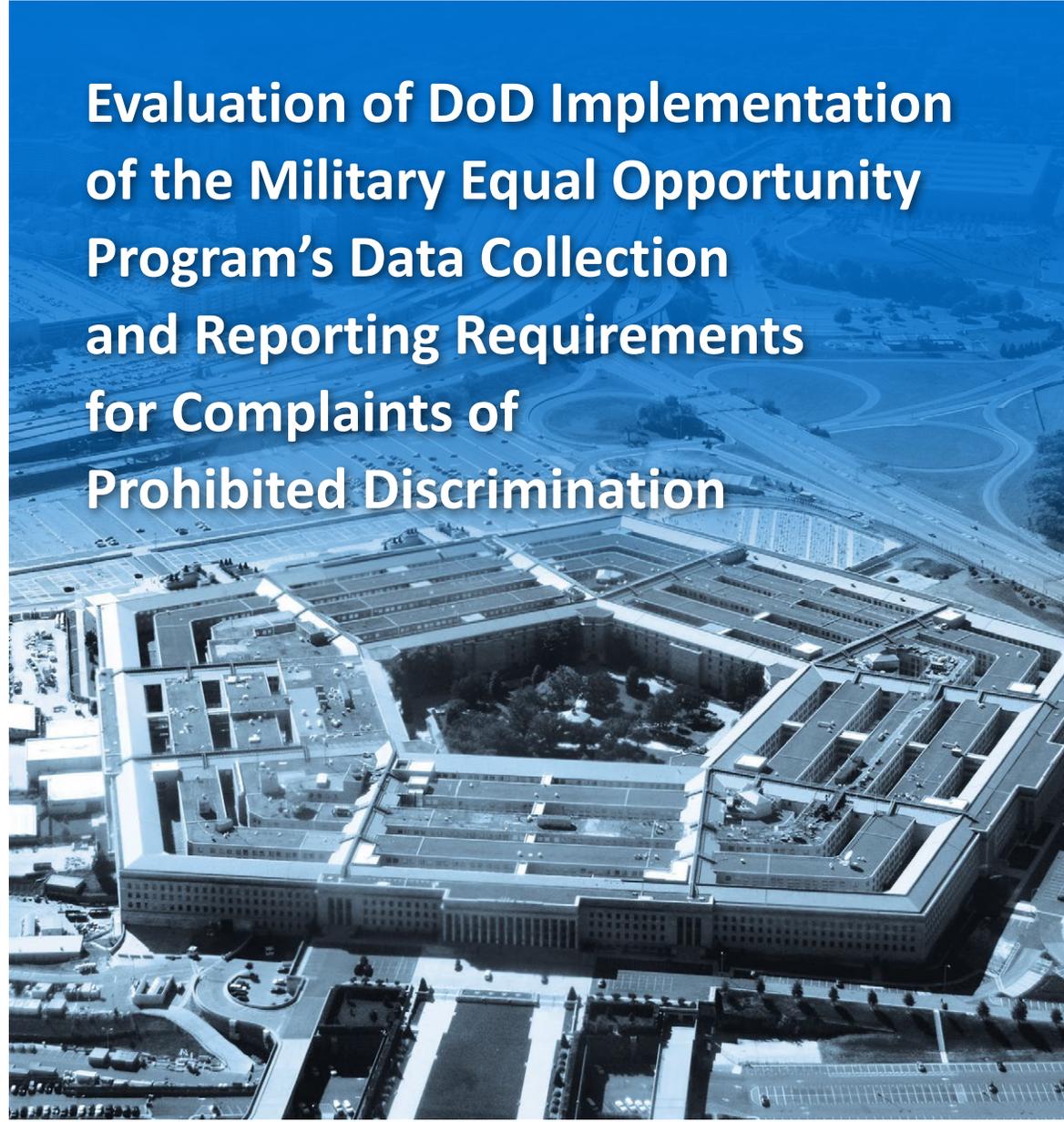


INSPECTOR GENERAL

U.S. Department of Defense

MAY 18, 2023



Evaluation of DoD Implementation of the Military Equal Opportunity Program's Data Collection and Reporting Requirements for Complaints of Prohibited Discrimination

INTEGRITY ★ INDEPENDENCE ★ EXCELLENCE





Results in Brief

Evaluation of DoD Implementation of the Military Equal Opportunity Program's Data Collection and Reporting Requirements for Complaints of Prohibited Discrimination

May 18, 2023

Objective

The objective of this evaluation was to determine the extent to which the DoD implemented the Military Equal Opportunity (MEO) Program's data collection and reporting requirements for complaints of prohibited discrimination, in accordance with DoD Instruction (DoDI) 1350.02, "DoD Military Equal Opportunity Program," September 4, 2020.

Background

The DoDI establishes policy, assigns responsibilities, and outlines procedures for the DoD MEO Program. The MEO Program ensures that Service members are afforded equal opportunity in an environment free from prohibited discrimination on the basis of race, color, national origin, religion, sex (including pregnancy), gender identity, or sexual orientation. The DoDI requires the Military Services and the Office for Diversity, Equity, and Inclusion (ODEI) to collect MEO complaints data and issue an annual report, respectively.

Finding

The ODEI and the Military Services collected FY 2021 MEO complaint data. However, they did not fully implement the data collection and reporting requirements for MEO complaints in accordance with the DoDI. The ODEI and the Military Services did not use an approved, automated database for FY 2021. The ODEI MEO Policy Director stated that the ODEI delayed the development of a DoD-approved automated database due to staffing shortages and turnover.

Finding (cont'd)

The FY 2021 MEO complaints data included errors that the ODEI and the Military Services did not identify or resolve because they performed ineffective quality reviews and the data collection template lacked controls and clear instructions. In addition, the ODEI and the Military Services did not collect or report all required data because the DoDI lacks clear terminology and the data collection template omitted required data categories.

As of November 2022, the ODEI had not issued the required annual report on FY 2021 MEO complaints data. The ODEI MEO Policy Director stated that the report delay occurred because the Military Services requested additional time to submit data, ODEI officials prioritized reports with mandated due dates, and a key ODEI contractor responsible for the report resigned.

As a result of not fully implementing DoDI requirements, the DoD has an increased risk of not having all information needed to properly identify MEO barriers, which may affect the DoD's efforts to improve policies and procedures for preventing MEO prohibited discrimination. Without enterprise-wide standardized and automated data collection, DoD decision makers may not be able to measure progress and take actions to remove MEO barriers. This, in turn, may hinder the components' ability to maintain a data-driven culture and safe workplace.

Recommendations

We made 12 recommendations, including that DoD officials implement a DoD-wide automated database for collecting and reporting MEO complaints; ensure that data collection templates include required data categories and controls and instructions that minimize errors; develop and implement written guidance for effective quality reviews of MEO complaints data; correct the FY 2021 MEO complaints data; assess whether the ODEI has sufficient resources to fulfill its responsibilities; and update the DoDI to clarify terminology and identify dates for collecting and annually reporting MEO complaints.



Results in Brief

Evaluation of DoD Implementation of the Military Equal Opportunity Program's Data Collection and Reporting Requirements for Complaints of Prohibited Discrimination

Management Comments and Our Response

The Under Secretary of Defense for Personnel and Readiness, ODEI Director, Secretary of the Navy, and Secretary of the Air Force agreed with our recommendations and proposed corrective actions to address the recommendations. Therefore, these recommendations are resolved but will remain open until these organizations provide documentation that they implemented all corrective actions.

The Secretary of the Army did not provide Management Comments. Therefore, we consider this recommendation unresolved and open. As a result, we request comments to the final report within 30 days.

Recommendations Table

Management	Recommendations Unresolved	Recommendations Resolved	Recommendations Closed
Under Secretary of Defense for Personnel and Readiness		2.a, 2.b, 2.c, 2.d	
Director of the DoD Office of Diversity, Equity, and Inclusion		1.a, 1.b, 1.c, 1.d, 1.e	
Secretary of the Army	3		
Secretary of the Navy		3	
Secretary of the Air Force		3	

Please provide Management Comments by June 12, 2023.

Note: The following categories are used to describe agency management’s comments to individual recommendations.

- **Unresolved** – Management has not agreed to implement the recommendation or has not proposed actions that will address the recommendation.
- **Resolved** – Management agreed to implement the recommendation or has proposed actions that will address the underlying finding that generated the recommendation.
- **Closed** – DoD OIG verified that the agreed upon corrective actions were implemented.





**INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
4800 MARK CENTER DRIVE
ALEXANDRIA, VIRGINIA 22350-1500**

May 18, 2023

**MEMORANDUM FOR UNDER SECRETARY OF DEFENSE FOR PERSONNEL
AND READINESS**

**AUDITOR GENERAL, DEPARTMENT OF THE ARMY
AUDITOR GENERAL, DEPARTMENT OF THE NAVY
AUDITOR GENERAL, DEPARTMENT OF THE AIR FORCE**

SUBJECT: Evaluation of DoD Implementation of the Military Equal Opportunity Program's Data Collection and Reporting Requirements for Complaints of Prohibited Discrimination (Report No. DODIG-2023-073)

This final report provides the results of the DoD Office of Inspector General's evaluation. We previously provided copies of the draft report and requested written comments on the recommendations. We considered management's comments on the draft report when preparing the final report. These comments are included in the report.

