



PERSONNEL AND
READINESS

UNDER SECRETARY OF DEFENSE
4000 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-4000

JUL 23 2014

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
CHIEF OF THE NATIONAL GUARD BUREAU

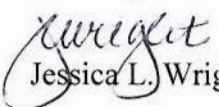
SUBJECT: Fifty-Year Retention of Forms Related to Reports of Sexual Assault

Section 1723 of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2014 mandates the retention of certain forms related to reports of sexual assault for fifty years, regardless of the type of report or whether such retention was requested by the victim. Specifically, the law requires that the DD Form 2910, "Victim Reporting Preference Statement," and DD Form 2911, "DoD Sexual Assault Forensic Examination Report," be retained for fifty years in both Restricted and Unrestricted Report cases.

The DD Forms 2910 and 2911 are critical to the Department's sexual assault reporting, response, and accountability processes. The DD Form 2910 explains the reporting options available to victims of sexual assault and is the form by which a victim makes an official report (either Restricted or Unrestricted). The DD Form 2911 records the findings of the Sexual Assault Forensic Examination (SAFE) and is part of the SAFE kit. Retention of these forms, among other purposes, ensures future availability to the Department of Veterans Affairs.

The Department is developing a long-term solution for the confidential and efficient storage of these forms. Until this Department-wide solution is finalized, I am requesting that you implement interim policy within your respective Services or the National Guard Bureau to fulfill the fifty-year retention requirement in section 1723 of NDAA 2014 and ensure that no existing DD Forms 2910 or 2911 are destroyed.

These forms provide essential documentation for sexual assault victims seeking care and services, including after they leave military service, and preserve the possibility of holding offenders appropriately accountable. Your implementation of this form retention requirement is essential to the success of the Department's Sexual Assault Prevention and Response Program. Colonel Litonya Wilson, Deputy Director, Department of Defense Sexual Assault Prevention and Response Office, is the point of contact for this action. She may be reached by telephone at (571) 372-2640, or via email at litonya.j.wilson.mil@mail.mil. Your cooperation in this matter is sincerely appreciated.


Jessica L. Wright

TAB B

SEC. 1723. RETENTION OF CERTAIN FORMS IN CONNECTION WITH RESTRICTED REPORTS AND UNRESTRICTED REPORTS ON SEXUAL ASSAULT INVOLVING MEMBERS OF THE ARMED FORCES.

(a) REQUIREMENT FOR RETENTION.—Subsection (a) of section 577 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1762; 10 U.S.C. 1561 note) is amended—

(1) by striking “At the request of a member of the Armed Forces who files a Restricted Report on an incident of sexual assault involving the member, the Secretary of Defense shall” and inserting “The Secretary of Defense shall”; and

(2) by striking “the Restricted Report” and inserting “a Restricted Report or Unrestricted Report on an incident of sexual assault involving a member of the Armed Forces”.

(b) CONFORMING AMENDMENT.—The heading of such section is amended to read as follows:

**“SEC. 577. RETENTION OF CERTAIN FORMS IN CONNECTION
WITH RESTRICTED REPORTS AND UNRESTRICTED REPORTS ON
SEXUAL ASSAULT INVOLVING MEMBERS OF THE ARMED FORCES.”.**