

**Summary of Reading Materials for JPP Subcommittee Members
in Preparation for October 22 Meeting**

Tab 1. Summary of Deliberations Status on Unresolved Issues (15 pages).

- Prepared by JPP Subcommittee Staff. Summarizes the status of the deliberations on the unresolved Article 120 issues.

Tab 2. DoD and Joint Service Committee Submission to Congress Addressing Draft of 2012 Version of Article 120 (31 pages).

- In response to Ms. Holtzman's request, the staff requested any material that accompanied the draft of the 2012 version of Article 120 that was sent to Congress that might explain some of the terms and definitions included in the 17 issues referred to the subcommittee.
- The first page of this document notes that on May 23, 2011, the DoD Office of Legislative Counsel forwarded to Congress the enclosed proposed revisions to Article 120. The remainder of the document provides some explanation regarding:
 - Issue 1 (Consent);
 - Issue 7 (the definition of "fear");
 - Issue 8 (the definition of "force");
 - Issue 9 (the definitions of "sexual act" and "sexual contact"); and
 - Issue 14 (the definition of "threatening or placing that other person in fear")

Tab 3. Draft of Proposed Language for Amendment to Article 120(g)(7) Definition of "Threatening or Placing That Other Person In Fear." Dean Anderson. (1 page).

- Dean Anderson's draft of a new definition in Article 120(g)(7) of "threatening or placing that other person in fear."
- Would modify the definition to include, but not be limited to the following:
 - (A) physical injury to a victim or another person or damage to a victim's or another person's property; or
 - (B) an express or implied threat:
 - (i) to accuse any person of a crime;
 - (ii) to expose a secret or publicize an asserted fact, whether true or false, tending to subject some person to hatred, contempt or ridicule; or
 - (iii) through the use or abuse of position, rank, or authority, to affect the military career or conditions of service of some person.

Tab 4. Chart of Presenters' Recommendations on Unresolved Issues (2 pages).

- Similar to the chart provided at the June subcommittee meeting, this chart shows the recommendations made by a majority of the presenters on the unresolved issues under Article 120, UCMJ.