This report contains resolved and unresolved recommendations. We consider recommendations 1, 2, and part of 3 resolved because officials for the Office of the Under Secretary of Defense for Personnel and Readiness, Office for Diversity, Equity, and Inclusion, the Department of the Navy, and the Department of the Air Force agreed to address all the recommendations presented in the report to them; therefore, the recommendations are resolved and open. As described in the Recommendations, Management Comments, and Our Response section of this report, we will close the recommendations when you provide us documentation showing that all agreed-upon actions to implement the recommendations are completed. Therefore, please provide us within 90 days your response concerning specific actions in process or completed on the recommendations. Send your response to either followup@dodig.mil if unclassified or rfunet@dodig.smil.mil if classified SECRET.

The report also contains an unresolved recommendation because officials for the Department of the Army did not provide a response to recommendation 3 of the report. Therefore, as discussed in the Recommendations, Management Comments, and Our Response section of this report, the recommendation remains unresolved and open. We will track this recommendation until an agreement is reached on the actions that you will take to address the recommendations, and you have submitted documentation showing that all agreed-upon actions are completed. DoD Instruction 7650.03 requires that recommendations be resolved promptly. Therefore, please provide us within 30 days your response concerning specific actions in process or alternative corrective actions proposed on the recommendations. Send your response to evaluations_component@dodig.mil.

We appreciate the cooperation and assistance received during the evaluation. If you have any questions, please contact [REDACTED].

FOR THE INSPECTOR GENERAL:

A handwritten signature in black ink that reads "Andre M. Brown". The signature is written in a cursive style with a large initial 'A'.

Andre Brown
Acting Assistant Inspector General for Evaluations
Programs, Combatant Commands, and
Overseas Contingency Operations

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Introduction

Objective

The objective of this evaluation was to determine the extent to which the DoD implemented the Military Equal Opportunity (MEO) Program's data collection and reporting requirements for complaints of prohibited discrimination, in accordance with DoD Instruction (DoDI) 1350.02, "DoD Military Equal Opportunity Program," September 4, 2020.

Background

DoDI 1350.02 establishes policy, assigns responsibilities, and outlines procedures for the DoD MEO Program. Through the MEO Program, the DoD is required to ensure that Service members "are afforded equal opportunity in an environment free from prohibited discrimination on the basis of race, color, national origin, religion, sex (including pregnancy), gender identity, or sexual orientation."

Through the MEO Program, the DoD also processes, resolves, tracks, and reports complaints of prohibited discrimination (hereafter referred to as MEO complaints) submitted by Service members. DoDI 1350.02 requires the Military Services to collect data for 17 categories concerning every MEO complaint.¹ DoDI 1350.02 also requires the Office for Diversity, Equity, and Inclusion (ODEI) Director to issue an annual report to the Under Secretary of Defense for Personnel and Readiness (USD[P&R]) that aggregates and assesses MEO complaints data. Further, DoDI 1350.02 assigns the data collection and reporting responsibilities to the ODEI and the Military Services.²

The Office of the Under Secretary of Defense for Personnel and Readiness Oversees the MEO Program

The Secretary of Defense tasked the USD(P&R) with enhancing equal opportunity and readiness in the DoD through effective policy, guidance, and oversight. As a result, the Office of the USD(P&R) [OUSD(P&R)] oversees various programs and policies, including the MEO Program. According to DoDI 1350.02, the USD(P&R) is responsible for the approval of automated databases of MEO complaints.³

¹ See Appendix B for the list of 17 required data categories by DoDI 1350.02, section 10.1.

² DoDI 1350.02 assigns responsibilities to Military Departments; however, for the purposes of this report, we will use the term Military Services rather than Military Departments.

³ For the purposes of this report, the term "automated databases" is synonymous with "automated data collection interface systems," found in DoDI 1350.02, and with the term "case management system" that the ODEI staff used during our fieldwork.

The Office for Diversity, Equity, and Inclusion Collects and Reports on Military Services' MEO Complaints

The ODEI under the OUSD(P&R) is responsible for overseeing the development and establishment of policy and procedural guidance for the DoD's MEO, Equal Employment Opportunity and Civil Rights, Diversity and Inclusion, and Disability programs. According to DoDI 1350.02, the ODEI Director is responsible for collecting, assessing, and analyzing information and data on MEO complaints received from the Military Services, and for compiling annual reports based on this data. The ODEI Director assigned the tasks required by DoDI 1350.02 to the MEO Policy directorate within the ODEI.

The Military Services' Equal Opportunity Offices Collect and Report to the ODEI on MEO Complaints

DoDI 1350.02 requires the Military Services to establish their own MEO programs. Each Military Service has an office responsible for implementing the MEO program Service-wide. According to DoDI 1350.02, the Military Services must collect and maintain data for 17 categories concerning MEO complaints by their respective Service members. This data must be reported to the ODEI Director through a DoD-approved automated database (see Appendix B for required data categories).

Army

The Army's MEO directorate is responsible for the Army's MEO Program, including collecting and reporting MEO complaints data. During FY 2021, the policy applicable to the Army's MEO Program was Army Regulation 600-20.⁴ For FY 2021, the Army used a spreadsheet to collect MEO complaints data.

Navy

The Navy's 21st Century Sailor Office is responsible for the Navy's MEO program, including collecting MEO complaints data. During FY 2021, the policy applicable to the Navy's MEO Program was the Office of the Chief of Naval Operations Instruction 5354.1G.⁵ For FY 2021, the Navy used a spreadsheet to collect MEO complaints data.

Marine Corps

The Marine Corps' Opportunity, Diversity, and Inclusion Branch is responsible for the Marine Corps MEO Program, including collecting MEO complaints data. During FY 2021, the policy applicable to the Marine Corps' MEO Program

⁴ Army Regulation 600-20, "Army Command Policy," July 24, 2020.

⁵ Office of the Chief of Naval Operations Instruction 5354.1G, "Navy Equal Opportunity Program Manual," July 24, 2017.

was Marine Corps Order 5354.1E.⁶ The Marine Corps replaced Order 5354.1E with Order 5354.1F on April 20, 2021. For FY 2021, the Marine Corps used an automated database to collect MEO complaints data.⁷

Air Force

The Department of the Air Force Equal Opportunity Program is responsible for the Department of the Air Force's MEO Program, including collecting and reporting MEO complaints data. During FY 2021, the Department of the Air Force Equal Opportunity Program was responsible for MEO complaints data submitted by Air Force and Space Force Service members. During FY 2021, the policy applicable to the Department of the Air Force's MEO Program was Department of Air Force Instruction 36-2710.⁸ For FY 2021, the Department of the Air Force used an automated database to collect MEO complaints data.⁹ From here on in this report, we will refer to the Department of the Air Force as Air Force.

⁶ Marine Corps Order 5354.1E, "Marine Corps Prohibited Activities and Conduct Prevention and Response Policy," June 15, 2018.

⁷ The Discrimination and Sexual Harassment System is the Marine Corps Service-level data collection and tracking system for MEO complaints.

⁸ Department of Air Force Instruction 36-2710, "Equal Opportunity Program," published on June 18, 2020.

⁹ The Department of Air Force Equal Opportunity Information Technology System is the Department of Air Force's reporting and tracking system for MEO complaints data.

Finding

The ODEI and the Military Services Did Not Fully Implement the Data Collection and Reporting Requirements for MEO Complaints

The ODEI and the Military Services collected FY 2021 MEO complaints data; however, the ODEI and the Military Services did not fully implement the data collection and reporting requirements for MEO complaints in accordance with DoDI 1350.02. DoDI 1350.02 requires that the Military Services collect and report MEO complaint data to the ODEI Director through a DoD-approved automated database.

The ODEI and the Military Services did not use a USD(P&R)-approved automated database for collecting or reporting FY 2021 MEO complaints data as required by DoDI 1350.02. Instead, the Military Services used either a local database or a spreadsheet. To collect the MEO complaints data from the Military Services, the ODEI used a data collection template, a spreadsheet that it developed in coordination with the Military Services. The ODEI MEO Policy Director stated that the ODEI delayed the development of a DoD-approved automated database due to a staffing shortage and turnover.

The FY 2021 data contained errors in 1,718 of 1,880 (91 percent) MEO complaints that the ODEI and the Military Services did not identify or resolve. This occurred because the ODEI and the Military Services performed ineffective quality reviews over the data and the data collection template lacked controls and clear instructions. As a result, ODEI and the Military Services did not identify or resolve the errors.

In addition, the ODEI and the Military Services did not collect or report all required data in accordance with DoDI 1350.02. Furthermore, the Navy did not collect or report and the Marine Corps did not report informal MEO complaints in FY 2021. DoDI 1350.02 requires that the ODEI and the Military Services collect and report data for 17 categories related to informal, formal, and anonymous MEO complaints. The ODEI and the Military Services did not collect or report all MEO complaints because DoDI 1350.02 lacks clear terminology, and the data collection template omitted required data categories.

Finally, as of November 2022, the ODEI had not issued a consolidated annual report on the FY 2021 MEO complaints data to the USD(P&R) as required by DoDI 1350.02. The ODEI MEO Policy Director stated that the report delay

occurred because the Military Services requested additional time to submit their data, ODEI staff and reviewers prioritized reports with mandated due dates, and the key ODEI contractor responsible for developing the FY 2021 report of MEO complaints resigned. Although DoDI 1350.02 requires an annual report, it did not establish a date by which the ODEI must issue the MEO complaints report.

