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SEP 22 2021

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

SUBJECT: Commencing DoD Actions and Implementation to Address Sexual Assault and Sexual Harassment in the Military

I have been clear since my first full day as Secretary of Defense that we must do more to eliminate sexual assault and sexual harassment from the ranks. I stated from the outset that this is a leadership issue, and we will lead.

Over the past seven months, the Department has made progress on a set of actions to evaluate our installations, assess compliance with existing policy, comprehensively improve our efforts at the installation level, take the initial steps to establish a violence prevention workforce, and initiate changes to the military justice process governing the handling of sexual assault and sexual harassment cases. I also established the 90-day Independent Review Commission (IRC) on Sexual Assault in the Military, which provided the Department a set of comprehensive and actionable recommendations to improve our approach in four lines of effort: accountability, prevention, climate and culture, and victim care and support.

In keeping with my intent to accept the IRC recommendations wherever possible, the Deputy Secretary has developed a tiered implementation roadmap in consultation with the uniformed and civilian leadership of the Department. I approve the roadmap, which is attached, and expect Department leaders to move swiftly and deliberately to implement it.

This includes the following actions across four Tiers:

- First, the Under Secretary of Defense for Personnel and Readiness (USD(P&R)) will issue enterprise-wide guidance for Tier 1 by October 13, 2021. Tier 2 guidance will be released by November 12, 2021. Guidance for Tiers 3 and 4 will be released by December 15, 2021;
- Then, each of the Military Services and relevant Components will develop implementation plans and resource mapping for Tier 1 by November 12, 2021; Tier 2 by December 15, 2021; and Tiers 3 and 4 by January 31, 2022;
- The USD(P&R) will develop an Outcome Metrics Evaluation Report by May 1, 2022 to track effectiveness and progress of implementation of all Tiers; and
- The USD(P&R), in consultation with the uniformed and civilian leadership of the Department, will assess the roadmap formally no less than twice annually and recommend any adjustments to the Deputy Secretary, through the Deputy's Workforce Council (DWC). The DWC will meet quarterly to monitor implementation progress and timelines wherever possible.

The next steps we take are critical to maintaining our momentum. We will build back the trust of our personnel through demonstrable progress, clear and enduring implementation mechanisms, increased transparency, and continued senior leader involvement.

I expect Department leaders to talk about this work with our total DoD workforce to create shared understanding and purpose. We must be willing to have difficult conversations. Our readiness depends on it. Our people deserve it.

No one single action the Department can take will fix this problem. Ending the scourge of sexual assault and sexual harassment in the military demands strong leadership across the enterprise.

We have a true opportunity to lead. And we will.



Attachment:
As stated

Introduction

In January 2021, President Biden directed Secretary of Defense Lloyd Austin to launch a commission to pursue solutions to sexual assault in the military. On February 26, 2021 Secretary Austin launched the Independent Review Commission on Sexual Assault in the Military (IRC). On July 2, the IRC published their report and Secretary Austin directed Deputy Secretary Hicks to develop an implementation roadmap within 60 days, with a strong bias towards accepting all recommendations where possible. The Secretary approved this roadmap on September 22, 2021.

The enclosed Implementation Roadmap is the Department's strategic plan to implement all of the IRC recommendations, with appropriate modifications to ensure effective implementation, integrated with a number of actions directed by Secretary Austin. The objectives of this tiered roadmap are to implement these key actions as rapidly as possible while ensuring we can deliver durable and meaningful outcomes.

The Department's initial efforts will focus on Tier 1, the foundation of the Implementation Roadmap. A comprehensive timeline of actions is outlined in the Way Forward section. Implementation of Tier 1 begins immediately with the following actions:

- **By October 13, 2021:** The Under Secretary of Defense (Personnel & Readiness) (USD(P&R)) will issue enterprise-wide guidance for Tier 1.
- **By November 12, 2021:** Each of the Military Services and relevant components will develop implementation plans and resource mapping for Tier 1.
- **By December 15, 2021:** The Military Services and relevant components will begin implementing their plans for Tier 1 actions. Initial cost estimates to implement the roadmap are approximately \$4.6 billion, from FY 2022 through FY 2027.¹ Additional costs that could be incurred in FY 2028 – FY 2030 were not calculated.

