



THE SECRETARY OF DEFENSE
1000 DEFENSE PENTAGON
WASHINGTON, DC 20301-1000

FEB 15 2011

The Honorable Michael R. Turner
U.S. House of Representatives
Washington, DC 20515

Dear Representative Turner:

I am overdue in following up to our discussions from last year on the issue of how best to ensure Service members are not unduly penalized in child custody cases due to their military service.

As you know, the Department of Defense has been officially opposed to federal legislation on this matter. However, I have been giving this matter a lot of thought and believe we should change our position to one where we are willing to consider whether appropriate legislation can be crafted that provides Service members with a federal uniform standard of protection in cases where it is established that military service is the sole factor involved in a child custody decision involving a Service member. You should know that this view is not widely shared within the legal community, but I am convinced that the benefits outweigh the concerns, and thus we should work with the Congress to pursue an acceptable legislative formulation.

I have instructed my staff to reach out to you and the appropriate committees to begin this dialogue with the objective of arriving at a workable solution. Your continued advocacy and leadership on this matter is appreciated.

Sincerely,

A handwritten signature in dark ink, appearing to read "Robert M. Gates", is written below the word "Sincerely,".