As a result of not fully implementing DoDI 1350.02 requirements, the DoD has an increased risk of not having all information needed to properly identify MEO barriers. This may affect the DoD's efforts to improve policies and procedures for preventing MEO prohibited discrimination. It may also result in the DoD's inability to provide Service members an environment free of MEO prohibited discrimination. Without enterprise-wide, standardized and automated data collection by the ODEI and the Military Services, DoD decision makers may not be able to measure progress and take actions to remove MEO barriers. In turn, this may hinder the components' ability to maintain a data-driven culture and safe workplace as required by the DoD's Diversity, Equity, Inclusion, and Accessibility Strategic Plan.¹⁰

The ODEI and the Military Services Collected FY 2021 MEO Complaints Data

The ODEI and the Military Services collected FY 2021 MEO complaints data as required by DoDI 1350.02. However, the ODEI and the Military Services did not use a USD(P&R)-approved automated database to collect and report MEO complaints. The Military Services used either a local database or a spreadsheet to collect MEO complaints data throughout FY 2021. The ODEI collected FY 2021 MEO complaints data from the Military Services through a data collection template, a spreadsheet that it developed in coordination with the Military Services.

On October 20, 2021, the ODEI Director issued a data call memorandum requiring the Military Services to submit FY 2021 MEO complaints data by April 15, 2022, by completing the data collection template attached to the memorandum.¹¹ The data collection template included 68 required data fields for the Military Services to complete (see Appendix C).

The Military Services used the FY 2021 MEO complaints data, collected either in their local database or spreadsheet, to complete the ODEI's data collection template. According to all of the Military Services representatives we interviewed, they conducted quality reviews of the FY 2021 MEO complaints data before providing the data to the ODEI. By May 3, 2022, the Military Services provided their FY 2021 MEO complaint data to the ODEI using the data collection template.

¹⁰ Department of Defense, "Department of Defense Diversity, Equity, Inclusion, and Accessibility Strategic Plan for Fiscal Years 2022 – 2023," September 30, 2022.

¹¹ Office of USD(P&R), ODEI, "Fiscal Year 2021 Military Equal Opportunity Data Call," October 20, 2021.

Upon receipt of the data from the Military Services, the ODEI staff conducted quality reviews of the data to identify errors and missing data. The ODEI staff made revisions to the data and communicated errors or missing data they considered significant to the Military Services. Finally, after the revisions, the ODEI staff compiled the FY 2021 MEO complaints data into one file and then uploaded the data into Advana for analysis.¹² As of July 20, 2022, the ODEI staff were drafting the FY 2021 annual report of MEO complaints using the data uploaded to Advana. However, the ODEI Director had not yet issued the report.

The ODEI and the Military Services Did Not Fully Implement the DoDI 1350.02 Requirements for Data Collection and Reporting of MEO Complaints

Although the ODEI and the Military Services collected FY 2021 MEO complaints data, they did not fully implement the data collection and reporting requirements in accordance with DoDI 1350.02. Specifically, the ODEI:

- and Military Services did not use a USD(P&R)-approved automated database for collecting or reporting FY 2021 MEO complaints data as required by DoDI 1350.02.
- and Military Services did not identify or resolve all errors in the FY 2021 MEO complaints data.
- and Military Services did not collect or report required MEO complaints data.
- did not issue the FY 2021 annual report of MEO complaints to the USD(P&R).

The ODEI and Military Services Did Not Use a USD(P&R)-Approved Automated Database for Collecting or Reporting FY 2021 MEO Complaints Data

We concluded that the ODEI and Military Services did not use a USD(P&R)-approved automated database for collecting or reporting FY 2021 MEO complaints data as required by DoDI 1350.02.

DoDI 1350.02 requires the USD(P&R) to approve automated databases for MEO complaints. However, while collecting the FY 2021 MEO complaints data:

- the ODEI did not have an automated database that the Military Services could use and the USD(P&R) could approve;

¹² Advana is the DoD's platform for advanced analytics. The ODEI staff used Advana to store FY 2021 consolidated data of MEO complaints.

- the Marine Corps and Air Force used their own local automated databases implemented before the publication of DoDI 1350.02 but were not approved by the USD(P&R); and
- the Army and the Navy did not have an automated database and instead used spreadsheets for data collection.

In addition, DoDI 1350.02 requires the Military Services to report their MEO complaint data to the ODEI through a DoD-approved automated database. However, neither the ODEI nor the Military Services had an USD(P&R)-approved automated database for reporting FY 2021 MEO complaints data. Instead, the ODEI required all Military Services to use the data collection template it had developed in coordination with the Military Services for reporting the FY 2021 MEO complaints data. DoDI 1350.02 does not assign responsibilities for developing or acquiring a DoD-wide automated database to collect and report MEO complaints. However, our understanding of DoDI 1350.02 places the responsibility on the ODEI to initiate such a process, because it is responsible for collecting, analyzing, and reporting MEO complaints data.

Staffing Shortages and Turnover Delayed Development of the DoD-Wide Automated Database

According to the ODEI MEO Policy Director, the ODEI delayed the development of a DoD-wide automated database for MEO complaints due to staffing shortages and turnover within the MEO Policy directorate. The ODEI MEO Policy Director also stated that the staffing shortages and turnover hindered the ODEI staff's ability to focus on and advocate for the development of a DoD-wide automated database.

We concluded that since the issuance of DoDI 1350.02, the related workload of the MEO Policy directorate increased without the assignment of additional personnel proportionate to the workload. At the time of the ODEI's FY 2021 MEO data call in October 2021, the MEO Policy Director and three staff members performed the assignments for the MEO Policy directorate. Turnover among the staff during FY 2022 resulted in a shift in the ODEI's priorities and a delay in developing a DoD-wide automated database. As of September 2022, the ODEI filled the vacancies and hired an additional staff member, increasing the number of staff supporting the MEO Policy directorate to five.

Afterward, the ODEI received authority to hire five additional staff members to support the MEO Policy directorate. As a result, the staff that will support MEO Policy directorate increased from 5 to 10. According to the ODEI MEO Policy Director, it is too early to assess whether the newly increased staffing numbers will suffice in the long term and enable the ODEI to continue fulfilling the responsibilities of the MEO Policy directorate.

The ODEI Began to Develop a Strategy for a DoD-Wide Database

According to the ODEI Director, in July 2022 the ODEI received out-of-cycle funds to conduct an analysis of alternatives for the acquisition of a DoD-wide automated database that the Military Services can use to collect and report military and civilian equal opportunity complaint data. In August 2022, the ODEI issued a task order for a contractor to conduct the analysis of alternatives. The ODEI Director stated that the ODEI plans to request funding to award a contract for the DoD-wide automated database in FY 2025. The ODEI MEO Policy Director also stated that the Military Services are aware of the ODEI’s actions to have a centralized, DoD-funded database.

The ODEI and the Military Services Did Not Identify or Resolve All Errors in the FY 2021 MEO Complaints Data

We concluded that the FY 2021 MEO complaints data included errors that the ODEI and the Military Services did not identify or resolve. We considered a field within the FY 2021 MEO complaints data in error when:

- the field did not comply with the data collection template instructions or DoDI 1350.02, or
- we determined that the field was inconsistent with other related fields in the complaints data.¹³

We concluded errors in 1,718 of the 1,880 (91 percent) FY 2021 MEO complaints.¹⁴ Table 1 summarizes the total number of MEO complaints, and the number of MEO complaints with one or more errors, by Military Service.

Table 1. Total Number of FY 2021 MEO Complaints and Number of MEO Complaints with One or More Errors, by Military Service

FY 2021 MEO Complaints	Army	Navy	Marine Corps	Air Force	Total
Total number	945	194	148	593	1,880
Number with one or more errors	860	154	148	556	1,718
Percentage with errors	91	79	100	94	91

Source: The DoD OIG.

¹³ We did not evaluate the accuracy of the FY 2021 MEO complaints data in the data collection template, nor did we evaluate any supporting documentation retained by the Military Services in handling the FY 2021 MEO complaints.

¹⁴ The DoDI 1350.02 does not specifically address how a MEO complaint involving instances with multiple complainants or multiple alleged offenders should be counted. When compiling FY 2021 MEO complaints data into one file, the ODEI staff revised the Military Services data to account for MEO complaints involving instances with multiple complainants or multiple alleged offenders as a separate complaint (row). As a result, within the FY 2021 MEO complaints data provided by ODEI, we counted each row as an MEO complaint totaling to 1,880.

We identified 11 types of errors with the FY 2021 MEO complaints data, including:

- missing required data (blank cells),
- missing the basis of the complaint,
- inconsistent demographic data, and
- incorrect inclusion of complaints by individuals other than Service members.

Appendix D identifies all of the errors we found.

Of the 1,880 MEO complaints, 1,597 complaints did not include required data (blank cells) in one or more data fields and the ODEI and Military Services officials did not identify or resolve the errors. The FY 2021 data call memorandum required the Military Services to complete all fields in the data collection template. In addition, the instructions within the data collection template required the Military Services to select from the options included in the list of values for 55 of the 68 fields (see Appendix C for fields with a list of values). We identified missing required data for various fields such as whether a retaliation complaint was filed, grade of the investigator and adjudicator, military rank of the alleged offender and complainant, and dates. For example, we identified one MEO complaint missing required data for 13 fields, including 9 fields with a list of values. Appendix E identifies the data fields in the data collection template for which at least 50 MEO complaints were missing the required data.

