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The Honorable Mark Esper
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20310

Dear Secretary Esper,

Last week, the Senate Armed Services Personnel Subcommittee held an important hearing on the continued increase in suicides among service members, and veterans. During this hearing, the expert witnesses confirmed the need to review the current command reporting rules placed on DoD mental health providers as a barrier to mental health treatment. While some of these rules are similar to those followed by civilian providers and play a vital role in protecting patients and their fellow service members, the rest such as the "harm to mission" requirement are vague and undermine trust and confidentiality.

When the Department of Defense (DoD) published its rules for reporting mental health treatment, the stated goal was to "dispel the stigma of seeking mental health care." However, research from publications such as *Military Medicine* and *Rand Corp*, The Army Study to Assess Risk and Resilience in Service Members (STARSS), the most recent DODIG report and a multitude of surveys from service members themselves has shown that current policies have undermined that goal. As was cited in the hearing last week, service members have consistently and overwhelmingly identified fears that seeking mental health treatment would negatively impact their career and their standing in the eyes of their command. This was the primary reason for not seeking care.

During last week's Armed Services Personnel subcommittee hearing, we heard from several of our expert witnesses that one of the vital factors in combating the crisis of military suicides is access to consistent and sustained mental healthcare. In order to attain consistent and sustained care, service members must be able to trust mental health providers to keep confidentiality, and that is simply not possible while there are rules in place and our service members doubt the confidentiality of their mental health treatment.

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There are currently nine requirements outlined in DoD instruction 6490.08 that place significantly more restrictions on DoD mental health providers than their civilian counterparts. In order to allow service members to confidently seek the care they need I ask that you update the rules governing DoD mental health providers' reporting of service members' treatment to ensure that reporting to commanders is only in the case of imminent harm to self or others.

Sincerely,



Kirsten Gillibrand
United States Senator