

Congress of the United States
Washington, DC 20515

August 18, 2020

The Honorable Adam Smith
Chairman
House Armed Services Committee
2216 Rayburn Office Building
Washington, D.C. 20515

The Honorable Mac Thornberry
Ranking Member
House Armed Services Committee
2216 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Jim Inhofe
Chairman
Senate Armed Services Committee
205 Russell Senate Office Building
Washington, D.C. 20510

The Honorable Jack Reed
Ranking Member
Senate Armed Services Committee
228 Russell Senate Office Building
Washington, D.C. 20510

Dear Chairman Smith, Chairman Inhofe, Ranking Member Thornberry, and Ranking Member Reed:

As you begin conference negotiations on the Fiscal Year (FY) 2021 National Defense Authorization Act (NDAA), we write to urge the preservation of bipartisan and bicameral language pertaining to ending military-connected child abuse and neglect. As our servicemembers and their families make sacrifices to defend the nation, it is our responsibility to ensure their children are safe from abuse. U.S. servicemembers must be assured that, should their children suffer from such abuse, the Department of Defense (DoD) will act swiftly and deliberately to investigate and respond.

We are, therefore, pleased that language from the End Military-Connected Child Abuse and Neglect Act, which was introduced with bipartisan support in both the U.S. House of Representatives and the U.S. Senate, was included in both the House and Senate versions of the Fiscal Year 2021 National Defense Authorization Act.

The language, which can be found in Section 536 of H.R. 6395 and Section 575 of S. 4049, achieves the following:

- Expands the scope of the Department's centralized database on problematic sexual behavior in children and youth.
- Develops a process, by each Military Service, to monitor how reported incidents of child abuse are screened at installations to help ensure that all reported child abuse incidents that should be presented to an Incident Determination Committee are consistently presented and therefore tracked.
- Creates guidance for a process to receive and incorporate information into the Services' central registries regarding child abuse allegations and determinations involving their servicemembers and dependents that were recorded by another Service's Family Advocacy

Program. Such guidance should include a mechanism to monitor that the process is occurring consistently.

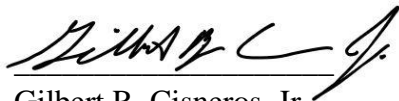
- Expands the voting membership of the Incident Determination Committee to include medical personnel with the requisite knowledge and experience.
- Improves communications with victim's families about the investigative process and services available to them.
- Ensures children who are sexually abused overseas have timely access to a certified pediatric sexual assault forensic examiner to conduct the examination.
- Improves communication between the military criminal investigative organizations and United States Attorneys for relevant cases involving child victims to help ensure that investigators are notified when prosecution is declined, including the reasons for the declination when appropriate, such as details about any investigative deficiencies.
- Develops a memorandum of understanding between each Military Service and the National Children's Alliance that makes children's advocacy center services available to all Service installations and thereby increase awareness of those services across the Services.

Taken together, these provisions will improve how DoD tracks and responds to incidents of child abuse and neglect.

Section 536 of H.R. 6395 and Section 575 of S. 4049 differ only in subsection (b)(10) in which the House-passed text includes more explicit language regarding the communication and consultation between the Military Services and the Department of Justice, where appropriate. Given that improved communication and consultation between the Military Services and Department of Justice would be beneficial to the investigation and prevention of child abuse incidents, we urge that the Senate recede to the House version of the text.

We commend you on your leadership and commitment to our servicemembers, and we urge you to preserve this bipartisan language to protect children, including the 1.2 million school-aged military dependents around the world, and provide reassurance to our servicemembers and their families.

Sincerely,



Gilbert R. Cisneros, Jr.
Member of Congress



Kirsten Gillibrand
United States Senator



Brian Mast
Member of Congress



M. Michael Rounds
United States Senator