

BRIAN J. MAST
18TH DISTRICT, FLORIDA

COMMITTEE ON TRANSPORTATION
AND INFRASTRUCTURE

FOREIGN AFFAIRS
COMMITTEE

2182 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-3026

171 SW FLAGLER AVENUE
STUART, FLORIDA 34994
(772) 781-3266

Congress of the United States
House of Representatives
Washington, DC 20515-0918

June 10, 2019

The Honorable Noel Francisco
Office of the Solicitor General
950 Pennsylvania Ave., NW
Washington, D.C. 20530-0001

Dear Mr. Solicitor General:

We write to request you file a petition for a writ of certiorari to review the judgement of the United States Court of Appeals for the Armed Forces in the case of *United States v. Briggs*, 78 M.J. 289 (C.A.A.F. Feb. 22, 2019). We were pleased to see the Supreme Court grant your request for a 30-day extension of time to file the petition and encourage you to continue supporting the Air Force Judge Advocate General's case.

As you are aware, the intent of Congress was made clear, both in 1986 and 2006, that there shall be no statute of limitations for the offenses of rape and sexual assault under the Uniform Code of Military Justice. In the case of *U.S. v. Mangahas*, 77 M. J. 220 (2018), we believe the court erred in its interpretation of Congressional intent with regard to the statute of limitations for rape under the Uniformed Code of Military Justice. As a result of the *Mangahas* decision, several other convictions have been set aside including *United States v. Briggs* and *United States v. Collins*. It is important to the institutional balance of power between the legislature and judiciary that a *Mangahas*-related case be appealed to the Supreme Court to allow the U.S. Congress an opportunity to submit an amicus brief clarifying the intent of our law.

Therefore, to safeguard the integrity of Congress's institutional interests, and to ensure that victims of sexual assault in the military are afforded the justice they deserve, we urge you to file a petition for a writ of certiorari in either the *Briggs* or *Collins* case. We appreciate your consideration of this matter and your dedication to ensuring that justice is upheld.

Sincerely,



Brian Mast
Member of Congress