Transforming DOD's workforce and addressing issues as complex as sexual harassment and sexual assault require sustained attention from the Secretary of Defense and the Department's most senior leadership. To ensure this level of attention, the Secretary has directed the Deputy's Workforce Council (DWC), chaired by the Deputy Secretary of Defense and the Vice Chairman of the Joint Chiefs of staff, to review progress on a quarterly basis and ensure that the Department continues to pursue the most effective and expedient pathways to implementation. He will hold leadership at all levels accountable.

Background

The implementation roadmap herein provides a summary of the Department's strategic plan to implement the recommendations, as appropriately modified, of the Independent Review Commission (IRC) on Sexual Assault in the Military. The roadmap accepts the IRC's

¹ Implementation-only estimates were developed by the Services and relevant OSD components, with sustainment estimates calculated by the Office of Cost Assessment Program Evaluation and each Military Department

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recommendations, with adjustments made to ensure effective implementation only as noted by the phrase “[REVISED]” below. It directs a holistic approach to their implementation across four tiers, with the preponderance of effort and resources focused in Tier 1. Based on timelines estimated, all recommendations would be implemented by Fiscal Year (FY) 2030, with the prioritized initial tier implemented by the end of FY 2027. The timelines are a conservative estimate, and in many cases account for time to fully implement across the Reserve components. The Department is committed to completing implementation on a faster timeline where possible.

The IRC provided the Department a total of 28 recommendations, 54 sub-recommendations, 5 Cross Cutting recommendations, and 16 cross cutting sub-recommendations.

The Department’s implementation roadmap best aligns with the IRC recommendations and focuses on the necessary foundational investments needed to support sexual assault accountability, prevention programs, this command climate, and victim support approach, as envisaged by the IRC. In addition, the plan allows for a deliberative implementation strategy to include iterative evaluations throughout the process to assess effectiveness and progress of early actions, and modify as required to ensure impact.

Tiered Recommendation Approach

Based on a comprehensive assessment of the recommendations, four tiers were identified for implementation (Figure 1).

1. **Tier 1.** Implementation of these recommendations (as revised by the Department’s leadership) builds the Department’s basic foundation and infrastructure for a best-in-practice sexual assault accountability, prevention, and response programs. These recommendations are either IRC-identified priority recommendations, or represent basic infrastructure that is required to apply necessary best-in-practice strategies. These also include recommendations whose implementation is already underway. (Estimated completion: FY 2027)
2. **Tier 2.** Implementation of these recommendations is dependent on the execution of a Tier 1 action and builds directly on that Tier 1 infrastructure to apply best-in-practice strategies (e.g., training, education). (Estimated completion: FY 2028)
3. **Tier 3.** The implementation of these recommendations either is chronologically or practically dependent on the execution of a Tier 2 action, would expand programs and practices within the DoD, or would endure throughout the implementation of recommendations. (Estimated completion: FY 2028²)
4. **Tier 4.** Implementation of these recommendations either is chronologically or practically dependent on the execution of a Tier 3 action or would expand programs and practices outside of the DoD purview. (Estimated completion: FY 2030)

² All recommendations within Tier 3 will be complete by 2028 except recommendation 2.6.c, which requires an extensive assessment and pilot of a character assessment tool across the Department.

Figure 1. Tiers for Implementation



To implement the approved recommendations, the Department will take an iterative approach with initial emphasis on building the base and foundational infrastructure to ensure a concrete sexual assault and harassment prevention program. Recommendations, as revised by Department leadership, are broken down by Tiers as depicted in Figure 1. Detailed mapping of recommendations to specific tiers is included in Appendix A.³

Each progressive tier reflects recommendations with dependencies in execution or impact with previous tiers. Based on the IRC report, subsequent tiers are integral to a best-in-practice program. The proposed successive implementation plan allows for modification and adaption to ensure programs are maximally effective.

