

Testimony of the Honorable Cory Gardner
Member, U.S. House of Representatives
House Armed Services Committee Hearing
2015 National Defense Authorization Act
U.S. House of Representatives
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Thank you Chairman McKeon, Ranking Member Smith, and the other members on this committee for the opportunity to testify. As you know, the National Defense Authorization Act (NDAA) and its annual passage helps to ensure the safety of the United States and the brave men and women fighting for this country. The legislation is also crucial to the United States' military programs and for shaping national defense policy.

The NDAA has passed every year for the last fifty-two years. Without this legislation, our troops would lose combat pay, and life-saving military research and improved-weapons acquisitions would immediately come to a halt. Furthermore, the Department of Defense would be unable to chart a certain course forward for the American military. For these reasons, and many others, I have supported NDAA in the past.

NDAA provides Congress an opportune time to re-examine the military justice system. Several high-profile military sexual assault cases have increased public and congressional interest in how these cases are prosecuted within the military. Last year's NDAA made reforms and improvements to the manner in which military sexual assault cases are handled within the military ranks. Commanders no longer have the authority to unilaterally overturn court martial decisions, although they maintain their role in the chain of command as sexual assault cases are prosecuted.

While these reforms were significant, sexual assault in the military continues to be under intense scrutiny and Congress must act to further protect the victims of sexual assault. I support measures which would remove from the military's chain of command the decision to prosecute claims of sexual assault and other major military crimes. Senator Kirsten Gillibrand spearheaded this effort in the United States Senate with the introduction of S. 1752, the Military Justice Improvement Act of 2013.

During this year's NDAA debate and ultimate passage, I urge you to consider Senator Gillibrand's language and the possibility of removing the military chain of command from sexual assault cases within the House version.

Once again, thank you for the opportunity to testify on this important matter. It is my hope that the committee will favorably adopt this language. I look forward to working with the committee.