Of the 1,880 MEO complaints, 36 complaints did not include the basis of the complaint and the ODEI and the Military Services officials did not identify or resolve the errors. DoDI 1350.02 requires that each MEO complaint include the basis of the complaint.¹⁵ The data collection template included eight fields to identify the basis of the complaint (see rows 19 to 26 in Appendix C for data collection template fields).

Of the 1,880 MEO complaints, 156 complaints contained inconsistent demographic information on the complainant and the ODEI and the Military Services officials did not identify or resolve the errors. DoDI 1350.02 requires each MEO complaint to include demographic data such as race, ethnicity, gender, and pay grade, for every complainant. The data collection template included six fields to identify the complainant demographic data (see rows 3 to 8 in Appendix C). We identified that the same complainants submitted multiple MEO complaints. However, the information in the six fields that identify the complainants' demographic data did not match for complaints from the same complainant.

¹⁵ DoDI 1350.02 identifies eight types of prohibited discrimination that are based on race, color, national origin, religion, sex, pregnancy, sexual orientation, or gender identity.

Of the 1,880 MEO complaints, 140 complaints were submitted by an individual other than a Service member and the ODEI and the Military Services officials did not identify or resolve the errors. DoDI 1350.02 defines an MEO complaint as an allegation or report submitted by a Service member. The data collection template required the Military Services to identify the complainant employee type. We identified that the list of values for employee type fields includes civilian, contractor, and unknown as an option. We also found that some, but not all, Military Services included civilian complaints as part of MEO complaints. The Military Services should not have included these 140 complaints in the MEO complaints data because the complaints were submitted by an individual other than a Service member.¹⁶

Lack of Controls, Unclear Instructions, and Ineffective Quality Reviews Prevented the DoD from Identifying or Resolving Data Errors

The ODEI and Military Services did not identify or resolve all errors in the FY 2021 MEO complaints data (see Appendix D) because they performed ineffective quality reviews and the data collection template lacked controls and clear instructions.

Officials from the Military Services stated that they performed quality reviews of the FY 2021 MEO complaints data before providing the data to the ODEI. For example, officials from the Air Force Equal Opportunity Program stated that Air Force personnel from two different organizations performed quality reviews of the Air Force FY 2021 MEO complaints data. The Air Force's MEO policy does not include guidance on how to conduct quality reviews for MEO complaints data. However, one Air Force organization performed weekly quality reviews to identify missing information. The other organization performed quarterly and yearly quality reviews to ensure that there were no missing required data and that the information was correct before submitting the data to the ODEI. However, the quality reviews conducted by the Military Services were ineffective and did not identify or resolve all missing required data (blank cells) and errors in the FY 2021 MEO complaints.

The ODEI staff also conducted quality reviews of the FY 2021 MEO complaints data received from each of the Military Services. DoDI 1350.02 does not include guidance for conducting quality reviews. The ODEI staff conducted quality reviews to identify potential errors in the data, including verifying consistency of the complainant demographic data. The ODEI staff contacted the Military Services to

¹⁶ Equal employment opportunity complaints filed by DoD civilians fall under DoD Directive 1440.1, "DoD Civilian Equal Employment Opportunity (EEO) Program," May 21, 1987 (Incorporating Through Change 3, April 17, 1992; Certified Current as of November 21, 2003).

request they correct errors identified during the ODEI's quality reviews. However, we concluded that the ODEI staff did not communicate all the errors identified to the Military Services because the ODEI staff did not consider all errors substantial. In addition, we concluded that the quality reviews performed by the ODEI staff are not set up to identify all missing required data (blank cells) as an error. As a result, the quality reviews performed by the ODEI and the Military Services were ineffective to detect and resolve the errors we found in 1,718 of the FY 2021 MEO complaints.

The data collection template lacked controls to prevent missing required data (blank cells) and lacked clear instructions to prevent errors. The ODEI MEO Policy Director stated that generally every field should have a response even if that response is unknown or not applicable. However, the ODEI did not include controls within the data collection template to prevent Military Services from leaving blank cells. Furthermore, the data collection template did not provide clear instructions or examples to ensure that the Military Services, which follow different Service-level practices, consistently reported MEO complaints data. As a result, the Military Services submitted reports to the ODEI that contained missing required data (blank cells) and included errors in one or more data fields of the MEO complaints.

The ODEI and Military Services Did Not Collect or Report Required MEO Complaints Data

The ODEI and Military Services did not collect or report all of the MEO complaint data required by DoDI 1350.02. For example, the ODEI did not include 6 of the 17 required data categories (see Appendix B) in the FY 2021 data collection template (see Appendix C). The ODEI required the Military Services to provide MEO complaints data using the template. As a result, the ODEI did not collect the data for the six required categories. Specifically, the FY 2021 data collection template did not include a field to collect all or an element of the following data categories:

- number of MEO complaints received,
- narrative description of the alleged incidents,
- date of the final disposition for MEO complaints,
- identification of the MEO complaints resolved through conflict resolution or dispute resolution,
- by whom the allegation was investigated, and
- by whom the allegation was adjudicated.

Furthermore, the Navy did not collect or report and the Marine Corps did not report informal MEO complaints in FY 2021 as required by DoDI 1350.02. DoDI 1350.02 requires that the Military Services collect data on informal, formal, and anonymous MEO complaints and report this data annually to the ODEI. The Navy's Deputy Director for Readiness and Transition stated that the Navy did not collect information for informal complaints because it was not a requirement according to the Navy's internal policy applicable during FY 2021. The Marine Corps MEO data analyst stated that the Marine Corps collected data for informal MEO complaints but did not report the data to the ODEI. The Marine Corps did not report informal complaints because, based on the Marine Corps definition for an informal complaint, they did not require reporting to the ODEI.

Lack of Clear Terminology and an Incomplete Data Collection Template Prevented the DoD from Obtaining All Data

The ODEI and Military Services did not collect all of the required FY 2021 MEO complaints data because DoDI 1350.02 lacks clear terminology and the ODEI's data collection template omitted data categories required by DoDI 1350.02.

The ODEI did not collect data from the Military Services for 6 of the 17 categories required by DoDI 1350.02 because ODEI officials did not include all the corresponding data fields in the FY 2021 MEO data collection template. The data collection template did not include a field for the Military Services to collect data for the number of MEO complaints received category because the ODEI totaled these data for the Military Services. For the narrative description of the alleged incident category, the data collection template did not include a field to capture this data because according to the ODEI MEO Policy Director a narrative column would not add value, and would be cumbersome for the Military Services to complete.¹⁷ The ODEI plans to collect the narrative description when the DoD-wide automated database is implemented. The ODEI MEO Policy Director could not clarify the reasons why the remaining two data fields (date of the final disposition and identification of the MEO complaints resolved through conflict resolution or dispute resolution) were missing, partially due to lack of continuity among the staff who developed the data call template.¹⁸ However, the MEO Policy Director stated that the ODEI will include these fields in the future data call templates. Finally, other

¹⁷ A narrative description of the alleged incident, including the use of social media, is required by DoDI 1350.02, section 10.1.j. The data collection template includes a field for the use of social media, but not for a narrative description. See Appendix C, row 38.

¹⁸ The date of final disposition is required by DoDI 1350.02, section 10.1.o, as an element of the timeline of events. The data collection template includes five fields related to the timeline, but not for the date of final disposition. See Appendix C, rows 48 to 52.

than requiring the Military Services to report the pay grade of a person who adjudicated or investigated the MEO complaint, the data collection template did not collect data to identify the adjudicators and investigators.

DoDI 1350.02 lacks clear terminology to explain how an informal complaint is different from other complaint types. According to the ODEI meeting minutes from September 16, 2021, the Military Services asked ODEI officials for clarification on what is an informal complaint. According to the meeting minutes, the ODEI officials acknowledged that the DoDI 1350.02 definition of informal complaint is vague, and allowed the Military Services to follow past practices that did not require reporting of informal complaints. The ODEI MEO Policy Director stated that the ODEI is updating the definition of informal complaints and will issue a revised DoDI 1350.02 in December 2023.

We are not recommending that the ODEI include fields to total the number of MEO complaints received or include a narrative description of the alleged incidents in its data collection template. The ODEI's capability to total the number of MEO complaints for the Military Services satisfies the intent of the DoDI 1350.02 requirement. We agree with the ODEI that including narrative description in the data collection template would not add value to the reporting process and that the narrative description would be better incorporated into the DoD-wide automated database.

The ODEI Did Not Issue the FY 2021 Annual Report of MEO Complaints to the USD(P&R)

We concluded that the ODEI did not issue the FY 2021 annual report of MEO complaints to the USD(P&R). DoDI 1350.02 requires the ODEI Director to provide an annual report to the USD(P&R) incorporating data collected by the Military Services related to MEO complaints. The consolidated annual report should aggregate and assess the data provided by the Military Services, and make recommendations to strengthen MEO complaint prevention procedures, if appropriate. However, DoDI 1350.02 does not establish specific dates for collecting and reporting the annual consolidated report for MEO complaints data. As of November 2022, the ODEI had not issued the report to the USD(P&R). Issuance of the report in a timely manner is necessary for DoD decision makers to acquire information on DoD efforts to improve MEO prohibited discrimination prevention policies and procedures, and to take actions to strengthen the efforts.