Way Forward

To implement this roadmap, the Department will immediately commence the following actions:

Overarching Guidance: OSD P&R must issue necessary guidance to allow the Services and relevant Components to ensure successful implementation to include specific requirements and chronology of actions, resource requirements, staffing requirements, credentialing of staff, and specific policy requirements where applicable. Timeline for releasing this guidance is:

- **By October 13, 2021:** The USD(P&R) will issue enterprise-wide guidance for Tier 1.
- **By November 12, 2021:** The USD(P&R) will issue enterprise-wide guidance for Tier 2.
- **By December 15, 2021:** The USD(P&R) will issue enterprise-wide guidance for Tiers 3 and 4.

Service Implementation Plans: Based on the roadmap described here and USD(P&R) issued guidance, Service-specific Implementation Plans will provide timelines and associated actions for full implementation of recommendations and a mapping of resourcing required over the FYDP and beyond. By November 12, 2021, each of the Military Services and relevant components will develop these implementation plans and resource mapping for Tier 1. Implementation Plans will be updated to include guidance for each successive Tier, culminating in full Implementation Plans which cover Tiers 1 through 4 completed by January 31, 2022.

³ Recommendations are subject to possible further revision by the Department's leadership before implementation.

Additional Actions:

- **By December 15, 2021:** The Military Services and relevant components will begin implementing their plans for Tier 1 actions.
- **Ongoing:** The USD(P&R), in consultation with the uniformed and civilian leadership of the Department, will assess the roadmap formally no less than twice annually and recommend any adjustments to the Deputy Secretary, through the DWC.
- **Outcome Metrics Evaluation Report:** Based on the Implementation Plans provided, USD(P&R) will develop an Outcome Metrics Evaluation Report by May 1, 2022 to track the effectiveness of recommendations. This report will detail outcome metrics, to include interim metrics of progress, to ensure recommendation activities are successful and show progress. Where interim metric indicate a lack of progress and/or ineffective implementation, a reevaluation can occur. This report will also include updates to surveys, research, and studies as required to ensure comprehensive evaluation is possible.

To ensure senior oversight and review progress, Senior Leaders will convene through the DWC quarterly to monitor implementation progress and timelines. These reviews will ensure actions and resources appropriately reflect the priority placed on driving meaningful progress to counter sexual assault across the Department of Defense.

Appendix A: Recommendations by Tier

NOTE: All of the recommendations below are subject to such revisions as the Department's leadership may direct.

Tier 1: Estimated Implementation by 2027

The following recommendations build the Department's basic foundation and infrastructure for a best-in-practice sexual assault prevention and response program.

IRC Priority Recommendations:

- Recommendation 1.1: [REVISED]⁴ Establishment of Offices of Special Victims Prosecutors and removing prosecution of sexual assaults and related crimes out of the military chain of command.
- Recommendation 1.2: [REVISED] Independent, trained investigators for sexual harassment and mandatory initiation of involuntary separation for all substantiated complaints.
- Recommendation 2.6 b: USD(P&R), the Services, and the NGB should continually review and update all policies that unnecessarily restrict data collection on important populations of Service members.
- Recommendation 4.1 b: Eliminate collateral duty for SARCs and SAPR VAs, with exceptions for ships, submarines, and isolated installations.
- Recommendation 4.3 a: Implement the No Wrong Door approach to sexual harassment, sexual assault, and domestic abuse across the Services and NGB.
- Recommendation 4.3 c: Allow survivors flexibility to take non-chargeable time off for seeking services or time for recovery from sexual assault.
- Recommendation 4.3 d: Increase victim agency and control of the response process by: maximizing adherence to survivor preference on reporting status, and centering survivor preferences in expedited transfers.
- Cross Cutting Recommendation 1: DoD should immediately make sexual harassment victims eligible for SAPR services and undertake a review of all policies and structures tasked with addressing elements of the military's sexual harassment response.
- Cross Cutting Recommendation 3.c: USD(P&R) should immediately publish the reissuance of DoD Instruction (DoDI) 6400.06, "Domestic Abuse Involving DoD Military and Certain Affiliated Personnel."
- Cross Cutting Recommendation 5: [REVISED] The Secretary of Defense should establish a Senior Policy Advisor for Special Victims. The Senior Policy Advisor should be supported by the new position of the DoD Special Victim Advocate.

