

112TH CONGRESS  
2D SESSION

# S. 2137

To prohibit the issuance of a waiver for commissioning or enlistment in the Armed Forces for any individual convicted of a felony sexual offense.

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 28, 2012

Mrs. BOXER introduced the following bill; which was read twice and referred to the Committee on Armed Services

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## A BILL

To prohibit the issuance of a waiver for commissioning or enlistment in the Armed Forces for any individual convicted of a felony sexual offense.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. PROHIBITION ON WAIVER FOR COMMIS-**  
4                       **SIONING OR ENLISTMENT IN THE ARMED**  
5                       **FORCES FOR ANY INDIVIDUAL CONVICTED**  
6                       **OF A FELONY SEXUAL OFFENSE.**

7       (a) FINDINGS.—Congress makes the following find-  
8       ings:

1           (1) In fiscal year 2011 alone, 3,191 incidents of  
2           sexual assault—including rape—were reported in the  
3           military.

4           (2) In fiscal year 2010, an additional 3,158  
5           such incidents were reported.

6           (3) According to Secretary of Defense Leon Pa-  
7           netta, these figures may significantly underestimate  
8           the actual number of sexual assaults.

9           (4) According to Secretary Panetta, the actual  
10          number of sexual assaults may be closer to 19,000  
11          annually.

12          (5) According to the Army, the number of vio-  
13          lent sexual assaults committed by members of the  
14          Army rose by 90 percent between 2006 and 2011.

15          (6) According to Secretary Panetta, the men  
16          and women of the Armed Forces “are willing to  
17          fight and die to protect and serve our country—they  
18          deserve better protection. Their families and depend-  
19          ents also sacrifice and serve. And so for this reason,  
20          we must spare no effort to protect them against this  
21          heinous crime. . . . One sexual assault is one too  
22          many.”.

23          (7) Every effort must be made to bring the epi-  
24          demic of sexual assaults within the Armed Forces to  
25          an end.

1       (b) PROHIBITION.—An individual may not be pro-  
2       vided a waiver for commissioning or enlistment in the  
3       Armed Forces if the individual has been convicted under  
4       Federal or State law of a felony offense of any of the fol-  
5       lowing:

- 6               (1) Rape.
- 7               (2) Sexual abuse.
- 8               (3) Sexual assault.
- 9               (4) Incest.
- 10              (5) Any other sexual offense.

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