on which the Program notified a military law  
24 enforcement organization of a reported incident  
25 of child abuse; and

1           (B) that each military law enforcement or-  
2           organization records, in a database of the organi-  
3           zation, the date on which the organization noti-  
4           fied a Family Advocacy Program of a reported  
5           incident of child abuse.

6           (3) The Secretary of Defense, in consultation  
7           with the Secretary of each military department, shall  
8           issue guidance that clarifies the process through  
9           which the Family Advocacy Program of an Armed  
10          Force will receive, and incorporate into the Pro-  
11          gram's central registry, information regarding child  
12          abuse allegations involving members of that Armed  
13          Force and dependents of such members in cases in  
14          which such allegations were previously recorded by  
15          the Family Advocacy Program of another Armed  
16          Force. Such guidance shall include a mechanism for  
17          monitoring the process to ensure that the process is  
18          carried out consistently.

19          (4) Each Armed Force shall develop a process  
20          to monitor how reported incidents of child abuse are  
21          screened at military installations to help ensure that  
22          all reported child abuse incidents that should be pre-  
23          sented to an Incident Determination Committee are  
24          consistently presented and tracked.

1           (5) The Secretary of Defense shall ensure that  
2           the Under Secretary of Defense for Personnel and  
3           Readiness, in consultation with the Director of the  
4           Department of Defense Education Activity, clarifies  
5           Department of Defense Education Activity guidance  
6           to define what types of child abuse incidents must  
7           be reported as serious incidents to help ensure that  
8           all serious incidents of which Department of Defense  
9           Education Activity leadership needs to be informed  
10          are accurately and consistently reported by school  
11          administrators.

12          (6) The Secretary of Defense, in consultation  
13          with the Secretaries of the military departments,  
14          shall expand the voting membership of each Incident  
15          Determination Committee to include medical per-  
16          sonnel with requisite knowledge and experience.

17          (7) Each Armed Force shall implement proce-  
18          dures to provide the families of child abuse victims  
19          with comprehensive information on how reported in-  
20          cidents of child abuse will be addressed. Such prac-  
21          tices may include the development of a guide that—

22                  (A) explains the processes the Family Ad-  
23                  vocacy Program and military law enforcement  
24                  organizations will follow to address the report;  
25                  and

1 (B) identifies services and other resources  
2 available to victims and their families.

3 (8) The Secretary of Defense, in consultation  
4 with the Secretaries of the military departments,  
5 shall issue guidance to clarify the circumstances  
6 under which military commanders may exercise the  
7 authority to remove a child from a potentially unsafe  
8 home on a military installation outside the United  
9 States.

10 (9) The Secretary of Defense shall ensure that  
11 the Under Secretary of Defense for Personnel and  
12 Readiness, in consultation with the Director of the  
13 Defense Health Agency, establishes processes that  
14 help ensure children who are sexually abused outside  
15 the United States have timely access to a certified  
16 pediatric sexual assault forensic examiner to conduct  
17 an examination. Such processes may include certi-  
18 fying pediatricians or adult sexual assault forensic  
19 examiners as pediatric examiners during mandatory  
20 training or establishing shared regional assets.

21 (10) The Secretary of Defense, in consultation  
22 with the Deputy Attorney General, shall seek to im-  
23 prove communication between military criminal in-  
24 vestigative organizations and United States Attor-  
25 neys for relevant cases involving child victims, in-

1 cluding by seeking to ensure that military investiga-  
2 tors are notified when a prosecution is declined and  
3 that such notice includes the reasons for the declina-  
4 tion when appropriate.

5 (11) The Secretary of each military department  
6 shall seek to develop a memorandum of under-  
7 standing with the National Children’s Alliance that  
8 makes children’s advocacy center services available  
9 to all military installations of the department and in-  
10 creases awareness of those services across the de-  
11 partment.

12 (c) DEADLINE.—The Secretary of Defense shall  
13 carry out the activities described in subsection (b) not  
14 later than one year after the date of the enactment of this  
15 Act.

16 (d) DEFINITIONS.—In this section:

17 (1) The term “Armed Forces” means the  
18 Army, Navy, Air Force, and Marine Corps.

19 (2) The term “child abuse” means any abuse of  
20 a child (including physical abuse, sexual abuse, emo-  
21 tional abuse, and neglect) regardless of whether the  
22 perpetrator of the abuse is another child, an adult,  
23 or a person in a noncaregiving role.

24 (3) The term “Incident Determination Com-  
25 mittee” means a committee established at a military

1 installation that is responsible for reviewing reported  
2 incidents of child abuse and determining whether  
3 such incidents constitute child abuse according to  
4 the applicable criteria of the Department of Defense.

5 (4) The term “military-connected”, when used  
6 with respect to child abuse, means child abuse occur-  
7 ring on a military installation or involving a depend-  
8 ent of a member of the Armed Forces.