



SECRETARY OF DEFENSE  
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WASHINGTON, DC 20301-1000

FEB 26 2021

MEMORANDUM FOR SENIOR PENTAGON LEADERSHIP  
COMMANDERS OF THE COMBATANT COMMANDS  
DEFENSE AGENCY AND DOD FIELD ACTIVITY DIRECTORS

SUBJECT: Immediate Actions to Counter Sexual Assault and Harassment and the  
Establishment of a 90-Day Independent Review Commission on Sexual Assault in  
the Military

Sexual assault and harassment remain persistent and corrosive problems across the Total Force. I have reviewed the responses to my initial tasking on January 23, 2021. The submissions reflect some action in this space but the effort is far short of what is required to make lasting change. I expect every member of our Total Force to be part of the solution and leaders — both civilian and military — across the Department to take direct accountability to drive meaningful change. To make real progress, we must consider outside views and ideas, to the extent practicable, and be transparent about where we have fallen short.

To carry out President Biden's direction, I am ordering several immediate actions and the establishment of a *90-Day Independent Review Commission on Sexual Assault in the Military (IRC)* to address sexual assault and harassment in the military.

**IMMEDIATE ACTIONS**

- **Assess Compliance with Sexual Assault and Harassment Policies and Integrated Violence Prevention Efforts:** I direct the Secretaries of the Military Departments to ensure compliance with all existing policies on sexual assault and harassment, and accelerate violence prevention activities. Using guidance and tools provided by the Under Secretary of Defense for Personnel and Readiness (USD(P&R)), the Secretaries of the Military Departments will assess compliance with current policies, including the newest integrated violence prevention policy (DoD Instruction 6400.09, "DoD Policy on Integrated Primary Prevention of Self-Directed Harm and Prohibited Abuse or Harm"), and alignment — *at the ground level* — with prevention best practices as outlined in the Prevention Plan of Action. Within 120 days, the Secretaries of the Military Departments will submit reports to me on compliance and provide plans to address any deficiencies identified.
- **Conduct Evaluations at High Risk Installations:** A *High Risk Installation Evaluation Report* and its findings will be submitted to me through USD(P&R), as soon as feasible. In addition, quarterly reports will be submitted to me on the new Command Climate survey data, on those installations and units that are of greatest concern, as well as those that are showing promise. The USD(P&R) will issue a plan of action and milestones to meet these requirements by March 15, 2021.



- **Establish a Violence Prevention Workforce:** To build and prepare a DoD-wide violence prevention community of practice, the Secretaries of the Military Departments will identify and resource personnel whose duties are dedicated to the prevention of interpersonal violence and self-harm. Using the template provided by the USD(P&R), the Military Departments will submit to me a report by October 1, 2021, describing the constellation and distribution of their prevention workforce, planned resourcing and sustainment, and required staffing changes at all levels. In addition, the Military Departments will ensure that at least half of their identified violence prevention workforce receives initial training by December 31, 2021, and that the entire workforce is trained by June 30, 2022.

### **90-Day Independent Review Commission on Sexual Assault in the Military (IRC)**

The IRC, which is anticipated to be led by Lynn Rosenthal, will conduct an independent, impartial assessment of the Department's efforts. The Deputy Secretary of Defense will chair the Commission's Executive Support Committee. The Executive Support Committee will ensure the Independent Review Commission has all necessary support and resources. Members of the Executive Support Committee will include the Undersecretary of Defense for Personnel and Readiness and other senior Service and OSD leadership as necessary.

Within 7 days, the Deputy Secretary of Defense, supported by the USD(P&R), will provide a charter for my signature that formalizes the role of the IRC and the membership of the Executive Support Committee. The IRC shall ensure the Department receives vital input from key stakeholders, both inside and outside of the Department, in order to appropriately inform its assessment.

The IRC will pursue three Lines of Effort (LOEs), with accompanying Working Groups that receive information from internal and external stakeholders, including military survivors of sexual trauma, prevention and response practitioners, and outside experts. To further ensure independent views inform the Commission, each Working Group will be led by a subject matter expert with experience and expertise to guide and lead the group with impartiality. Additional membership will include representatives from the Office of the USD(P&R), Military Departments, National Guard Bureau, Joint Staff, and related Department components. Working Groups will review previous DoD and outside efforts (e.g., studies, assessments, reports), including recommendations from members of Congress. The LOEs for the IRC will be:

- **Line of Effort 1: Accountability.** The IRC, via the LOE 1 Working Group, will examine the role of the military justice system, as codified in the Uniform Code of Military Justice (UCMJ) in addressing the prevalence of sexual assault and harassment, in building trust and encouraging survivors to report, and its efficacy in bringing alleged perpetrators to justice. It will also assess feasibility, opportunities, and risks from changes to the commander's role in prosecution. ***No later than 60 days from initial meeting, the IRC will provide a report that includes actionable recommendations to ensure the UCMJ - and associated processes, roles and responsibilities - align with our goals to prevent sexual assault and harassment and promote appropriate accountability, fairness to all individuals involved, and good***

*order and discipline.*

- **Line of Effort 2: Prevention.** The IRC, via the LOE 2 Working Group, will conduct a comprehensive assessment of ongoing prevention efforts to determine where gaps may exist and where additional resources may be needed. ***Within 90 days from initial meeting, the IRC will provide recommendations to mitigate any gaps found in our prevention efforts and ensure the Military Departments, Services, and National Guard Bureau account for their implementation of policies and programs designed to prevent sexual assault and associated risk factors.*** The recommendations provided should achieve an enduring, Department-wide prevention infrastructure in which leaders are equipped with the data, people, resources, policy, and tools that the Military Departments and Services need to stop sexual assault and other readiness-detracting behaviors before they occur.
- **Line of Effort 3: Climate and Culture.** The IRC, via the LOE 3 Working Group, will review evidence-based approaches to improve climate to ensure that all Service members are able to serve with dignity and respect, and that all victims feel safe to report without fear of reprisal from leadership or peers. ***Within 60 days from initial meeting, the IRC shall provide recommendations to ensure all military members have the skills, tools, and necessary data to promote climates of dignity, respect, and inclusion.*** While I recognize the climate assessment responsibilities of command, recommendations must inform and enable all members to detect and address those behaviors that can give rise to sexual assault, such as sexual harassment, hazing, bullying, and gender discrimination.

Additional LOEs and accompanying Working Groups may be added at the discretion of the IRC Lead.

My Point of Contact for these efforts is Dr. Elizabeth Van Winkle [REDACTED]  
[REDACTED]

Our people and our readiness are inextricably linked. Each member of the Total Force must commit themselves to support this cause. Even the best policies and programs will not be effective when members of our military do not uphold our values and expectations. We must, and will, do better.

