



PERSONNEL AND
READINESS

UNDER SECRETARY OF DEFENSE
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SEP 14 2022

MEMORANDUM FOR SENIOR PENTAGON LEADERSHIP
DEFENSE AGENCY AND DOD FIELD ACTIVITY DIRECTORS

SUBJECT: Revised Guidance for Implementing Cross Cutting Recommendation 1 of the Tier 1 Recommendations of the Independent Review Commission on Sexual Assault in the Military

- References:** (a) Under Secretary of Defense for Personnel and Readiness Memorandum, "Guidance for Implementing Tier 1 Recommendations of the Independent Review Commission on Sexual Assault in the Military," October 13, 2021 (hereby revised).
- (b) Department of Defense Instruction (DoDI) 6495.02, Volume 1, "Sexual Assault Prevention and Response: Program Procedures," March 28, 2013, as amended

This memorandum revises Attachment 6 of reference (a) by directing a study, extending the timeline for full implementation, and providing an additional interim method for accomplishing Independent Review Commission (IRC) Cross Cutting Recommendation 1 (Rec C1), "The Department of Defense (DoD) should immediately make sexual harassment victims eligible for sexual assault prevention and response (SAPR) services and undertake a review of all policies and structures tasked with addressing elements of the military's sexual harassment response."

The Office of Force Resiliency, under the authority of the Under Secretary of Defense for Personnel and Readiness, will commission a study to identify the best way for the Department to structure the sexual harassment response workforce to meet the needs of Service members reporting sexual harassment. This study is consistent with the IRC recommendation to further study this issue and will give the Department valuable information and direction for its long-term policies. However, recognizing that the results of the study likely will not be available for more than a year, the Department will continue to implement interim measures to ensure that victims of sexual harassment have access to necessary services.

Attachment 6 of reference (a) requires that "all intake of sexual harassment claims remain with Equal Opportunity personnel (EOA)" and that the Sexual Assault Response Coordinator (SARC) performs a "consultative role." In order to provide the Military Departments and the National Guard Bureau with broader flexibility in determining how to make certain SAPR services available to sexual harassment claimants, Attachment 6 is hereby revised to remove these requirements and to require implementation of temporary policies, not to exceed 18 months in duration, in which:

- Equal Opportunity personnel, when appropriate, may refer Service members making a report of sexual harassment to the SARC and to other available on- and off-base services.

- Service members who are the victims of sexual harassment may discuss their situation directly with a SARC, instead of an EOA, without a referral and on their own accord.
- SARCs may assist Service members reporting sexual harassment to address any immediate safety needs, understand their sexual assault reporting options (as applicable), and identify any behavioral health or other services that may be helpful. Any safety issues identified will be provided back to command for action. Other SAPR services described in reference (b) are limited to Service members reporting a sexual assault.
- Component EOA, SARC, and other personnel who intake claims of sexual harassment complaints shall retain responsibility for case management of sexual harassment claims.

The appropriate Department policy will be updated to reflect the guidance in this memorandum. Applicable labor obligations must be satisfied prior to implementation of the temporary policies. In addition, temporary policies must note the confidential nature of conversations between Service members and SARCs.

In addition, Attachment 6 is hereby revised to require the Military Departments and the National Guard Bureau to provide an updated plan of action and milestones concerning implementation of Rec C1, by September 30, 2022. Such plans should provide for full implementation by December 1, 2022. My point of contact is Ms. Elizabeth Foster, Executive Director, Force Resiliency, at 703-697-8576 or elizabeth.b.foster15.civ@mail.mil.



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