



SECRETARY OF DEFENSE
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WASHINGTON, DC 20301-1000

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

SUBJECT: Department of Defense Actions and Implementation Guidance to Address Sexual Assault and Sexual Harassment in the Military

On my first full day as Secretary of Defense, I committed that we must do more as a Department to counter the scourge of sexual assault and sexual harassment in our military. As I stated then – this is a leadership issue and we will lead.

Since that day, we have undertaken a set of immediate actions and the 90-day Independent Review Commission (IRC) on Sexual Assault and Sexual Harassment has completed their work in four lines of effort: accountability, prevention, climate and culture, and victim care and support. The IRC interviewed a broad set of experts, victims, former prosecutors, as well as our military and Department leadership.

It is clear from their detailed and evidence-based analysis that countering sexual assault and sexual harassment in our military will require a comprehensive approach that integrates action across each line of effort. It is also clear that any changes will need to be well-designed and well-resourced for effective implementation, be clear to the entire force, and be measured regularly for effectiveness.

Based on the IRC recommendations, my extensive consultations with the military and civilian leadership of the Services, and taking into proper account the considerations above, I have a strong bias towards accepting the recommendations wherever possible with adjustments made to ensure effective implementation. There are several reforms on which I direct the Department to begin moving forward now:

Uniform Code of Military Justice (UCMJ) Reform: First, we will work with Congress to amend the UCMJ by:

- Removing the prosecution of sexual assaults and related crimes, domestic violence, child abuse, and retaliation from the military chain of command.
- Adding sexual harassment as an offense under the UCMJ.
- Creating dedicated offices within the Secretariat of each Military Department to handle the prosecution of these special crimes with appropriate legal oversight and guidance from the Office of the Secretary of Defense, consistent with existing practices.

Additional Accountability Reforms: In addition to UCMJ reforms, I direct the Services and Department leadership to standardize non-judicial punishment across all Services, to establish a separation process for Service members with substantiated sexual harassment claims, and to professionalize career tracks for lawyers and investigators in sexual assault and sexual harassment cases. My staff will also be studying how best to implement military protective orders to improve off-base enforcement and mandatory restitution for victims.

Prevention, Climate, and Victim Services: Solving this problem requires not just greater accountability, but also significant and enduring changes to our approach to prevention, climate and culture, and victim care and support. I am continuing to review the full scope of the commission's recommendations in these areas, but generally they appear strong and well-grounded.

Across all four lines of the IRC's effort, I have directed the Deputy Secretary to develop an implementation roadmap for my review within 60 days. Through the Deputy Secretary's roadmap process, we will also identify the resources and authorities necessary for implementation, both in terms of personnel and funding.

Following my approval of the implementation roadmap proposed by the Deputy Secretary, I direct the Under Secretary of Defense for Personnel and Readiness (USD(P&R)) to oversee implementation of my recommendations, working closely with the General Counsel, Military Departments, and other Components. USD(P&R) will periodically report progress on implementation through the Deputy's Workforce Council and directly to me.

Our most critical asset as a Department is our people, and our people and readiness are inextricably linked. We will remain the preeminent fighting force in the world because we strive to better take care of our people. Our values and expectations remain at the core of addressing this problem and I have every confidence that our Force will get this right.

Now is the time to lead. And we will lead.

