

Charter for
90 Day Independent Review Commission
on Sexual Assault in the Military

A. Official Designation: This effort shall be known as the *90 Day Independent Review Commission (IRC) on Sexual Assault in the Military*.

B. Mission: The mission of the IRC, and associated Line of Effort (LOE) Working Groups, is to report to the Secretary of Defense and the President of the United States with recommendations on how to advance efforts to counter military sexual assault and harassment in the areas of: accountability; prevention; climate and culture; and victim care and support. The IRC shall ensure the LOE Working Groups receive vital individual input from key stakeholders, both inside and outside of the Department, in order to appropriately inform recommendations. The IRC and its LOE Working Groups shall provide their objective and independent analysis and recommendations without interference or fear of reprisal or other adverse action by any person or entity external to them.

C. Scope and Focus of Activities: The IRC, and associated LOE Working Groups, will do the following:

- Evaluate military policies, programs, and processes
- Review and assess best-practices of industry, academia, and other external organizations
- Review previous DoD and external efforts (e.g., studies, assessments, reports), including prior recommendations from key stakeholders
- Generate recommended policy changes and propose actions to improve prevention and response efforts on sexual assault, harassment, and other readiness-detracting behaviors

The IRC will provide actionable recommendations on the following focus areas:

- LOE 1 - Accountability: Assess the role of the Uniform Code of Military Justice in addressing the prevalence of sexual assault and harassment, survivor likelihood of reporting, and ability to appropriately bring alleged perpetrators to justice. The review will include a prioritized assessment of the feasibility, opportunities, and risks from changes to the commander's role in military justice.
- LOE 2 – Prevention: Conduct a comprehensive assessment of ongoing prevention efforts to determine where gaps may exist and where additional resources may be needed. 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.
- LOE 3 – Climate and Culture: Review implementation of existing support policies and resources; and identify and propose evidence-based approaches to improve climate and culture to ensure that all Service members feel safe, empowered to use available support services, are able to report without fear of reprisal from leadership or peers, and are able to serve with dignity and respect.



- LOE 4 – Victim Care and Support: Conduct a review of clinical and non-clinical victim services to ensure they are comprehensive, evidence-based, and available to all victims regardless of reporting status. The recommendations should include both mental and physical health care that is trauma-informed and victim-centered.

D. Deliverables: Each IRC LOE Working Group will provide periodic updates on interim findings, and a final report of recommendations, to the IRC. A final, consolidated report will be subsequently briefed to the Workforce Management Group (described in Section F below), provided to the Secretary of Defense and the President of the United States, and upon approval, publicly released. Timelines for reports and briefings are provided in Section F below.

The IRC's success will be defined by:

- Actionable improvements to policies, programs, and processes
- Recommendations to the Secretary of Defense and the President of the United States regarding policies, statutes, and resources to combat sexual assault and other readiness-detracting behaviors

E. Governance and Management: The IRC will be chaired by Ms. Lynn Rosenthal and led by a group of HQEs in order to ensure that independent, impartial experts can assess the totality of the Department's efforts. The IRC will include the full-time Highly Qualified Experts (HQE) from each LOE, an Advisory Support Team to include the Military Departments and Services, and other relevant internal stakeholders and subject matter experts. The deliberative body of the IRC, however, will be limited to the impartial HQEs along with the Deputy Secretary of Defense.

Final recommendations across all lines of efforts will be made to the Secretary of Defense and the President of the United States within 90 days of the first meeting.

The IRC's four LOE Working Groups will be led by full-time HQEs and informed by a broad range of stakeholders and subject matter experts providing individual advice and recommendations, as well as previous studies and recommendations, including recent recommendations by Members of Congress and reviews at Defense installations such as Fort Hood. As applicable, the working groups will receive individual briefings from internal and external stakeholders, including military survivors of sexual assault and harassment, prevention and response practitioners, and outside experts.

All media activities—including but not limited to off-the-record, on-the-record, taped, and/or televised interviews—will be coordinated through the Assistant to the Secretary of Defense for Public Affairs. DoD will not in any way direct or shape the views expressed by the IRC or Working Group members during such media activities.