⁴ [REVISED] indicates a recommendation where the Department has made a revision or slight modification to the original IRC recommendation to ensure effective implementation within the Department.

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Workforce Foundation Recommendations:

- Recommendation 2.2 b: USD(P&R) should develop a professional credential for the prevention workforce.
- Recommendation 2.2 c: The Services should determine the optimum full-time prevention workforce, and equip all echelons of active duty, reserve, and guard organizations.
- Recommendation 4.1 a: Move SARC and SAPR VAs from the command reporting structure.
- Cross Cutting Recommendation 2: DoD must undertake a comprehensive approach to professionalizing, strengthening, and resourcing the workforce for SAPR across the board.

System Foundation Requirements

- Recommendation 1.5: Judge-alone sentencing in all noncapital general and special courts-martial and establishment of sentencing parameters.
- Recommendation 1.6: Expedite processing of proposed Executive Orders regarding military justice, including those currently awaiting issuance related to sexual assault, sexual harassment, and other special victim crimes.
- Recommendation 1.7 d: [REVISED] The method of selection of court-martial panel members should be revised.
- Recommendation 2.5 b: [REVISED] The Services and the NGB should employ virtual platforms to provide support to all Service members.
- Recommendation 2.7 a: The NGB should develop Army National Guard and Air National Guard prevention strategies aligned with DoD's Prevention Plan of Action, based on the National Guard's unique construct and missions
- Recommendation 3.8: The Services should publish the nature and results of all disciplinary actions related to sexual misconduct and disseminate this information to troops periodically.
- Recommendation 4.2 c: Expand access to CATCH to include victims of sexual harassment and enable Service members to self-service access to CATCH.
- Recommendation 4.2 e: Amplify victims' rights and services in the post-trial period.
- Cross Cutting Recommendation 4.g: DoD should require the Services and the National Guard Bureau to publish data for all sexual harassment complaints.

Directed Studies

- Recommendation 1.8: Study caseloads to attain the optimum timeline for the military justice process.
- Recommendation 2.5 a: The Services and the NGB should institute a pilot program to link Service members with resources and support.

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Actions Currently Underway

- Recommendation 1.3: [REVISED] Study of judge-ordered Military Protective Orders for victims of sexual assault and related offenses.
- Recommendation 1.4: Professionalized career billets for military justice personnel handling special victim crimes.
- Recommendation 1.7 a: [REVISED] The Military Justice Review Panel has been directed to study Article 32 Preliminary Hearings.
- Recommendation 1.7 b: [REVISED] The Military Justice Review Panel has been directed to study Article 34, Advice to Convening Authority Before Referral to Trial.
- Recommendation 1.7 c: [REVISED] The Joint Service Committee on Military Justice has drafted a proposed Executive Order to establish a preponderance of the evidence standard for non-judicial punishment.
- Recommendation 1.7 e: The Secretary of Defense should direct the Services to establish funding appropriate for defense counsel control of their own resources.
- Recommendation 1.7 f: Article 128b of the UCMJ should be amended to include dating violence.
- Recommendation 2.1 a: USD(P&R) should define the competencies leaders must have to oversee prevention.
- Recommendation 2.2 a: USD(P&R) should develop a model for a dedicated and capable prevention workforce.
- Recommendation 3.3 c: Hold Service members appropriately accountable who engage in cyber harassment and other forms of technology-facilitated sexual harassment and sexual assault.
- Recommendation 4.2 a: Increase access to and visibility of civilian community-based care.
- Recommendation 4.3 b: Institute a “Commander’s Package” from the SAPR VA with recommendations for victim care and support.
- Recommendation 4.3 e: Study the methods our allies have used to make amends to survivors, including restorative engagement to acknowledge harm, and potential victim compensation.
- Recommendation 4.4 a: Establish a Defense Sexual Assault and Sexual Harassment Center of Excellence that administers a core curriculum of trauma and response trainings for all SAPR VAs and SARCs, chaplains, and other response personnel.
- Recommendation 4.4 b: Develop training to build the capacity of SARCs and SAPR VAs to provide culturally competent care to Service members from communities of color, LGBTQ+ Service members, religious minorities, and men
- Cross Cutting Recommendation 4.b: DoD should require the collection of data regarding sexual orientation and gender identity on the WGRA and WGRR.

