

Congress of the United States
House of Representatives
Washington, DC 20515-0545

March 25, 2022

The Honorable Lloyd J. Austin III
Secretary
Department of Defense
1000 Defense Pentagon
Washington, D.C. 20301

Dear Secretary Austin:

We write in response to allegations that the Department of Defense (DOD) curtailed research and suppressed findings on how to track military sexual assault data.¹ Although the events in question occurred in 2016, the allegations implicate individuals who remain in positions of authority, and reinforce concerns that DOD is not moving quickly enough to address the military sexual assault crisis.²

Sexual assault in the military has become an overwhelming crisis within all ranks. An estimated one-in-16 women and one-in-143 men experience sexual assault within DOD each year.³ At the service academies, one-in-six women and one-in-29 men experience sexual assault each year.⁴ Poor data management makes it difficult for DOD leadership to understand the scope of the problem or respond effectively. For example, the GAO found in May 2021 that DOD still has neither a uniform policy for reporting domestic violence allegations, nor a reliable, comprehensive database for tracking those incidents of domestic violence that are reported.⁵

These problems are not new. In 2016, then-Secretary of Defense Ash Carter launched a major initiative to improve collection of military sexual assault data. Carter instructed DOD's Defense Digital Service (DDS) to meet with key stakeholders and work closely with the Sexual Assault Prevention and Response Office (SAPRO) to help the "Department understand sexual assault data in a more meaningful way."^{6,7}

¹ The American Prospect, *Burying the Evidence* (November 2021) (online at: <https://prospect.org/justice/burying-the-evidence-sexual-assault-military-data/>)

² Senator Ernst, *Letter to Secretary Austin on Implementation Timeline* (October 2021) (online at https://www.ernst.senate.gov/public/_cache/files/5a14360f-feb1-4d95-b714-27f3dcad4f67/4A339D7CE947D9F7F3C7D66CA0CAE599.letter-re-active-duty-suicides-final-tuesday-am.pdf)

³ RAND Corporation, Research Report, *Countering Sexual Assault and Sexual Harassment in the U.S. Military* (2021) (online at https://www.rand.org/content/dam/rand/pubs/research_reports/RR1300/RR1318-1/RAND_RRA1318-1.pdf)

⁴ *Ibid*

⁵ United States Government Accountability Office, *Domestic Abuse Actions Needed to Enhance DOD's Prevention, Response and Oversight*, p. 20 (May 2021) (online at <https://www.gao.gov/assets/gao/21-289.pdf>)

⁶ The American Prospect, *Op. Cit.*

⁷ Ash Carter, *Remarks at Sexual Assault Response Coordinators of the Year Awards* (April 2016) (online at <https://www.defense.gov/News/Speeches/Speech/Article/757262/remarks-at-sexual-assault-response-coordinators-of-the-year-awards/>)



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Despite this initiative, senior DOD officials actively undermined this project and then suppressed its findings.⁸ DOD officials sought to prevent DDS from meeting with key stakeholders at DOJ and the White House.⁹ Officials at SAPRO reportedly resisted the initiative out of bureaucratic self-interest. After DDS completed its initial review, Secretary Carter's Chief of Staff aggressively reprimanded DDS for putting their recommendations in writing. They were then pressured to remove findings such as "DoD must remove any perverse incentives to hide or affect sexual assault reporting," though these incentives have since been widely documented by numerous experts, watchdogs, and even the services themselves.¹⁰

The parallels between the 2016 DDS report and the recommendations of the 2021 Independent Review Commission (IRC) on Sexual Assault in the Military are particularly striking.¹¹ DDS criticized DOD for failing to fully report domestic abuse data to Congress, much as the IRC called on DOD to comply with the statutory requirement to track all reported domestic violence incidents.¹² DDS proposed the creation of a "near-real-time metric of actual assault prevalence," five years before the IRC's call for "a standardized 'pulse survey' tool that would enable unit-level commanders to collect real-time climate data on sexual harassment and sexual assault."¹³ DDS recommended more advanced statistical analysis of sexual assault data, citing the potential for new insights that could improve prevention strategy.¹⁴ The IRC made the same recommendation, stating that "research is necessary to know what works."¹⁵

Allegations that the DDS report was buried by senior DOD leaders are concerning because they raise the possibility that DOD has deliberately slowed efforts to improve data on military sexual assault. The allegations also implicate individuals who remain in positions of influence within DOD and lend credence to bipartisan criticism that DOD is intentionally obstructing military sexual assault reforms.¹⁶ In order to allay these concerns, we request answers to the following questions no later than April 29:

1. What, if any, efforts are in process to improve, update, or replace the Defense Sexual Assault Incident Database to improve reporting and tracking of sexual assault and facilitate improved information in the Annual Report on Sexual Assault in the Military?
2. How is the Department leveraging the Defense Digital Service as part of its efforts to improve the military's prevention and response to sexual assault and, more generally, to further the Department's integrated violence prevention efforts?
3. What efforts are ongoing at the Office of People Analytics to improve data collection and analysis related to sexual assault, sexual harassment, and other interpersonal violence, including

⁸ The American Prospect, Op. Cit.

⁹ Ibid.

¹⁰ Fort Hood Independent Review Committee, *Report of the Fort Hood Independent Review Committee* (November 2020) (online at https://www.army.mil/e2/downloads/rv7/forthoodreview/2020-12-03_FHIRC_report_redacted.pdf)

¹¹ Independent Review Commission, *Hard Truths and the Duty to Change: Recommendations from the Independent Review Commission on Sexual Assault in the Military* (July 2021) (online at <https://media.defense.gov/2021-Jul-02/2002755437/-1-1/IRC-FULL-REPORT-FINAL-1923-7-1-21.PDF/IRC-FULL-REPORT-FINAL-1923-7-1-21.PDF>)

¹² Ibid, page 3.

