

**Subcommittee on National Security and Foreign Affairs Hearing Entitled,
“Oversight Hearing on Sexual Assault in the Military”**

Opening Statement of Chairman John F. Tierney

July 31, 2008

Good morning, and thank you all for being here.

Today, this Subcommittee conducts oversight of sexual assault in our military. What is at stake here goes to the very core values of our military and of our nation itself. When our sons and daughters put their lives on the line to defend the rest of us, the last thing they should fear is being attacked by one of our own.

We fundamentally have a duty to prevent sexual assaults in the military as much as humanly possible and to punish attackers quickly and severely. We also must empower victims – so they feel comfortable coming forward to seek justice and to receive help to get their lives back on track and to restore their dignity. Finally, we simply must ensure a climate in our military where sexual assault is in no way – either officially or unofficially – condoned, ignored, or tolerated.

Sexual assault scandals have taken place in every administration and in each and every military service, from Vietnam to the 1991 Tailhook scandal in the Navy; from the 1996 Aberdeen incidents in the Army to the Air Force Academy in 2003.

After each scandal, we are told by Defense Department officials that they will crack down on violators and change the military culture so that these despicable crimes will never happen again. We hear time and again that the military has a “zero tolerance” policy towards sexual assaults. Yet, there sometimes appears a lack of urgency, leadership, and resources to transform these statements into reality.

Since this Subcommittee’s 2006 hearing, I understand and appreciate the Defense Department has taken some positive steps to improve training, education, and care.

Congress too has been very active. We have demanded greater transparency and accountability. We have tasked the Pentagon with establishing comprehensive policies to prevent and respond to military sexual assault and to ensure access to trained personnel. And we have required the Department to collect information and to report this data back to Congress.

Today, the Subcommittee will assess the military’s efforts, with a specific focus on exploring what more we can do to prevent sexual assaults from happening in the first

place; to provide support, dignity, and services to victims; and to quickly and vigorously punish those committing these heinous crimes.

We'll first hear from top leaders in Congress – specifically from Louise Slaughter of New York and Jane Harman of California. These are Representatives who have been instrumental in past legislative accomplishments and who have been advocating for further specific improvements.

We will then welcome Ingrid Torres and Mary Lauterbach. We are privileged to have you both testify before us today so that all of us – Members of Congress, executive branch officials, and the American public – can learn from your personal tragedies; so that lessons from your harrowing tales and your insights can spur action; so good can come from your tragedies. Your courage in being with us today is truly inspiring.

Finally, we will hear from our panel of government officials. We have key policymakers from our Defense Department as well as from our military services who will explain to all of us their current efforts.

We will also hear from the Government Accountability Office on its two-year independent investigation into efforts to prevent and respond to military sexual assaults. GAO will discuss both the progress that has been made as well as highlight remaining challenges and obstacles that need to be overcome.

I want to now briefly flag a few issues that I hope get ample discussion today:

First, we know we have a big problem in the under-reporting of sexual assaults in the military, whether from fear of ostracism or career repercussions or a myriad of other reasons. It is particularly disheartening to hear about tales of women who regret bringing forward their rape charges because of how they have been treated poorly throughout the process and because of the repercussions that have flowed their way as a result of reporting a crime.

Second, even when sexual assaults are reported, some have expressed concern that punishments do not reflect the severity or seriousness of the acts committed. In 2007, for example, out of 2,212 persons investigated for sexual assault in the military – 1,259 of which involved rape charges – only 181 people were referred to courts-martial.

Third, through the GAO's extensive, on-the-ground investigation, which involved visiting 15 different military facilities, there appears to be great differences from facility-to-facility in terms of the seriousness to which sexual assault is accorded. For example, GAO found and I quote, "at three of the installations program managers told us of meeting with resistance from commanders when attempting to place, in barracks and work areas, posters or other material advertising the programs or the options for reporting a sexual assault." This begs the questions: what proactive oversight is the Defense Department undertaking to ferret out those commanders and those facilities that are

nowhere near where we need to be?; and do we need greater consistency in sexual assault prevention and response training?

While progress had been made in recent years – and many in this room, both Members of Congress and key officials in the Defense Department are responsible – I don't think any of us can say our work is complete.

That is why I called this hearing – in the spirit of constructive oversight – for us to all work together and to focus on what still needs to be fixed and to go about it with vigor and urgency. Our sons and daughters who put their lives on the line on our behalf deserve nothing less.

I now yield to our Ranking Member, Mr. Shays, for your opening statement. Thank you for your leadership and for you and your staff working together with us on a bipartisan basis in preparation for this hearing.