



PERSONNEL AND
READINESS

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

JAN 13 2023

MEMORANDUM FOR CHAIR, DEFENSE ADVISORY COMMITTEE FOR THE
PREVENTION OF SEXUAL MISCONDUCT

SUBJECT: Defense Advisory Committee for the Prevention of Sexual Misconduct – Two
Subcommittees and Two Studies

I am establishing two subcommittees of the Defense Advisory Committee for the Prevention of Sexual Misconduct (DAC-PSM). Each subcommittee will not exceed 10 members. They will be known respectively as the Metrics and Performance Subcommittee and the Prevention Training and Activities Subcommittee. In addition, I am tasking the DAC-PSM to conduct two training studies, working through the subcommittees. My objectives for these subcommittees and studies are outlined in the attached Terms of Reference.

The Metric and Performance Subcommittee will provide independent advice and insights related to recommendations associated with metrics development and performance evaluation of activities tied to the prevention of sexual misconduct. The Prevention Training and Activities Subcommittee will provide independent advice and insights related to recommendations associated with the utilization of existing prevention activities and the development of new initiatives.

As an initial effort of these subcommittees, I am tasking the DAC-PSM, working through the Metrics and Performance Subcommittee and the Prevention Training and Activities Subcommittee, to conduct a study on sexual assault and sexual harassment training provided to those who have been in the military 4 years or less. Each subcommittee will undertake a distinct part of this study, with insights and recommendations due to the DAC-PSM no later than May 1, 2023. The Metrics and Performance Subcommittee will look into metrics development and performance evaluation of activities tied to the prevention of sexual misconduct, and the Prevention Training and Activities Subcommittee will consider activities undertaken with Service members to advance prevention efforts, including the content of training. In addition, I am directing the Prevention Training and Activities Subcommittee to conduct a study on the sexual assault prevention and response training provided as part of professional military education for consideration by the DAC-PSM. The DAC-PSM will provide its report to me no later than June 15, 2023.

The new subcommittees, like the DAC-PSM, will be subject to the Federal Advisory Committee Act (5 U.S.C., Appendix). All advice and recommendations from the subcommittees will be provided to the entire DAC-PSM for its thorough discussion and deliberation at a properly noticed and open meeting, unless it must be closed in accordance with one of the Government in the Sunshine Act (5 U.S.C. § 552b) exemptions, prior to submission to me, as the DoD Sponsor for DAC-PSM.

Gilbert R. Cisneros, Jr.

Attachments:
As stated

cc:
Advisory Committee Management Officer
Group Federal Officer

Defense Advisory Committee for the Prevention of Sexual Misconduct

Prevention Training and Activities Subcommittee

Terms of Reference

This Terms of Reference (ToR) establishes the Prevention Training and Activities Subcommittee, a subcommittee of the Defense Advisory Committee for the Prevention of Sexual Misconduct (DAC-PSM) and sets out the objectives, as determined by the Under Secretary of Defense for Personnel and Readiness (USD(P&R)).

Mission Statement: Consistent with the Federal Advisory Committee Act (FACA) and in accordance with DoD policy and procedures, the DAC-PSM will not duplicate work that has been performed or is being performed by DoD or any other DoD Federal advisory committee or subcommittee. The DAC-PSM provides the Secretary of Defense (SecDef) and the Deputy Secretary of Defense, through the USD(P&R), independent advice on the prevention of sexual assault (including rape, forcible sodomy, other sexual assault, and other sexual misconduct (including behaviors on the sexual assault continuum of harm¹)) involving members of the Armed Forces and the policies, programs, and practices of each Military Department, each Armed Force, and each Military Service Academy, which includes the United States Coast Guard Academy. In accordance with a September 30, 2021 decision by SecDef, the DAC-PSM review of the prevention of sexual assault policies, programs, and practices is to include reviewing similar matters at all DoD educational institutions and training facilities.