IRC Chair Rosenthal will facilitate IRC updates for external stakeholders and media, after the updates are routed to the President and Secretary of Defense.

F. Membership and Activities: Members of the IRC and LOE Working Groups will consist of impartial HQEs as well as internal stakeholders and subject-matter-experts, who are full-time, or permanent part-time, Federal officers or employees, or active duty members of the Armed Forces.

The IRC will brief the findings and final recommendations to the forthcoming Workforce Management Group (WVG), as the internal DoD entity ultimately responsible for implementation of IRC recommendations.

H. Congressional Engagement: Upon request, the IRC may engage with Members of Congress and the Committees on Armed Services to inform them of the IRC's progress and to provide an opportunity for the IRC to receive input. The IRC may, upon request, brief the findings and final recommendations to Members of Congress and the Committees on Armed Services once the report is approved by the Secretary of Defense and the President of the United States.

I. Specific activities and timelines include:

Line of Effort 1 – Accountability Working Group. The Accountability Report recommendations will be briefed to the full IRC, to include the IRC Advisory Support Team, no later than (NLT) 21 days after the initial kick off meeting, with the final report delivered to the Secretary of Defense and the President of the United States within 45 days after initial kick off meeting.

Line of Effort 2 – Prevention Working Group. The Prevention Report recommendations will be briefed to the full IRC, to include the IRC Advisory Support Team, NLT 45 days after the initial kick off meeting with the final report delivered to the Secretary of Defense and the President of the United States within 90 days after initial kick off meeting.

Line of Effort 3 – Climate and Culture. The Climate and Culture recommendations will be briefed to the full IRC, to include the IRC Advisory Support team, NLT 30 days after the initial kick off meeting with the final report delivered to the Secretary of Defense and the President of the United States within 60 days after initial kick off meeting.

Line of Effort 4 – Victim Care and Support. The Victim Care and Support recommendations will be briefed to the full IRC, to include the IRC Advisory Support team, NLT 45 days after the initial kick off meeting with the final report delivered to the Secretary of Defense and the President of the United States within 90 days after initial kick off meeting.

J. Designated personnel from the Office of the Under Secretary of Defense for Personnel and Readiness (USD(P&R)) and the Military Departments will provide administrative and logistical support, as well as the requisite expertise, to the IRC and the four LOE working groups, including: scheduling, note taking, summary reports, interim report development, briefings, final report development, and designated subject-matter experts. USD(P&R) will coordinate the administrative and logistical support.

K. Timelines: The IRC will convene no later than 22 March. The IRC and LOE working group meetings will be scheduled until completion of the mission and as necessary. Tentative timelines are as follows:

(TEN) 22 Mar 21 IRC Meeting: Kickoff

- 12 April 21 *LOE 1 Accountability Report briefed to IRC and IRC Advisory Support Team*
- 21 April 21 *LOE 3 Climate and Culture Report briefed to IRC and IRC Advisory Support Team*
- 6 May 21 **LOE 1 Accountability Report Routed to Secretary of Defense and the President of the United States**
- 17 May 21 *LOE 2 Prevention, and LOE 4 Victim Care and Support, briefed to IRC and IRC Advisory Support Team*
- 21 May 21 **LOE 3 Climate and Culture Report Routed to Secretary of Defense and the President of the United States**
- 21 June 21 **IRC Submits Final Report and Recommendations to the President of the United States (includes LOE 2 Prevention and LOE 4 Victim Care and Support Reports).**

The IRC and the IRC Advisory Support team will meet approximately bi-weekly, and the LOE working groups will meet as often as required to support the full activities of the IRC. Special meetings may be called as necessary.

H. Duration: This charter is effective upon signature.

I. Termination Date: 30 June, 2021 or as determined by the SECDEF.

J. Charter Modification: The SECDEF reserves the authority to modify this charter.

L. Approval: **MAR 05 2021**
 Date: _____

