



May 31, 2013

U.S. Commission on Civil Rights
1331 Pennsylvania Ave., NW
Suite 1150
Washington, DC 20425

Submitted via publiccomments@usccr.gov

Re: AAUW statement for briefing on protecting the civil rights of veterans and service members

Dear Commissioners:

On behalf of the more than 150,000 members and supporters of the American Association of University Women (AAUW), I am pleased to share AAUW's comments with the Commission's "Civil Rights of Veterans and Service Members" briefing.

AAUW advocates "freedom from violence and fear of violence in homes, schools, workplaces, and communities"¹ which extends to freedom from sexual harassment and violence for women serving in the military. Additionally, we promote the economic, social and physical well-being of all persons, including our women veterans.

Since its founding in 1881, AAUW has been breaking through barriers for women and girls. We applauded the military's recent decision to officially open combat positions to women. Our executive director, Linda Hallman, a proud nine-year veteran of the United States Army, recently wrote, "Women want to serve and have been serving in combat. We owe them recognition, equal treatment, and our full support."² The decision to open these combat positions to women is a reflection of military leadership recognizing the value of the critical skills women bring to our modern military workforce. Policies regarding treatment of women need to be updated to reflect the rising number of women in military service and women veterans.

As President Obama remarked that lifting the combat ban for women "reflects the courageous and patriotic service of women through more than two centuries of American history and the indispensable role of women in today's military."³ AAUW applauds the Obama administration's recent initiatives to address many of the challenges this population encounters.

However, more work needs to be done. AAUW believes that several policies of the Departments of Defense (DOD) and Veterans Affairs (VA) should be revised to reflect the reality of an increasingly diverse military. AAUW recommends: 1) moving the investigation and prosecution of military sexual assault out of the chain of command; 2) addressing the specific health care needs of female service members and veterans; 3) increasing attention to work/life needs of our military and veterans; and 4) including female veterans and service members in medical studies and research.

Moving the Investigation and Prosecution of Military Sexual Assault Out of the Chain of Command

To maintain a strong military, we must address the problem of sexual harassment and violence all too common among women and men who seek to serve our country. AAUW believes a key way to do this is moving the investigation and prosecution of sexual assault out of the chain of command. Military sexual assault must be addressed in a prompt, comprehensive, and sustained manner. A recent Pentagon study estimated that 26,000 service members were sexually assaulted in 2012, up from 19,000 in 2010.⁴ Other recent surveys of female veterans have found that close to a third were victims of rape or assault while they were serving, which is double the rate of the civilian population.⁵ Additional research by the VA has found that this problem even worse in conflict zones, with half of the women sent to Iraq or Afghanistan reporting being sexually harassed, and nearly one in four reporting sexual assault.⁶ Clearly, this is unacceptable and must change.

Furthermore, alarmingly low prosecution rates of military sexual assault deter reporting. Only 8 percent of sexual assailants were referred to courts-martial, compared with 40 percent of similar offenders prosecuted in the civilian court system.⁷ The most recent DOD report indicates sexual assault charges and convictions are decreasing, even though assaults are not:

- Instances where a commander took action on the grounds of a sexual assault charge decreased by 23%. In 2010, 1,025 commander actions were taken on the grounds of a sexual assault, in 2011 there were 791.
- The number of initiated court-martials fell 8%, from 529 in 2010 to 489 in 2011.
- The number of perpetrators convicted of committing a sexual assault decreased 22%, from 245 in 2010 to 191 in 2011.⁸

AAUW supports Representative Jackie Speier's Sexual Assault Training Oversight and Prevention (STOP) Act (H.R.1593), which would take the prosecution, reporting, oversight, investigation and victim care of sexual assaults out of the hands of the normal chain of command and places jurisdiction into the hands of an autonomous Sexual Assault Oversight and Response Office. The Office will remain within the military, and will be comprised of civilian and military experts. This would remove the inherent conflict of interest that exists in a "command and control" environment, where those in command have incentives to not pursue allegations. The legislation also creates a sexual assault database within the DOD that will be required to share information with Department of Justice's civilian sexual offender database.

Many of America's closest allies have already instituted similar reforms to address this issue. The United Kingdom changed its internal military judicial proceedings by largely eliminating the influence of military personnel and transferring authority to an independent office outside that authority.

Through accountability, education, and a robust prosecution system, we can end sexual assault in the military. These updates to our system are the least we can do to support and respect the women and men around the world advancing this country's national interest and safety.

Addressing the Specific Health Care Needs of Female Service Members and Veterans

AAUW agrees with the VA report – *Women Veterans: A Proud Tradition of Service* – recommendation that "rural health mobile vans and clinics have standardized protocols for providing care to rural women veterans that ensure access and availability of healthcare screenings, and treatment; are appropriately equipped and staffed with specially trained personnel to adequately

address the gender-specific healthcare needs of women veterans; and have standardized protocols to address issues that require follow-up or referral.”⁹ It is important that all female veterans be able to access the care they need, including those veterans who live in rural areas.