Tier 2: Estimated Implementation by 2028

Implementation of the following recommendations either is chronologically or practically dependent on the execution of a Tier 1 action, or will build on the infrastructure to apply best-in-practice strategies (e.g., training, education, etc.).

Dependent on Tier 1 Activities:

- Recommendation 2.1 c: The Services and the NGB should equip all leaders to develop and deliver informed prevention messages in formal and informal settings.
- Recommendation 3.6: Building a climate for the reduction of sexual harassment and sexual assault as a fundamental leader development requirement.
- Recommendation 4.1 c: Explore the co-location of SAPR and SHARP with other special victim services, such as FAP, to improve coordination, collaboration, and consistency in victim support.
- Cross Cutting Recommendation 3.a: [REVISED] Designated independent judge advocates should replace commanders in deciding whether a charge should be tried by a court-martial and, if so, whether by a special or general court-martial (i.e., the referral decision) in domestic violence cases, as the IRC recommends for sexual assault, sexual harassment, and other special victim crimes.
- Cross Cutting Recommendation 4.c: DoD should ensure the WGRA and WGRR publish both past-year prevalence, prior to joining the military prevalence, and lifetime prevalence of sexual assault by race and ethnicity, sexual orientation, and gender identity.
- Cross Cutting Recommendation 4.e: DoD should ensure the WGRA and WGRR publish sexual harassment prevalence data by race and ethnicity, sexual orientation, and gender identity.
- Cross Cutting Recommendation 4.i: DoD should ensure the Workplace and Equal Opportunity surveys of military members publish past-year prevalence rates for racial/ethnic harassment by gender identity and sexual orientation.

Training, Education, and Leadership Development:

- Recommendation 2.4: Modernize prevention education and skill-building to reflect today's generation of Service members.
- Recommendation 3.2: USD(P&R) should direct the Services to educate the force about sexual harassment and sexual assault within the context of the Services' core values.
- Recommendation 3.5 b: Include a meaningful narrative section in performance evaluations for officers and NCOs.
- Recommendation 4.1 d: [REVISED] Train Independent Duty Corpsmen to be Sexual Assault Medical Forensic Examiners so patient care and evidence collection can be provided in deployed and isolated environments.
- Recommendation 4.4 c: Revise and update training modules on appropriate response to sexual assault and sexual harassment in PME for officers and NCOs.

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Data Collection:

- Recommendation 3.3 a: Collect data to measure the problem of cyberharassment (and related harms).
- Recommendation 3.5 a: Use qualitative data to select and develop the right leaders.
- Recommendation 3.7 a: [REVISED] USD(P&R) should develop a standardized “pulse survey” tool that would enable unit-level commanders to collect real-time climate data on sexual harassment and sexual assault from Service members in their units between required administrations of the Defense Organizational Climate Survey (DEOCS).
- Recommendation 3.7 b: The Secretary of Defense should direct the Services to develop a formal system to share climate survey data at the unit level and initiate and evaluate corrective action plans.
- Recommendation 3.7 c: USD(P&R) should accelerate efforts to develop a validated “Climate Benchmark” to measure healthy and unhealthy climate at the unit level.
- Cross Cutting Recommendation 3.b: DoD should establish a mechanism to track prevalence of domestic abuse/intimate partner related sexual assault by collecting information on the victim-perpetrator relationship in the Workplace and Gender Relations Surveys of Active Duty Members (WGRA), and Workplace and Gender Relations Surveys of Reserve Component Members (WGRR).