Additional Data Collection Time, Conflicting Priorities, and Staff Turnover Delayed the ODEI's FY 2021 Report of MEO Complaints

According to the ODEI MEO Policy Director, the ODEI delayed providing the FY 2021 report of MEO complaints to the USD(P&R) for the following reasons:

- the Military Services requested additional time from the ODEI to submit their data;
- the ODEI, and its internal and external reviewers of the reports, prioritized reports with mandated due dates; and
- a key ODEI contractor developing the FY 2021 report of MEO complaints resigned.

In October 2021, according to relevant legal requirements and another DoD Instruction, the ODEI Director issued a FY 2021 data call requesting the Military Services report MEO data for sexual harassment complaints, harassment complaints, and prohibited discrimination complaints.¹⁹ According to the ODEI meeting minutes from September 16, 2021, the representatives from the Military Services requested additional time from the ODEI to report data on prohibited discrimination complaints. This was due to the limited number of staff working on data calls. Staggering the due dates would give the Military Services more time to gather data and route the data through their chain of command, before submitting the data to the ODEI. Based on coordination with the Military Services, the ODEI Director staggered the due dates and requested data on prohibited discrimination complaints after the other types of data.²⁰ As a result, the data on prohibited discrimination complaints was due April 15, 2022, six months after the ODEI's data call.

In May 2022, once the ODEI staff received MEO complaints data from the Military Services, the staff did not prioritize finalizing the annual report of MEO complaints due to the lack of a mandated reporting date in DoDI 1350.02. According to the ODEI MEO Policy Director, the ODEI's internal and external reviewers' prioritized review of harassment reports with due dates over the FY 2021 draft report of MEO complaints.

¹⁹ In addition to DoDI 1350.02, the data call memorandum referenced DoDI 1020.03, "Harassment Prevention and Response in the Armed Forces," issued February 8, 2018, updated December 29, 2020; section 579(b)(3) of the FY 2013 National Defense Authorization Act, section 537(a) of the FY 2018 National Defense Authorization Act; and section 596 of the draft FY 2022 National Defense Authorization Act.

²⁰ According to the ODEI's data call memorandum from October 20, 2021, the FY 2021 MEO data of sexual harassment complaints were due January 21, 2022, and data of harassment complaints were due March 4, 2022.

Finally, in August 2022, the ODEI contractor employee responsible for developing the FY 2021 report of MEO complaints resigned. The contractor employee's resignation further contributed to the delay of the FY 2021 report of MEO complaints as the ODEI needed to hire and train a new staff member to continue the report development.

Although the ODEI had not issued a final FY 2021 report of MEO complaints to the USD(P&R) as of November 2022, the ODEI MEO Policy Director stated that the office plans to issue the report in the second quarter of FY 2023.

The DoD Lacks Information on Equal Opportunity Barriers

As a result of not fully implementing DoDI 1350.02 requirements, the DoD has an increased risk of not having all information needed to properly identify MEO barriers. This may affect the DoD's efforts to improve policies and procedures for preventing MEO prohibited discrimination. It may also result in the DoD's inability to provide Service members an environment free of MEO prohibited discrimination. Without enterprise-wide standardized and automated data collection by the ODEI and Military Services, DoD decision makers may not be able to measure progress and take actions to remove MEO barriers. The lack of automated data collection methods may hinder DoD components' ability to maintain a data-driven culture and safe workplaces as required by the DoD's Diversity, Equity, Inclusion, and Accessibility Strategic Plan.

Recommendations, Management Comments, and Our Response

Recommendation 1

We recommend that the Director of the DoD Office for Diversity, Equity, and Inclusion:

- a. Acquire or develop, and implement, a DoD-wide automated database to collect and report military equal opportunity complaints.**
- b. Require that future data collection templates include the following data categories required by DoD Instruction 1350.02: date of the final disposition for military equal opportunity complaints, identification of the military equal opportunity complaints resolved through conflict resolution or dispute resolution, and identification of adjudicators and investigators of military equal opportunity complaints.**

- c. **In coordination with the Military Services' Equal Opportunity Offices, identify controls and clear instructions that minimize errors for the data collection template and then update and implement the template.**
- d. **Develop and implement written guidance requiring more effective quality reviews to improve the integrity of military equal opportunity complaints.**
- e. **Resolve the errors in the FY 2021 military equal opportunity complaints data (Appendix D) before issuing the FY 2021 annual report of military equal opportunity complaints to the Under Secretary of Defense for Personnel and Readiness.**

Director, Office of Diversity, Equity, and Inclusions Comments

The USD(P&R), responding for the ODEI Director, agreed and stated that the ODEI will conduct an analysis of alternatives to determine a feasible DoD-wide automated database. In addition, the ODEI will propose revisions to DoDI 1350.02 that will implement recommendations related to the data collection template, controls, clear instructions, and effective quality reviews. Finally, the ODEI will resolve errors found in the FY 2021 data by FY 2024.

Our Response

Comments from the USD(P&R) addressed all specifics of the recommendation. Therefore, the recommendation is resolved but remains open. We will close the recommendation once we verify that the ODEI has implemented the DoD-wide automated database, the ODEI submits documentation that FY 2021 data errors are resolved, and we verify the revisions to DoDI 1350.02.

Recommendation 2

We recommend that the Under Secretary of Defense for Personnel and Readiness:

- a. **Approve the DoD-wide automated database as required by DoD Instruction 1350.02 to collect and report military equal opportunity complaints.**
- b. **Conduct a review to determine whether the DoD Office for Diversity, Equity, and Inclusion has sufficient resources to fulfill its responsibilities under DoD Instruction 1350.02.**

- c. **In coordination with the DoD Office for Diversity, Equity, and Inclusion and the Military Services' Equal Opportunity Offices, conduct a review to identify terminology within DoD Instruction 1350.02 that needs clarification, including informal complaint and military equal opportunity complaint; and then update DoD Instruction 1350.02 accordingly.**
- d. **Update DoD Instruction 1350.02 with specific dates for collecting and annually reporting of military equal opportunity complaints data.**

Under Secretary of Defense for Personnel and Readiness Comments

The USD(P&R) agreed and stated that the OUSD(P&R) will work to obtain funding for a DoD-wide database and will require the ODEI to submit a study proposal to review the MEO workforce by 2025. In addition, the USD(P&R) will require the ODEI to propose revisions to DoDI 1350.02 that will clarify terminology and include a specific date for collecting MEO complaint data by 2025.

Our Response

Comments from the USD(P&R) addressed all specifics of the recommendation. Therefore, the recommendation is resolved but remains open. We will close the recommendation once the USD(P&R) submits documentation of the revised DoDI 1350.02 and of the approval for the DoD-wide automated database.

Recommendation 3

We recommend that the Secretaries of the Military Departments develop and implement written guidance requiring more effective quality reviews to improve the integrity of data of military equal opportunity complaints.

Secretary of the Army Comments Required for Final Report

The Secretary of the Army did not respond to Recommendation 3 in the report. Therefore, the recommendation is unresolved and open. We request that the Secretary of the Army provide comments on the final report within 30 days.

Secretary of the Navy Comments

The Principal Director of the Office of the Assistant Secretary of the Navy (Military Manpower and Personnel), responding for the Secretary of the Navy, agreed and stated the Navy will update the Secretary of the Navy Instruction 5351.16A by March 2024.

Our Response

Comments from the Principal Director addressed all specifics of the recommendation. Therefore, the recommendation is resolved but remains open. We will close the recommendation once the Navy submits documentation of the updated Secretary of the Navy Instruction 5351.16A.

Secretary of the Air Force Comments

The Assistant Secretary of the Air Force (Manpower and Reserve Affairs) agreed and stated that the Air Force will update the Department of the Air Force Instruction 36-2710 and publish operational procedures on conducting MEO data quality reviews by January 2024.

Our Response

Comments from the Assistant Secretary addressed all specifics of the recommendation. Therefore, the recommendation is resolved but remains open. We will close the recommendation once the Department of the Air Force submits documentation of the updated Department of the Air Force Instruction 36-2710 and the published operational procedures on conducting MEO data quality reviews.

Appendix A

Scope and Methodology

We conducted this evaluation from May 2022 through February 2023 in accordance with the “Quality Standards for Inspection and Evaluation,” published in December 2020 by the Council of the Inspectors General on Integrity and Efficiency. Those standards require that we adequately plan the evaluation to ensure that objectives are met and that we perform the evaluation to obtain sufficient, competent, and relevant evidence to support the findings, conclusions, and recommendations. We believe that the evidence obtained was sufficient, competent, and relevant to lead a reasonable person to sustain the findings, conclusions, and recommendations.

The objective of this evaluation was to determine the extent to which the DoD implemented the Military Equal Opportunity Program’s data collection and reporting requirements for MEO complaints, in accordance with DoD Instruction 1350.02, “DoD Military Equal Opportunity Program,” September 4, 2020.

During this evaluation, we obtained policies and guidance issued by the DoD and the Military Services for data collection and reporting requirement of MEO complaints. Then, we compared the policies and guidance to identify significant inconsistencies and insufficient guidance. Our evaluation included the following policies and guidance.

