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COMMITTEE ON ARMED SERVICES

U.S. House of Representatives

Washington, DC 20515-6035

ONE HUNDRED NINTH CONGRESS

September 6, 2006

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ROBERT L. SIMMONS, STAFF DIRECTOR

Honorable Duncan Hunter
Chairman
House Armed Services Committee
2120 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Hunter:

We are writing to request that the Committee hold a hearing specifically on the issue of recruiter improprieties, including sexual harassment and assault by military recruiters on recruits and potential enlistees. We were appalled to read the August 20th *Associated Press* article, which found that "more than 80 military recruiters were disciplined last year for sexual misconduct with potential enlistees."


A Government Accountability Office report, released this month, reiterates the need for greater oversight of recruiter activities by the Department of Defense. The report found that "the individual services' visibility over recruiting irregularities is problematic", and that "the services do not track all allegations of recruiter wrongdoing." The conduct of our nation's military recruiters should be of utmost concern to all members of the Committee because their actions are a direct reflection on our Armed Forces in communities and cities across this nation.

While the majority of military recruiters are doing a tremendous job under extremely challenging circumstances, the inappropriate and unbecoming actions of a few have made the job even more difficult. How are parents and teachers supposed to trust the Services to take care of their child or student when they read about military recruiters who take advantage of their position to sexually harass or assault a recruit or potential enlistee? Such behavior is simply unacceptable, and it is our responsibility as members of the House Armed Services Committee to ensure that the Department takes the necessary steps to prevent such inappropriate behavior.

Over the past several years, the Committee has held a number of hearings on sexual assaults within the Armed Forces. Just as we sent a signal that such behavior will

not be tolerated within the ranks, both in combat and at home stations, it is imperative that we also send a strong message there will be zero tolerance of sexual harassment and assault by military recruiters.

Mr. Chairman, we urge you to hold a hearing on this important issue before Congress adjourns for the fall elections.

Sincerely,


IKE SKELTON
Member of Congress



VIC SNYDER
Member of Congress

Attachment



Sexual Abuse By Military Recruiters

Aug. 20, 2006

(CBS/AP) More than 100 young women who expressed interest in joining the military in the past year were preyed upon sexually by their recruiters. Women were raped on recruiting office couches, assaulted in government cars and groped en route to entrance exams.

A six-month Associated Press investigation found that more than 80 military recruiters were disciplined last year for sexual misconduct with potential enlistees. The cases occurred across all branches of the military and in all regions of the country.

"This should never be allowed to happen," said one 18-year-old victim. "The recruiter had all the power. He had the uniform. He had my future. I trusted him."

Barry Vogel represents a young woman who wanted to become a Marine, **CBS News correspondent Bianca Solorzano** reports. But now she's suing the Marines.

"He said to her, outright, if you want to join the Marines, you have to have sex with me," Vogel said. "She was a virgin. She was 17 years old."

The ranking Democrat on the House Armed Services panel has responded to the investigation, saying "outrageous" misconduct by military recruiters needs tougher penalties.

At least 35 Army recruiters, 18 Marine Corps recruiters, 18 Navy recruiters and 12 Air Force recruiters were disciplined for sexual misconduct or other inappropriate behavior with potential enlistees in 2005, according to records obtained by the AP under dozens of Freedom of Information Act requests. That's significantly more than the handful of cases disclosed in the past decade.

The AP also found:

- The Army, which accounts for almost half of the military, has had 722 recruiters accused of rape and sexual misconduct since 1996.
- Across all services, one out of 200 frontline recruiters — the ones who deal directly with young people — was disciplined for sexual misconduct last year.
- Some cases of improper behavior involved romantic relationships, and sometimes those relationships were initiated by the women.
- Most recruiters found guilty of sexual misconduct are disciplined administratively, facing a reduction in rank or forfeiture of pay; military and civilian prosecutions are rare.
- The increase in sexual misconduct incidents is consistent with overall recruiter wrongdoing, which has increased from just over 400 cases in 2004 to 630 cases in 2005, according to a General Accounting Office report released this week.
- The Pentagon has committed more than \$1.5 billion to recruiting efforts this year. Defense Department spokeswoman Lt. Col. Ellen Krenke insisted that each of the services takes the issue of sexual misconduct by recruiters "very seriously and has processes in place to identify and deal with those members who act inappropriately."
- In the Army, 53 recruiters were charged with misconduct last year. Recruiting spokesman S. Douglas Smith said the Army has put much energy into training its staff to avoid these problems.

"To have 53 allegations in a year, while it is 53 more than we would want, is not indicative of the entire command of 8,000 recruiters," he said. "We take this very seriously and we take appropriate action as necessary to discipline these people."

Congressman Ike Skelton of Missouri is reacting to an Associated Press investigation that found dozens of disciplinary actions in the past year for recruiter misconduct, ranging from rape to consensual romantic relationships.

