

138 Brentlawn Rd
Frankfort, KY 40601

June 22, 2010

Congresswoman Stephanie Herseth Sandlin
331 Cannon House Office Building
Washington, DC 20515

Dear Rep. Herseth Sandlin,

I want to thank you for your support of service members and their families. I understand your subcommittee will soon convene to mark up important child custody legislation, H.R. 4469. This legislation is a critical step toward giving military parents peace of mind that their service will not be used against them in child custody disputes.

This issue not only personally impacted my life and the life of my daughter, but also has repercussions for countless other service members who are in heartbreaking circumstances. Your leadership in shepherding this important bill through the legislative process, as well as meeting with Defense Secretary Gates has been critical in raising awareness of this issue, and I know will help make H.R. 4469 into law.

Although I was pleased that Secretary Gates committed to taking a 'fresh look' at the issue and his representative at a previous hearing acknowledged: "The Department is acutely aware of the problems many of our Service members who have custody of minor children encounter when they are deployed. We have nearly 145,000 single parents in the military..." I am concerned that the DoD's recent report is not a complete analysis of the scope of this problem because only anecdotal incidents are being considered instead of a more exhaustive methodology and accountability. Furthermore, the issue may be difficult to track, despite the number of reports which have gained media attention. It has been my personal experience that for each case we hear about in the news there are dozens more military families suffering in silence. Just one family facing this injustice—or even the possibility of facing this injustice—is one too many and warrants action.

I am glad that DoD is making efforts to increase participation in and support of the American Bar Association's Military Pro Bono Project. That said, doesn't this project simply imply that there is indeed a problem? Additionally, the existence of the project proves the need to reduce the financial impact of the issue for those who may be fortunate enough to receive help. I appreciate DoD effort to revamp the Family Care Plan (FCP), however, the FCP is not legally binding and does nothing to stop a noncustodial parent from taking advantage of a Soldier's service to try to take custody, or allowing courts to hold a Soldier's service against them in child custody.

Some have stated in testimony that individual States are in the best position to address this issue—I disagree. While it is worthy that some state may have varying degrees of legislation in place, the protections vary greatly from state to state. Many states have not addressed the

problem at all. The military services are governed by federal statute in many cases, such as the Servicemembers Civil Relief Act. There should be a baseline of federal protection for child custody rights, and then states may build upon that.

While my own personal battle for my daughter worked out for our family, no court record or Pentagon report could ever tell the full story of time, financial expenditures, and emotional commitment required to regain custody of my child. The case languished for more than two years and has forever impacted myself and my daughter.

I appreciate your working to provide protection for service members – Soldiers should not have deployments used against them during child custody proceedings. I hope that this legislation (H.R. 4469) will provide peace of mind to those Soldiers who face this in the future. Despite a severely flawed report and an opposition from an association who represents trial lawyers, I applaud your leadership on this very personal issue and hope you persevere and continue your great work to help our military children, families and parents.

Sincerely,

A handwritten signature in cursive script that reads "V. Eva Slusher". The signature is written in black ink and is positioned to the right of the word "Sincerely,".

Cc: Congressman Michael R. Turner