- DoDI 1350.02, “DoD Military Equal Opportunity Program,” September 4, 2022
- Army Regulation 600-20, “Army Command Policy,” July 24, 2020
- Office of the Chief of Naval Operations Instructions 5354.1G, “Navy Equal Opportunity Program Manual,” July 24, 2017, and 5354.1H, “Navy Harassment Prevention and Military Equal Opportunity Program Manual,” November 3, 2021
- Marine Corps Order 5354.1F, “Marine Corps Prohibited Activities and Conduct Prevention and Response Policy,” April 20, 2021
- Department of Air Force Instruction 36-2710, “Equal Opportunity Program,” June 18, 2020

In addition, we collected testimonial evidence to understand the data collection and reporting process, identify methods for collecting the data, identify any areas for improvement, and identify obstacles for annual data reporting. We obtained testimonial evidence from staff and contractors within the following DoD components.

- OUSD(P&R), ODEI
- Office of the Deputy Assistant Secretary of the Army (Manpower and Reserve Affairs), Equity and Inclusion Agency, MEO Directorate
- Office of the Deputy Assistant Secretary of the Navy (Military Manpower and Personnel Policy), Readiness and Transition
- Deputy Chief of Naval Operations, 21st Century Sailor Office, Prevention and Response Programs, Military Equal Opportunity Branch
- Marine Corps Headquarters, Manpower and Reserve Affairs, Opportunity, Diversity, and Inclusion Branch
- Assistant Secretary of the Air Force for Manpower and Reserve Affairs, Department of Air Force Equal Opportunity Program

We also evaluated the FY 2021 MEO complaint data involving the Service members of the Army, Navy, Marine Corps, Air Force, and Space Force to identify errors within the reported data and whether the reported data included the 17 categories of minimum data required by DoDI 1350.02. Finally, we collected testimonial and documentary evidence of the actions taken by ODEI to develop the FY 2021 annual report of MEO complaints.

Use of Computer-Processed Data

We obtained computer-processed data from Advana from the ODEI in the form of a report that included all FY 2021 MEO complaints. We validated that the Advana report included the FY 2021 MEO complaint data submitted by the Military Services to the ODEI. We used the Advana report to determine the number of FY 2021 MEO complaints. We also used the Advana report to determine that the ODEI included the data collection template fields and the minimum information required by DoDI 1350.02. Based on these procedures, we determined that the data were sufficiently reliable for the purposes of this evaluation.

Prior Coverage

During the last 5 years, the Government Accountability Office (GAO) issued two reports discussing the importance of data completeness related to prohibited behaviors or demographic data. Unrestricted GAO reports can be accessed at <http://www.gao.gov>.

GAO

Report No. GAO-22-104066, "Military Hazing: DOD Should Address Data Reporting Deficiencies, Training Limitations, and Personnel Shortfalls," December 15, 2021

The GAO assessed the DoD's efforts to implement hazing prevention and response programs. The GAO evaluated the completeness of the DoD's hazing reports to Congress. The GAO found that between FY 2017 and FY 2020, the DoD did not report complete hazing complaint data to Congress. Specifically, the hazing reports did not include information on informal hazing complaints or required information on complaints from National Guard personnel; and did not have data required by DoD policies.

Report No. GAO-19-344, "Military Justice: DOD and the Coast Guard Need to Improve Their Capabilities to Assess Racial and Gender Disparities," May 30, 2019

The GAO assessed the extent to which the Military Services collect and maintain consistent information about the race, ethnicity, and gender of Service members investigated and disciplined for violations of the Uniform Code of Military Justice. The GAO found that the Military Services collect gender information, but do not collect and maintain consistent information about race and ethnicity in their investigations, military justice, and personnel databases.

Appendix B

Data Categories Required by DoDI 1350.02

DoDI 1350.02 requires the Military Services to collect data on informal, formal, and anonymous MEO complaints and report these data annually to the ODEI. This appendix identifies 17 categories of data required by DoDI 1350.02, section 10, for the Military Services to collect and report.

Table 2. Data for 17 Categories Required by DoDI 1350.02, Section 10.1

Count	DoDI 1350.02 Data Categories*	DoDI 1350.02 Section
1	The type of complaint (informal, formal, or anonymous).	10.1.a
2	The number of MEO prohibited discrimination complaints received.	10.1.b
3	The number of complaints substantiated and unsubstantiated (formal and anonymous).	10.1.c
4	The demographics (for example, race/ethnicity, gender, and pay grade) of the complainant and alleged offender.	10.1.d
5	Complainant and alleged offender status (active duty, Reserve Component, civilian).	10.1.e
6	The alleged offender's working relationship to the complainant at the time of the alleged incident(s) (for example, superior, coworker, subordinate).	10.1.f
7	Basis of the complaint (for example, race, gender).	10.1.g
8	The duty status of both the complainant and alleged offender (for example, training, temporary duty, leave, and on-duty or off-duty).	10.1.h
9	Whether the alleged offender has prior substantiated MEO prohibited discrimination complaints documented in his or her personnel file.	10.1.i
10	A narrative description of the alleged incident(s), including the use of social media.	10.1.j
11	For Service members assigned, detailed, or otherwise working in a DoD or OSD Component other than a Military Department, the identification of the DoD Component in which the MEO prohibited discrimination complaint arose.	10.1.k
12	The location of the alleged incident.	10.1.l
13	By whom and at what level of the organization the allegation was investigated.	10.1.m
14	By whom and at what level of the organization the allegation was adjudicated.	10.1.n
15	The timeline of events from the date of complaint to final disposition, and reason(s) for any delays.	10.1.o

Table 2. Data for 17 Categories Required by DoDI 1350.02, Section 10.1 (cont'd)

Count	DoDI 1350.02 Data Categories*	DoDI 1350.02 Section
16	The disposition of substantiated complaints, including no action, non-judicial punishment, discharge in lieu of court-martial or other adverse action, adverse administration action, court-martial.	10.1.p
17	Complaints resolved through conflict resolution or dispute resolution.	10.1.q

Legend

OSD Office of the Secretary of Defense

*Data categories are presented “as is” from DoDI 1350.02, section 10.1.

Source: : The DoD OIG and DoDI 1350.02.

Appendix C

The Fields in the Data Collection Template

This appendix identifies the 68 fields in the ODEI's data collection template for the Military Services to complete for every MEO complaint. Of the 68 data fields, 58 relate directly to the 17 data categories required by DoDI 1350.02. The remaining 10 data fields provide unique identifiers and additional information included in the template for administrative purposes.

Table 3. Fields in the Data Collection Template with Corresponding DoDI 1350.02 Requirements

Count	DoDI 1350.02 Data Categories*	DoDI 1350.02 Section ¹	List of Values ²
1	Complaint Type	10.1.a	*
2	Complaint Disposition	10.1.c	*
3	Complainant Military Rank	10.1.d	*
4	Complainant Sex	10.1.d	*
5	Complainant Race	10.1.d	*
6	Complainant Hispanic Ethnicity	10.1.d	*
7	Complainant Age	10.1.d	n/a
8	Complainant Religion	10.1.d	*
9	Alleged Offender Military Rank	10.1.d	*
10	Alleged Offender Sex	10.1.d	*
11	Alleged Offender Race	10.1.d	*
12	Alleged Offender Hispanic Ethnicity	10.1.d	*
13	Alleged Offender Age	10.1.d	n/a
14	Alleged Offender Religion	10.1.d	*
15	Complainant Employee Type	10.1.e	*
16	Alleged Offender Employee Type	10.1.e	*
17	Relationship of Alleged Offender to Complainant	10.1.f	*
18	Are the Alleged Offender and the Complainant in the Same Unit or Under the Same Commander?	10.1.f	*
19	Basis of Complaint / Investigation Status / Complaint Disposition: Race	10.1.g	*
20	Basis of Complaint / Investigation Status / Complaint Disposition: Color	10.1.g	*
21	Basis of Complaint / Investigation Status / Complaint Disposition: National Origin	10.1.g	*

Table 3. Fields in the Data Collection Template with Corresponding DoDI 1350.02 Requirements (cont'd.)

Count	DoDI 1350.02 Data Categories*	DoDI 1350.02 Section ¹	List of Values ²
22	Basis of Complaint / Investigation Status / Complaint Disposition: Religion	10.1.g	*
23	Basis of Complaint / Investigation Status / Complaint Disposition: Sex	10.1.g	*
24	Basis of Complaint / Investigation Status / Complaint Disposition: Pregnancy	10.1.g	*
25	Basis of Complaint / Investigation Status / Complaint Disposition: Sexual Orientation	10.1.g	*
26	Basis of Complaint / Investigation Status / Complaint Disposition: Gender Identity	10.1.g	*
27	Complainant On/Off Duty	10.1.h	*
28	Complainant Deployed at time of incident(s)?	10.1.h	*
29	Complainant on Leave at time of incident(s)?	10.1.h	*
30	Complainant TDY at time of incident(s)?	10.1.h	*
31	Complainant in Training at time of incident(s)?	10.1.h	*
32	Alleged Offender On/Off Duty	10.1.h	*
33	Alleged Offender Deployed at time of incident(s)?	10.1.h	*
34	Alleged Offender on Leave at time of incident(s)?	10.1.h	*
35	Alleged Offender TDY at time of incident(s)?	10.1.h	*
36	Alleged Offender in Training at time of incident(s)?	10.1.h	*
37	Repeat Offender	10.1.i	*
38	Was Social Media Involved?	10.1.j	*
39	Was E-communication Involved?	10.1.j	*
40	Complainant Service	10.1.k	*
41	Alleged Offender Service	10.1.k	*
42	Higher-level Location	10.1.l	*
43	Lower-level Location	10.1.l	*
44	Complainant UIC at time of instance(s)	10.1.l	n/a
45	Alleged Offender UIC at time of instances	10.1.l	n/a
46	Grade of Person who Conducted the Investigation	10.1.m	*
47	Grade of Person who Adjudicated Corrective/ Disciplinary Action	10.1.n	*
48	Complaint Date	10.1.o	n/a
49	Date Forwarded to GCMCA	10.1.o	n/a
50	GCMCA Notification Flag	10.1.o	*

Table 3. Fields in the Data Collection Template with Corresponding DoDI 1350.02 Requirements (cont'd.)