Skelton says such abuses are "absolutely unacceptable" and he proposes a military-wide adoption of a "No One Alone" policy. The prohibition against recruiters being alone anywhere with female enlistees was recently adopted by the National Guard.

Skelton says he'll also seek an Armed Services Committee hearing to explore new penalties for recruiters who violate the military code.

The Associated Press generally does not name victims in sexual assault cases. For this story, the AP interviewed victims in their homes and perpetrators in jail, read police and court accounts of assaults and in one case portions of a victim's journal.

A pattern emerged. The sexual misconduct almost always takes place in recruiting stations, recruiters apartments or government vehicles. The victims are typically between 16 and 18 years old, and they usually are thinking about enlisting. They usually meet the recruiters at their high schools, but sometimes at malls or recruiting offices.

"We had been drinking, yes. And we went to the recruiting station at about midnight," begins one girl's story.

Tall and slim, her long hair sweeping down her back, this 18-year-old from Ukiah, Calif., hides her face in her hands as she describes the night when Marine Corps recruiter Sgt. Brian Fukushima climbed into her sleeping bag on the floor of the station and took off her pants. Two other recruiters were having sex with two of her friends in the same room.

"I don't like to talk about it. I don't like to think about it," she says, her voice muffled and breaking. "He got into my sleeping bag, unbuttoned my pants, and he started, well ..."

Her voice trails off, and she is quiet for a moment. "I had a freak-out session and just passed out. When I woke up I was sick and ashamed. My clothes were all over the floor."

Fukushima was convicted of misconduct in a military court after other young women reported similar assaults. He left the service with a less than honorable discharge last fall.

His military attorney, Capt. James Weirick, said Fukushima is "sorry that he let his family down and the Marine Corps down. It was a lapse in judgment."

Shedrick Hamilton uses the same phrase to describe his own actions that landed him in Oneida Correctional Facility in upstate New York for 15 months for having sex with a 16-year-old high school student he met while working as a Marine Corps recruiter.

Hamilton said the victim had dropped her pants in his office as a prank a few weeks earlier, and that on this day she reached over and caressed his groin while he was driving her to a recruiting event.

"I pulled over and asked her to climb into the back seat," he said. "I should have pushed her away. I was the adult in the situation. I should have put my foot down, called her parents."

As a result, he was convicted of third-degree rape, and left the service with an other-than-honorable discharge. He wipes the collar of his prison jumpsuit across his cheek, smearing tears that won't stop.

"I literally kick myself ... every day. It hurts. It hurts a lot. As much as I pray, as much as I work on it in counseling, I still can't repair the pain that I caused a girl, her family, my family, my kids. It's very hard to deal with," he says, dropping his head. "It's very, very hard to deal with."

Sometimes these incidents are indisputable, forcible rapes.

"He did whatever he pleased," said one victim who was 17 at the time. "... People in uniform used to make me feel safe. Now they make me feel nervous."

Other sexual misconduct is more nuanced. Recruiters insist the victims were interested in them, and sometimes the victims agree. Sometimes they even dated.

"I was persuaded into doing something that I didn't necessarily want to do, but I did it willingly," said Kelly Chase, now a Marine Corps combat photographer, whose testimony helped convict a recruiter of sexual misconduct last year.

Anita Sanchez, director of communications at the Miles Foundation, a national advocacy group for victims of violence in the military, bristles at the idea that the enlistees, even if they flirt or ask to date recruiters, are willingly having sex with them.

"You have a recruiter who can enable you to join the service or not join the service. That has life-changing implications for you as a high school student or college student," she said. "If she does not do this her life will be seriously impacted. Instead of getting training and an education, she might end up a dishwasher."

All of the recruiters the AP spoke with said they were routinely alone in their offices and cars with girls. They also all agreed that the lines were clear: Recruiters do not sleep with enlistees.

"Any recruiter that would try to claim that, 'Oh, it's consensual,' they are lying, they are lying through their teeth," said former

Marine Corps recruiter Ethan Walker. "The recruiter has all the power in these situations."

In Indiana, where National Guard recruiter Sgt. Eric Vetesy has been charged with 31 counts of rape, sexual battery, official misconduct and corrupt business influence, military officials have instituted a new "No One Alone" policy to prevent further incidents.

Apparently the first of its kind in the country, the male Army National Guard recruiters in Indiana cannot be alone in offices, cars, or anywhere else with a female enlistee. If they are, they risk immediate disciplinary action. Recruiters also face discipline if they hear of another recruiter's misconduct and don't report it.

The result?

"We've had a lot fewer problems," said Lt. Col. Ivan Denton, commander of the Indiana Guard's recruiting battalion. "It's almost like we're changing the culture in our recruiting."

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