¹³ Ibid, page 35.

¹⁴ Ibid, page 45.

¹⁵ Ibid.

¹⁶ Ernst, Op. Cit.

but not limited to adjustments to the Defense Equal Opportunity Climate Survey (DEOCS) and the Workplace and Gender Relations Survey (WGRS)?

Military sexual assault reform is a personal priority for President Biden as well as for large bipartisan majorities in both the House and the Senate. We thank you for your attention to this matter and look forward to your response.¹⁷

Sincerely,



Katie Porter
MEMBER OF CONGRESS



Jackie Speier
MEMBER OF CONGRESS

¹⁷ President Joe Biden, *Statement of President Joe Biden on the Results of the Independent Review Commission on Military Sexual Assault* (July 2021) (online at <https://www.whitehouse.gov/briefing-room/statements-releases/2021/07/02-statement-of-president-joe-biden-on-the-results-of-the-independent-review-commission-on-military-sexual-assault/>)



PERSONNEL AND
READINESS

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

APR 25 2022

The Honorable Jackie Speier
U.S. House of Representatives
Washington, DC 20515

Dear Representative Speier:

Thank you for your March 25, 2022 letter to the Secretary of Defense regarding allegations of deficiencies in how the Department of Defense (DoD) previously collected military sexual assault data. Improving the response to military sexual assault is a top priority for the Department and the President, and DoD is committed to the health and safety of our personnel. Below are responses to your specific questions:

1. *What, if any, efforts are in process to improve, update, or replace the Defense Sexual Assault Incident Database to improve reporting and tracking of sexual assault and facilitate improved information in the Annual Report on Sexual Assault in the Military?*

The Department developed the Defense Sexual Assault Incident Database (DSAID) to meet certain statutory requirements in 2009. DSAID's primary purpose is case management to ensure comprehensive and standardized victim care. DSAID data is used to conduct program oversight, inform Department and Service-level Sexual Assault Prevention and Response program planning and analysis, and meet congressional reporting requirements. The data stored in DSAID is protected from unauthorized access, consistent with DoD policy and law.

DSAID has undergone numerous upgrades to improve data collection. Recent enhancements to DSAID include adding the new U.S. Space Force sexual assault data elements, a Sexual Assault Response Coordinator (SARC) Dashboard to more easily enable SARCs to manage their cases, and expanded data fields to accommodate documentation of adult sexual assault cases under Family Advocacy Program purview. In addition, we have added a retaliation dashboard to enhance Program Managers' ability to gather and present sexual assault-related retaliation data.

2. *How is the Department leveraging the Defense Digital Service as part of its efforts to improve the military's prevention and response to sexual assault and, more generally, to further the Department's integrated violence prevention efforts?*

The Department continues to work with the appropriate DoD officials to identify and address potential gaps and enhance data collection efforts as necessary. The Department's implementation of the approved Independent Review Commission (IRC) on Sexual Assault in the Military recommendations is underway and DoD continues to explore how it can leverage support, as needed, from other DoD stakeholders, including the Defense Digital Services. To date, DoD integrated prevention efforts are leveraging Advana, the Department-wide analytics platform, and other data experts.

3. *What efforts are ongoing at the Office of People Analytics to improve data collection and analysis related to sexual assault, sexual harassment, and other interpersonal violence, including but not limited to adjustments to the Defense Equal Opportunity Climate Survey (DEOCS) and the Workplace and Gender Relations Survey (WGRS)?*

The Defense Organizational Climate Survey (DEOCS) 5.0 was redesigned in January 2021 to measure evidence-based risk and protective factors for sexual assault and sexual harassment, providing commanders real-time, localized, actionable information. Results are provided electronically and simultaneously to the individual commander and the next higher level of command within 72 hours of the survey closing. Senior leadership also uses DEOCS 5.0 to monitor climate issues across the Department, such as in the dashboard developed by the Office of Force Resiliency to support the On-site Installation Evaluations (OSIEs). The data and information collected by the OSIEs helps leaders up and down the chain of command make actionable improvements to command climate and reduce the risk factors for harmful behaviors which often result from poor command climates. In response to the IRC Recommendation 3.7.a, the Office of People Analytics (OPA) is developing a Climate Pulse Survey for use by commanders between annual DEOCS 5.0 administrations to focus on areas of concern identified in the DEOCS, including sexual assault and sexual harassment.

OPA continues to measure the prior year prevalence of gender discrimination, sexual harassment, and sexual assault using metrics that provide DoD the ability to assess trends in these prohibited behaviors over time. The metrics DoD uses on the Workplace Gender Relations (WGR) surveys to estimate the prevalence of gender discrimination, sexual harassment, and sexual assault were adopted in 2014, following an external review of DoD's approach. Since then, any revisions or updates to the metrics have prioritized maintaining the ability to monitor trends over time. Beginning in 2022, the WGR surveys will provide the ability to generate a prevalence estimate for sexual assault involving intimate partners in the prior year for Active, Reserve, and National Guard military members. These estimates will be released as part of a series of reports detailing the full results of the WGR surveys.

Leveraging survey data is invaluable, and the Department continues to assess its policies and programs on sexual assault, sexual harassment, and domestic violence to ensure we are the health and safety of our personnel and that alleged perpetrators are held appropriately accountable. Moreover, the data provides transparency to Congress and the American public, and informs the Department's policy development.

Our efforts to respond to and prevent these crimes within the military are unparalleled, but we still have more to do. Thank you for your continued strong support for the well-being of our Service members and their families. I am sending a similar response to Representative Porter.

Sincerely,



Gilbert R. Cisneros, Jr.



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