

**Chairman Howard P. "Buck" McKeon Opening Statement**  
**January 23, 2013**  
**Committee on Armed Services**

WASHINGTON- Rep. Howard P. "Buck" McKeon (R-CA), Chairman of the House Armed Services Committee, made the following remarks as prepared for delivery for a **hearing on A Review of sexual misconduct by basic training instructors at Lackland Air Force Base:**

"Good morning. Thank you for joining us for our first hearing of the 113th Congress. I think it's appropriate that we begin our oversight with a subject that this committee has been vigilant in addressing for many years. At the same time, I find it extremely disturbing that despite the collective work of Congress, the Department of Defense, the military services and the dedicated groups who advocate on the part of victims of this heinous crime, sexual assault and sexual misconduct remains a problem within our Armed Forces.

"Today we meet to receive testimony on sexual misconduct by basic training instructors at Lackland Air Force Base. The events at Lackland are the most recent example of sexual assaults that have plagued our military for far too long. This tragic example-where thirty-two instructors have either been found guilty, have been charged with or are still being investigated for crimes against fifty-nine trainees begs the question—how could this have happened? How could the system and in particular the leadership have failed to protect the men and women who serve our Nation from sexual predators who also wear the uniform?

"While I applaud the Air Force for pursuing in-depth investigations to find answers to these questions, I am particularly disturbed to learn that there was significant delay reporting the allegations to the proper authorities when they first came to light. Equally troubling is that no action was taken by local leadership when the reporting delay was uncovered. This to me is unacceptable. I look forward to hearing from General Welch and General Rice how the Air Force has addressed these issues to eliminate the possibility that sexual misconduct goes undetected in the future.

"Make no mistake; Congress shares the responsibility for preventing sexual assault within the military and assuring victims that their cases will be prosecuted to the fullest extent of the law. Over the past five years, Republicans and Democrats have joined forces to put real reforms in place. We have ensured that victims of sexual assault are taken seriously, provided medical care and support, and that cases are investigated and prosecuted.

"Last year, Congress passed reforms in how the military tracks sexual assaults in order to paint a reliable picture of just how big the problem is. We have also mandated that only senior officers can handle sexual assault cases, ensuring that no matter what the rank of the victim, justice is meted out at the highest levels. We established a commission to take a critical look at the Uniformed Code of Military Justice and make recommendations for reform to make certain that the military justice system can successfully prosecute sexual assault.

"However, legislation is not the only answer. Commanders at every level and in every service must make eliminating sexual assault and all forms of sexual misconduct from their commands

the highest of priorities. Senior leaders at all levels must hold commanders accountable for aggressively pursuing allegations of sexual misconduct. We will accept nothing less.

"I understand that the Air Force has already made several changes to improve the safety and effectiveness of basic training. I would like to hear from our second panel if the reforms and safeguards recently put in place are sufficient.

"I have no doubt that there is more to be done. My visit to Lackland in September renewed my belief that the young men and women who volunteer to join our Armed Forces are the finest in the nation. These young men and women have earned the respect of the Nation; they deserve the respect from their leaders and fellow service members.

"Before I ask Ranking Member Smith for his opening remarks I would like to remind our members that at the same time we hold this hearing, the Air Force continues to prosecute the remaining cases at Lackland. When military perpetrators of sexual assault are tried by courts-martial, public statements by military and civilian leaders, especially senior leaders, about the guilt or innocence of an alleged perpetrator can be perceived as, or even may be undue command influence on the outcome of the trial. That means public testimony about Lackland could be used as grounds for a mistrial by defense attorneys. That isn't an outcome anyone wants. To that end I will give latitude to General Welch and General Rice to answer questions to the extent that it will not prejudice on-going criminal prosecutions. We are all committed to eradicating sexual assault in our Armed Forces, but first we have to respect the victim's need for urgent and sure justice."