Additionally, AAUW strongly believes that gender-specific care capacity should be available at all VA medical facilities nation-wide. Some VA facilities do not offer obstetric or gynecological services, forcing female veterans to seek medical care elsewhere. AAUW supports the right of every woman to safe, accessible, affordable, and comprehensive family planning and reproductive health services.¹⁰ This is a critical aspect of women’s health and our female veterans deserve complete access to all aspects of medical care. Accordingly, female veterans should be able to obtain services for the full range of their reproductive health needs at these facilities. Although many women may choose to avail themselves to private care, they should not be required to do so.

Increased Attention to Work/Life Needs

Striking a sustainable relationship between professional and personal obligations is vital for all Americans, including veterans and service members. AAUW’s 2011-2013 Public Policy Program supports “greater availability of and access to benefits and policies that promote work-life balance,” which are critical for women when they are balancing multiple responsibilities, including serving as the primary caregiver for children.¹¹ This is why we believe the VA should provide childcare options for eligible veterans to facilitate access to quality health care services. We support the VA’s 2-year pilot program to assess the feasibility of providing childcare for qualified veterans who are the primary caretaker of a child while they are receiving medical care, and we recommend that the launch of this study be made a priority. AAUW also recommends the program be expanded to provide childcare for veterans receiving other services, such as job training; we also urge the VA to consider providing eldercare services for veterans taking care of aging parents.

Including Female Veterans and Service Members in Medical Studies and Research

Women frequently have different medical and psychological responses to trauma and disease, and AAUW believes it is extremely important to purposefully design DOD and VA research and medical studies to include women. For example, research has concluded that women tend to manifest post-traumatic stress disorder differently than men, yet no comprehensive study of PTSD has included gender as a variable.¹² So although it may not appear as though a drug or treatment would not affect men and women differently, it is critical that women are included in all DOD and VA studies and research.

Thank you for the opportunity to submit comments on this important issue. If you have any questions, please feel free to contact me at 202-785-7720, or Beth Scott, regulatory affairs manager, at 202-728-7617.

Sincerely,



Lisa M. Maatz
Vice President, Public Policy

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- ¹ AAUW. (June 2011). *Public Policy Principles*. Retrieved May 31, 2013, from www.aauw.org/resource/principles-and-priorities/
- ² AAUW. (March 6, 2013). *End of Combat Ban Will Give Women Recognition They Deserve*. Retrieved May 31, 2013, from www.aauw.org/2013/03/06/end-of-combat-ban-will-give-women-recognition-they-deserve/
- ³ The White House. (January 24, 2013). *Statement by the President on the Opening of Combat Units to Women*. Retrieved May 31, 2013, from www.whitehouse.gov/the-press-office/2013/01/24/statement-president-opening-combat-units-women
- ⁴ *U.S. News & World Report*. (May 17, 2013). *Military Sexual Assault Survivors Applaud Congress For Numerous New Bills*. Retrieved May 29, 2013, from www.usnews.com/news/articles/2013/05/17/military-sexual-assault-survivors-applaud-congress-for-numerous-new-bills
- ⁵ *Time*. (March 8, 2010). *Sexual Assaults on Female Soldiers: Don't Ask, Don't Tell*. Accessed January 8, 2013 from www.time.com/time/magazine/article/0,9171,1968110,00.html#ixzz12va7eGYf
- ⁶ *USA Today*. (December 26, 2012). *VA Finds Sexual Assaults More Common in War Zones*. Retrieved January 8, 2013, from www.usatoday.com/story/news/nation/2012/12/26/va-finds-sexual-assaults-more-common-in-war-zones/1793253/
- ⁷ NBC News. (January 11, 2013). *Civil Rights Commission Urged to Order Audit of Military Sex-Assault Cases*. Retrieved April 17, 2013, from <http://usnews.nbcnews.com/news/2013/01/11/16469177-civil-rights-commission-urged-to-order-audit-of-military-sex-assault-cases?lite>
- ⁸ U.S. Department of Defense Sexual Assault Prevention and Response Office. (April 2012). *Department of Defense Annual Report on Sexual Assault in the Military*. Retrieved April 17, 2013, from [www.sapr.mil/media/pdf/reports/Department of Defense Fiscal Year 2011 Annual Report on Sexual Assault in the Military.pdf](http://www.sapr.mil/media/pdf/reports/Department%20of%20Defense%20Fiscal%20Year%202011%20Annual%20Report%20on%20Sexual%20Assault%20in%20the%20Military.pdf)
- ⁹ Department of Veterans Affairs, Advisory Committee on Women Veterans. (September 2010). *Women Veterans – A Proud Tradition of Service*. Retrieved October 8, 2010 from www1.va.gov/WOMENVET/docs/ACWV_Report_2010.pdf
- ¹⁰ AAUW. (June 2011). *Biennial Action Priorities*. Retrieved March 6, 2013, from www.aauw.org/act/issue_advocacy/principles_priorities.cfm#biennial
- ¹¹ Ibid
- ¹² Society for Women's Health Research. (2008). *PTSD in Women Returning From Combat: Future Directions in Research and Service Delivery*. Retrieved October 15, 2010 from [www.womenshealthresearch.org/site/DocServer/PTSD in Women Returning From Combat--reduced file size.pdf?docID=2661](http://www.womenshealthresearch.org/site/DocServer/PTSD_in_Women_Returning_From_Combat--reduced_file_size.pdf?docID=2661)