Tier 3: Estimated Implementation by 2028⁵

Implementation of these recommendations either is chronologically or practically dependent on the execution of a Tier 2 action, or will expand programs and practices within the DoD, or will endure throughout the implementation of recommendations.

Dependent on Tier 2 Activities:

- Recommendation 2.1 b: The Services and the National Guard Bureau (NGB) should develop and hold leaders appropriately accountable for prevention.
- Recommendation 3.7 d: The Secretary of Defense should assess whether current DoD policies, relevant components, and the Service-level Equal Opportunity workforce have the capacity to help commanders resolve climate issues.

Internal Expansion Activities:

- Recommendation 2.3 a: The Services and the NGB should resource and implement prevention strategies at organizational and community levels.
- Recommendation 2.3 b: USD(P&R) should identify a non-clinical OSD-level Office of Primary Responsibility for alcohol policy and develop relevant policy guidance and oversight.
- Recommendation 2.6 c: The Secretary of Defense should immediately authorize operational testing of the Air Force Compatibility Assessment, or similar tool, with a

⁵ All recommendations within Tier 3 will be complete by 2028 except recommendation 2.6.c, which requires an extensive assessment and pilot of a character assessment tool across the Department.

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cross-Service pre-accession sample, allowing for important research and intervention development.

- Recommendation 3.3 b: Educate leaders on cyberharassment and technology-facilitated sexual harassment and sexual assault.
- Recommendation 3.4 a: Elevate and standardize the gender advisor workforce.
- Cross Cutting Recommendation 4.j: DoD should evaluate ways to better collect data, via existing DoD-wide surveys, on the role of gender in the experience of racial/ethnic harassment and discrimination in the military.
- Cross Cutting Recommendation 4.k: DoD should commission qualitative research to better understand the experiences of racial/ethnic minority service women and their perceptions of climate, attitudes and experiences with sexual assault and sexual harassment, and gender and racial discrimination.
- Cross Cutting Recommendation 4.l: DoD SAPRO should dedicate a segment of its iterations of the Military Service Gender Relations (MSGR) Focus Groups to understanding the experiences of racial and ethnic minority service members and survivors.

Enduring Activities:

- Recommendation 3.1: USD(P&R) should codify in policy and direct the development and implementation of metrics related to sexual harassment and sexual assault as part of readiness tracking and reporting.

Tier 4: Estimated Implementation by 2030

Implementation of these recommendations either is chronologically or practically dependent on the execution of a Tier 3 action or will expand programs and practices outside of the DoD purview.

Dependent on Tier 3 Activities:

- Recommendation 2.6 a: DoD should establish a dedicated research center for the primary prevention of interpersonal and self-directed violence.
- Recommendation 2.6 d: USD(P&R) should commission research on gender and masculinities to develop effective social marketing strategies to facilitate primary prevention efforts.
- Recommendation 2.8: USD(P&R) should update the Department's prevention strategy, including the DoD Prevention Plan of Action, to incorporate approved IRC recommendations.
- Recommendation 3.4 b: Use qualitative data as part of indicators for Defense Objective One of the WPS Strategic Framework.
- Recommendation 3.4 d: Review and revise Professional Military Education (PME) and DoD schoolhouse curricula to mainstream WPS priorities.

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- Recommendation 3.4 e: Congress should support DoD's inclusion of Personnel & Readiness in WPS implementation and codify in legislation.
- Recommendation 4.4 d: Use an action research model to identify root problems, test interventions, and create best practices with survivors' input.
- Recommendation 4.2 b: Authorize Service members to access the full spectrum of VA services for conditions related to military sexual assault and sexual harassment confidentially, and without a referral.
- Recommendation 4.2 d: [REVISED] Create survivor-led peer support programs that allow for in-person, virtual, and telephone interaction.
- Cross Cutting Recommendation 4.d: [REVISED] DoD SAPRO should work with the CDC Division of Violence Prevention to request that future reports of the military supplement to the National Intimate Partner and Sexual Violence Survey include a breakdown of past-year and lifetime prevalence by race/ethnicity.