Department of Defense (DoD) Response to General Accountability Office (GAO) Review of Sexual Harassment

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Summary of General Accountability Office (GAO) Report of Sexual Harassment Studies and Policies

General Accountability Office (GAO) Report. The GAO report found that DoD has a long-standing policy aimed at providing an environment free from sexual harassment; however, some aspects of its policy and programs could be improved. The report's recommendations are summarized below:

- a strategy for holding leaders accountable for enforcing DoD sexual harassment policies
- tracking compliance with requirements for conducting "command climate" assessments
- guidance on how sexual harassment incidents are handled in joint service environments
- establishing uniform data elements that the Services should use when reporting formal sexual harassment complaints
- implementing an oversight framework to help guide the Department's efforts

Summary of General Accountability Office (GAO) Report of Sexual Harassment Studies and Policies continued…

Summarized DoD Response.

DoD concurred with the GAO Report recommendations and is developing an executable plan with prioritized actions to address resourcing for the changes recommended. Where examples of Service “best practices” are cited in the report, the Department will work collaboratively to implement them in an effort to sustain military readiness by establishing a culture free of sexual harassment throughout DoD.

DoD Specific Responses to General Accountability Office (GAO) Recommendations

A strategy for holding leaders accountable for enforcing DoD sexual harassment policies

- Leadership accountability is essential to the success of Service and DoD efforts to prevent sexual harassment.
- DoD will address this recommendation in Fiscal Year 2012 in collaboration with the Military Services through a systematic review of existing Service methods to ensure accountability.
- The goal of the review will be to develop an overarching DoD strategy of holding leaders at appropriate levels in the organization accountable for promoting, supporting, and enforcing the Department's sexual harassment policies and programs.

DoD Specific Responses to General Accountability Office (GAO) Recommendations

Tracking compliance with requirements for conducting “command climate” assessments

- Senior leaders demonstrate commitment by monitoring compliance with requirements aimed at creating an organizational culture free of sexual harassment.
- DoD will address this recommendation with specific guidance in a revised DoD instruction addressing the DoD Military Equal Opportunity Program, which will be fully staffed, coordinated and published in FY 2012.
- Collaboration will continue with the Military Services and the Defense Equal Opportunity Management Institute (DEOMI) in preparing guidance to ensure Service structures, missions, resourcing, and operational needs are considered.

DoD Specific Responses to General Accountability Office (GAO) Recommendations

Guidance on how sexual harassment incidents are handled in joint service environments

- Service members should not be denied the benefit of their parent Service's equal opportunity and counseling systems if necessary to ensure the DoD standards on complaint handling are met for each member.
- DoD and the Military Services will collaborate to produce guidance on how incidents of sexual harassment should be handled in environments wherein two or more Services are operating together.
- The proposed guidance will reflect the standards, values, and principles of existing Service programs, resources, and counseling services and will be included in the new DoD Military Equal Opportunity Program instruction.

DoD Specific Responses to General Accountability Office (GAO) Recommendations

Establish uniform data elements that the Services should use when reporting formal sexual harassment complaints

- Complete, accurate and consistent data help inform DoD and Service leadership decisions related to sexual harassment program policy, prevention and training, and problem analysis.
- The Department is collaborating with the Military Services to ensure that the Service's complaint data are complete and accurate and to develop uniform data elements that the Services should use when collecting and reporting information on formal sexual harassment complaints.
- Review is underway to leverage existing Service databases and establish management reporting systems that comply with Secretary of Defense efficiencies guidance .

DoD Specific Responses to General Accountability Office (GAO) Recommendations

Implement an oversight framework to help guide the Department's efforts

- The Office of the Under Secretary of Defense for Personnel and Readiness recognizes the need for an oversight framework to help guide the DoD Military Equal Opportunity (MEO) program and prevention of sexual harassment efforts.
- Framework for oversight of MEO program under development to include clear mission, performance goals, and measures; strategies and resources to accomplish goals; decisions based on performance information; and communication of results.
- A senior advisory group will be placed within the oversight framework to strengthen responsibilities and institutionalize authorities needed for successful implementation of MEO and sexual harassment policies.

DRAFT DODI 1350.2 Proposed Guidance on Sexual Orientation Discrimination Complaints

SEXUAL ORIENTATION DISCRIMINATION

Exclusion from DoD MEO Program. The MEO program does not include sexual orientation as a class eligible for the MEO complaint resolution process. Complainants of discrimination based on sexual orientation should first attempt to resolve the complaint through the chain of command, if possible. If the complaint is not resolved within the chain of command, the Military Department member can seek resolution through the Inspector General or other means established by the Military Departments.

Exception to DoD MEO Program Policy on Sexual Orientation Discrimination. Military members of the United States Coast Guard (USCG) may access the informal equal opportunity complaint process for complaints of discrimination based on sexual orientation pursuant to COMDTINST M5350.4 (Reference (t)). USCG military members may contact their servicing civil rights service providers, who, consistent with other prevailing non-discrimination policy, will offer counseling and attempt to informally resolve such complaints. USCG military members must first attempt to resolve such complaints with their commanding officer or officer in charge. If unresolved by the chain of command, sexual orientation claims are now eligible for informal complaint processes including intake, counseling, and attempts at mediation by their servicing Civil Rights Service Providers (CRSPS). However, CRSPS will not accept military sexual orientation claims for processing beyond counseling and mediation.

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Questions