Count	DoDI 1350.02 Data Categories*	DoDI 1350.02 Section ¹	List of Values ²
51	Date of most recent incident	10.1.o	n/a
52	Days from Incident to Complaint (CALCULATED FIELD)	10.1.o	n/a
53	Alleged Offender Disposition	10.1.p	*
54	Corrective/Disciplinary Action Administered (Required)	10.1.p	*
55	Corrective/Disciplinary Action Administered (Optional 1)	10.1.p	*
56	Corrective/Disciplinary Action Administered (Optional 2)	10.1.p	*
57	Corrective/Disciplinary Action Administered (Optional 3)	10.1.p	*
58	Corrective/Disciplinary Action Administered (Optional 4)	10.1.p	*
59	Complaint Unique Identification Number	None	n/a
60	Incident-based Complaint Unique Identification Number	None	n/a
61	Problematic Behavior Type	None	*
62	Multiple Instances	None	*
63	Complainant Unique Identifier (DOD ID)	None	n/a
64	Alleged Offender Unique Identifier (DOD ID)	None	n/a
65	Was a retaliation complaint filed? (Reprisal)	None	*
66	Was a retaliation complaint filed? (Maltreatment)	None	*
67	Was a retaliation complaint filed? (Ostracism)	None	*
68	Other Comments: may include comments, extra information, and/or any details not captured in the dropdowns or text fields.	None	n/a

Legend

- GCMCA General Court-Martial Convening Authority
- ID Identification
- n/a Not applicable
- TDY Temporary duty
- UIC Unit identification code

¹ The data collection template did not include a field to address section 10.1.b because the ODEI totaled the data for the Military Services. "None" means that the data collection field is not identified to a DoDI 1350.02 requirement.

² An asterisk (*) identifies fields for which the Military Services are required to select a response from a list of values.

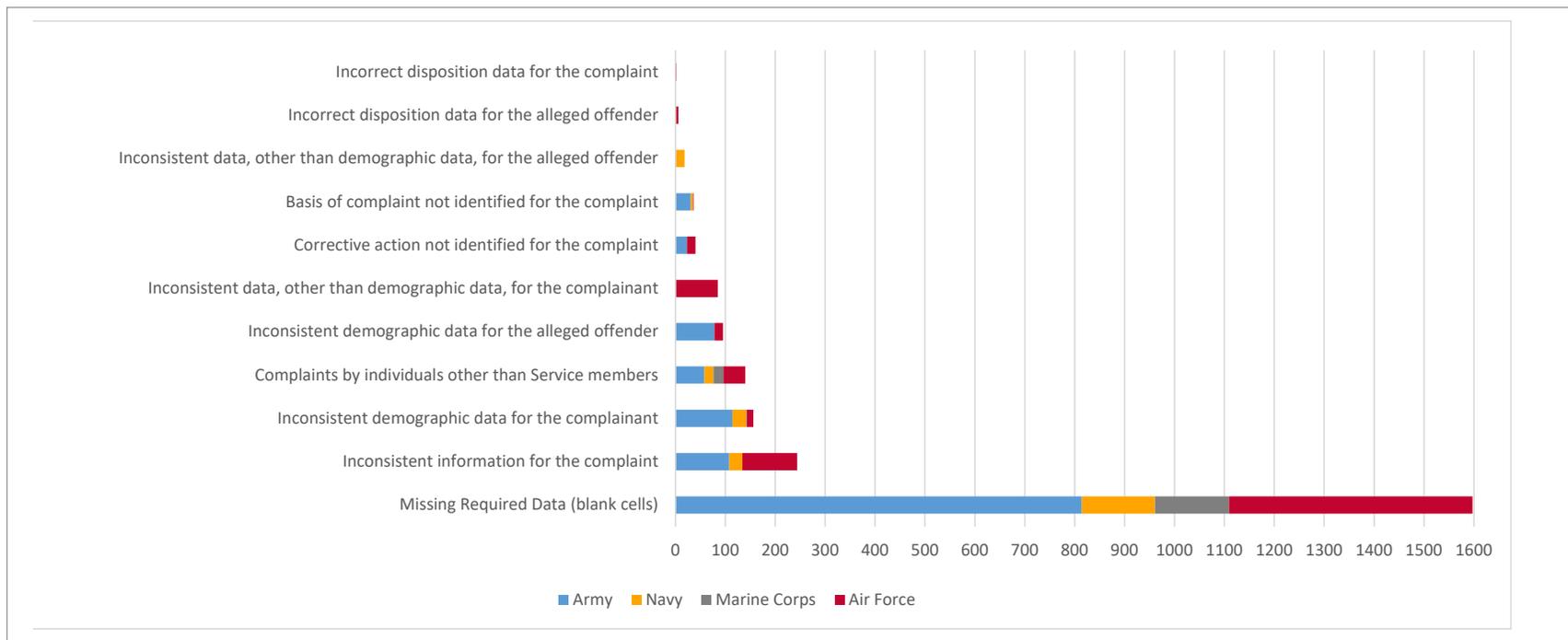
Source: The DoD OIG and the FY 2021 Data Collection Template.

Appendix D

Errors in FY 2021 MEO Complaints Data

The FY 2021 MEO complaints data contained errors. The ODEI and Military Services did not identify or resolve 11 types of errors in the FY 2021 MEO complaints data. Figure 1 shows the types of errors we identified and the number of complaints that contained the error.

Figure 1. Types of Errors Identified and the Number of Complaints with the Error



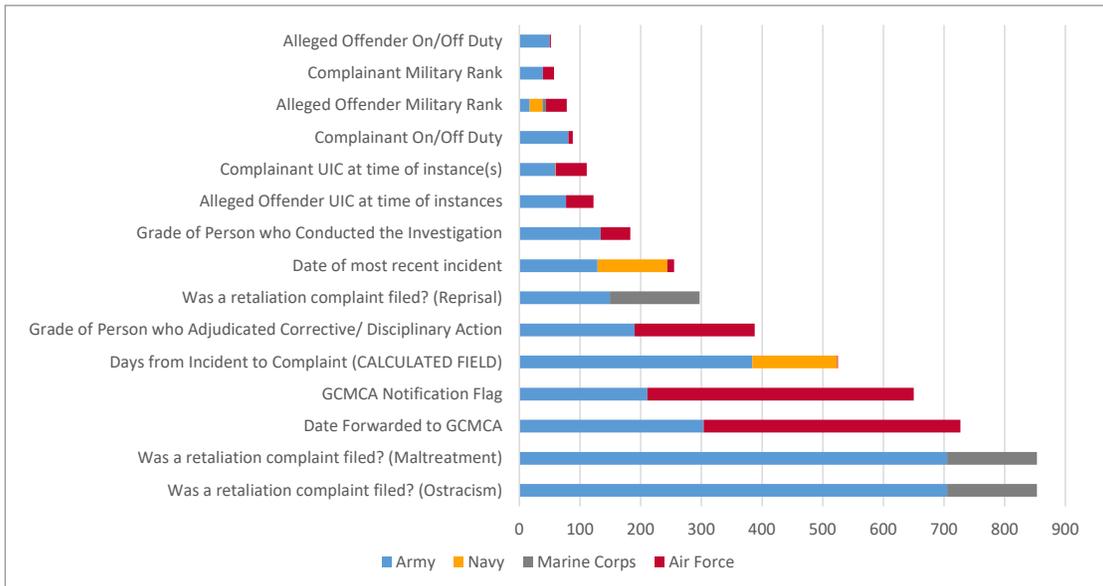
Source: The DoD OIG.

Appendix E

The Data Fields Missing Required Data (blank cells)

The FY 2021 MEO complaints data had one or more data fields with missing required data. Figure 2 lists the data fields in the data collection template for which at least 50 MEO complaints were missing the required data.

Figure 2. Data Fields in the Data Collection Template with at Least 50 MEO Complaints Missing the Required Data (blank cells)



Legend

GCMCA General Court-Martial Convening Authority
 ID Identification
 UIC Unit identification code

Source: The DoD OIG.

Management Comments

Under Secretary of Defense for Personnel and Readiness



PERSONNEL AND
READINESS

UNDER SECRETARY OF DEFENSE
4000 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-4000

APR 14 2023

██████████
Program Director
Department of Defense Office of Inspector General
4800 Mark Center Drive
Alexandria, VA 22350-1500

Dear ██████████:

Thank you for the opportunity to review the draft Inspector General (IG) report, “Evaluation of the DoD Implementation of the Military Equal Opportunity Program’s Data Collection and Reporting Requirements for Complaints of Prohibited Discrimination” (Project No. D2022-DEV0PG-0127.000). The Department concurs with the recommendations in the report and provides the following information concerning ongoing actions to accomplish Recommendations 1 and 2. Per DoD IG guidance, the Secretaries of the Military Departments are to respond separately concerning Recommendation 3.

Action in Progress:

	DoD IG Recommendation	Action	Estimated Completion
1a	Acquire or develop, and implement, a DoD-wide automated database to collect and report MEO complaints.	The Office for Diversity, Equity, and Inclusion (ODEI) has received out-of-cycle funds during FY 2022 to conduct an analysis of alternatives to determine a feasible DoD-wide automated database.	ODEI is requesting funding for FY 2024 and out years.
1b	Require that future data collection templates include the following data categories required by DoD Instruction 1350.02: 1. date of the final disposition for MEO complaints, 2. identification of the MEO complaints resolved through conflict resolution or dispute resolution, and 3. identification of adjudicators and investigators of MEO complaints.	ODEI is reviewing and proposing revisions to Department of Defense Instruction (DoDI) 1350.02, in collaboration with Military Service Military Equal Opportunity (MEO) Offices, the Diversity Management Operations Center (DMOC), and the	Q3 of FY 2025 for recommendation 1b.

Under Secretary of Defense for Personnel and Readiness (cont'd)

1c	In coordination with the Military Services' Equal Opportunity Offices, identify controls and clear instructions that minimize errors for the data collection template and then update and implement the template.	Defense Equal Opportunity Management Institute (DEOMI), to implement these recommendations.	Q1 of FY2024 for recommendation 1c
1d	Develop and implement written guidance requiring more effective quality reviews to improve the integrity of MEO complaints.		Q1 of FY 2025 for recommendation 1d.
1e	Resolve the errors within the FY 2021 data of MEO complaints data before issuing the FY 2021 annual report of MEO to the USD(P&R).	ODEI is working with the Services to resolve errors found in the FY 2021 data.	Q4 of FY 2023.

	DoD IG Recommendation	Action	Estimated completion
2a	Approve the DoD-wide automated database as required by DoD Instruction 1350.02 to collect and report MEO complaints.	The Office of the Under Secretary of Defense for Personnel and Readiness is working to obtain funding for an Enterprise-wide automated database.	FY 2025
2b	Conduct a review to determine whether ODEI has sufficient resources to fulfill its responsibilities under DoDI 1350.02.	ODEI will submit a study proposal to review the MEO workforce.	FY 2025
2c	In coordination with ODEI and the Military Services' Equal Opportunity Offices, conduct a review to identify terminology within DoDI 1350.02 that needs clarification, including informal complaint and MEO complaint; and then update DoDI 1350.02 accordingly.	ODEI is reviewing and proposing revisions to DoDI 1350.02, in collaboration with Military Services MEO Offices, DMOC, and DEOMI, to implement these recommendations.	Q3 of FY 2025 for recommendations 2c and 2d.
2d	Update DoD Instruction 1350.02 with specific dates for collecting and annually reporting of military equal opportunity complaints data.		

Under Secretary of Defense for Personnel and Readiness (cont'd)

Our policy is to ensure Service members are treated with dignity and respect and are afforded equal opportunity in an environment free from prohibited discrimination on the basis of race, color, national origin, religion, sex (including pregnancy), gender identity, or sexual orientation. I understand how important this DoD IG process is to identifying shortcomings and I appreciate the time and attention your team has made to helping us improve the DoD MEO program.

Sincerely,



Gilbert R. Cisneros, Jr.

Secretary of the Navy

**Final
Report Reference**



DEPARTMENT OF THE NAVY
OFFICE OF THE ASSISTANT SECRETARY
(MANPOWER AND RESERVE AFFAIRS)
1000 NAVY PENTAGON
WASHINGTON DC 20350-1000

MEMORADUM FOR DEPARTMENT OF DEFENSE INSPECTOR GENERAL

SUBJECT: Department of the Navy Comments for Department of Defense Inspector General
Project D2022-DEV0PG-0127.000

The below response is provided to support the draft Department of Defense (DoD) Inspector General Project D2022-DEV0PG-0127.000, "Evaluation of DoD Implementation of the Military Equal Opportunity Program's Data Collection and Reporting Requirements for Complaints of Prohibited Discrimination."

RECOMMENDATION 3. Recommend that the Secretaries of the Military Departments develop and implement written guidance requiring more effective quality reviews to improve the integrity of data of military equal opportunity complaints.

RESPONSE: Concur. The Assistant Secretary of the Navy (Manpower and Reserve Affairs) will update the Secretary of the Navy Instruction 5350.16A, "Equal Opportunity within the Department of the Navy," requiring more effective quality reviews to improve the integrity of data of military equal opportunity complaints. This update is contingent on the DoD Office of Diversity, Equity, and Inclusion updating DoD Instruction 1350.02, "DoD Military Equal Opportunity Program" estimated to be released in December 2023.

Estimated completion date: 31 March 2024

There was no Controlled Unclassified Information within the report. Additional comments are provided in the attached. The point of contact for this audit is [REDACTED], who may be reached at [REDACTED], or via email at [REDACTED].

CORSO.ANDREW.R. [REDACTED] Digitally signed by
CORSO.ANDREW.R. [REDACTED]
Date: 2023.04.14 11:59:12 -04'00'
Andrew R. Corso
Principal Director
Office of the Deputy Assistant Secretary of the
Navy (Military Manpower and Personnel)

Attachment: As stated

**Additional
comments omitted at
management's request.**

Secretary of the Air Force



DEPARTMENT OF THE AIR FORCE
WASHINGTON DC

APR 05 2023

OFFICE OF THE ASSISTANT SECRETARY

MEMORANDUM FOR DEPARTMENT OF DEFENSE INSPECTOR GENERAL

FROM: SAF/MR
1660 Air Force Pentagon
Washington, DC 20330-1660

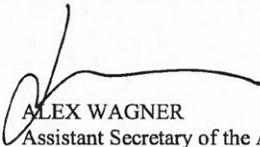
SUBJECT: Department of the Air Force Response to DoD Office of Inspector General Draft Report, "Evaluation of DoD Implementation of the Military Equal Opportunity Program's Data Collection and Reporting Requirements for Complaints of Prohibited Discrimination" (Project No. D2022-DEV0PG-0127.000)

This is the Department of the Air Force (DAF) response to the DoDIG Draft Report, "Evaluation of DoD Implementation of the Military Equal Opportunity Program's Data Collection and Reporting Requirements for Complaints of Prohibited Discrimination." The DAF concurs and submits a corrective action plan for Recommendation 3. The DAF did not identify any report materials requiring controlled unclassified information demarcation.

RECOMMENDATION 3: The DoDIG recommends that the Secretaries of the Military Departments develop and implement written guidance requiring more effective quality reviews to improve the integrity of data of military equal opportunity complaints.

DAF RESPONSE: The DAF concurs with Recommendation 3 and will implement three corrective actions identified on the DAF corrective action plan to include collaborating on a DoD standardized military equal opportunity database working group.

The DAF points of contact are [REDACTED] DAF Equal Opportunity (EO) Director, [REDACTED] or [REDACTED] or [REDACTED] DAF EO Program Manager, [REDACTED].


ALEX WAGNER
Assistant Secretary of the Air Force
(Manpower and Reserve Affairs)

Attachment:
As stated

Secretary of the Air Force (cont'd)



Department of the Air Force (DAF) Corrective Action Plan

D2022-DEV0PG-0127.000, Evaluation of DoD Implementation of the Military Equal Opportunity Program's Data Collection and Reporting Requirements for Complaints of Prohibited Discrimination

- **Recommendation 3.** We recommend that the Secretaries of the Military Departments develop and implement written guidance requiring more effective quality reviews to improve the integrity of data of military equal opportunity complaints.
- **DAF Position:** Concur; corrective actions are noted in table below.
- **Potential Monetary Benefit:** None
- **DAF POC:** [REDACTED], Director, DAF Equal Opportunity (SAF/MRQ), [REDACTED]

Corrective Action	Estimated Completion Dates	Office of Primary Responsibility	Status
Collaborate on DoD's Office for Diversity, Equity, and Inclusion (ODEI) forthcoming working group on a standardized MEO database and await ODEI direction on DoDI 1350.02 requirement (to include potential rescission) to have Under Secretary of Defense for Personnel and Readiness USD(P&R) approval for Military Services' databases.	TBD by ODEI	ODEI; Department of the Air Force Equal Opportunity Program (SAF/MRQ)	Not Started
Update DAFI 36-2710, <i>Equal Opportunity Program</i> , to require effective quality reviews of MEO data at the installation, Major/Field Command, and Air Force Personnel Center (AFPC) levels, to include requiring the development of operational procedures on conducting MEO data quality control reviews.	30 November 2023	Department of the Air Force Equal Opportunity Program (SAF/MRQ)	In Progress
Develop and publish MEO data quality control review operational procedures to be implemented by AFPC Equal Opportunity (EO) Operations Branch, Major/Field Command EO Functional Managers, and Installation EO Directors.	31 January 2024	Air Force Personnel Center Directorate for Personnel Programs (AFPC/DP3)	Not Started

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Acronyms and Abbreviations

DoDI	DoD Instruction
MEO	Military Equal Opportunity
ODEI	Office for Diversity, Equity, and Inclusion
OUSD(P&R)	Office of the Under Secretary of Defense for Personnel and Readiness
USD(P&R)	Under Secretary of Defense for Personnel and Readiness



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