The subcommittee will conduct research and develop recommendations related to activities undertaken with Service members to advance prevention efforts, including the content of training. As defined in Department of Defense Instruction 6400.09, “DoD Policy on Integrated Primary Prevention of Self-Directed Harm and Prohibited Abuse or Harm,” prevention activities are policies, programs, and practices for the prevention of sexual misconduct.² The subcommittee will offer its independent advice and recommendations to the DAC-PSM for its thorough discussion and deliberation at a properly noticed and open meeting, unless required to be closed in accordance with one or more of the Government in the Sunshine Act exemptions. Members shall have experience in the metrics development and performance evaluation related to prevention of sexual assault and behaviors on the sexual assault continuum of harm; adverse behaviors; the change of culture of large organizations; and/or implementation science.

Issue Statement: The Prevention Training and Activities Subcommittee will provide, for the

¹ Subsection 550B(e) of the National Defense Authorization Act for FY 2020 (Pub. L. 116-92) states “that the term “sexual assault continuum of harm” includes (1) inappropriate actions (such as sexist jokes, sexual harassment, gender discrimination, hazing, cyber bullying, or other behavior that contributes to a culture that is tolerant of, or increases risk for, sexual assault; and (2) maltreatment or ostracism of a victim for a report of sexual misconduct.”

² The Prevention Plan of Action 2.0 (May 2022) defines policy, program, and practice: A policy is a course or principle of action of a government or other institution that may be reflected in regulation, procedure, administrative action, incentive, or voluntary practice. A program is a curriculum or manualized set of activities and information intended for learning and skill development. A practice is a discrete behavior or action contributing to prevention. (PPOA 2.0 Glossary)

DAC-PSM's consideration, independent advice and insights related to recommendations associated with the utilization of existing prevention activities and the development of new initiatives. This subcommittee will also consider if content provided in training settings is appropriate to achieve desired outcomes (to include how each training is intended to change behavior), especially with targeted populations, and assess mechanisms used to engage non-departmental entities to assist in the development of such training or courses. The subcommittee will offer analysis on the costs of such training. The subcommittee will offer recommendations on prevention activities shown to be effective in the civilian community, including colleges and universities.

Objective and Scope: The subcommittee will analyze prevention activity content used by DoD and Military Services to assess if the content (and delivery method) is appropriate and will offer recommendations on approaches used outside the Department that might be relevant. The subcommittee will provide periodic updates to the DAC-PSM on its work, as appropriate, and develop recommendations with comprehensive supporting evidence.

In support of this ToR and the work conducted in response to it, the DAC-PSM and this subcommittee have my full support to meet with Department leaders. The DAC-PSM staff, on behalf of the DAC-PSM and the Prevention Training and Activities Subcommittee, may request the Office of the Secretary of Defense and DoD Component Heads to timely furnish any requested information, assistance, or access to personnel to the DAC-PSM or the Prevention Training and Activities Subcommittee. All requests shall be consistent with applicable laws, applicable security classifications, DoD Instruction 5105.04, "Department of Defense Federal Advisory Committee Management Program," and this ToR. As special government employee members of a DoD federal advisory committee, the DAC-PSM and the Prevention Training and Activities Subcommittee members will not be given any access to DoD networks, to include DoD email systems.

Once material is provided to the DAC-PSM and the subcommittee, it becomes a permanent part of the DAC-PSM's records. All data/information provided is subject to public inspection unless the originating Component office properly marks the data/information with the appropriate classification and Freedom of Information Act exemption categories before the data/information is released to the DAC-PSM and the subcommittee. The DAC-PSM has physical storage capability and electronic storage and communications capability on an unclassified network to support receipt of unclassified material only.

The DAC-PSM and the Prevention Training and Activities Subcommittee will operate in conformity with and pursuant to the DAC-PSM's charter, the Federal Advisory Committee Act (5 United States Code (U.S.C.), Appendix), the Government in the Sunshine Act (5 U.S.C. § 552b), and other applicable federal statutes, regulations, and policy. Individual DAC-PSM and Prevention Training and Activities Subcommittee members and the Prevention Training and Activities Subcommittee as a whole do not have the authority to make decisions or provide recommendations on behalf of the DAC-PSM nor report directly to any Federal representative. The members of the Prevention Training and Activities Subcommittee and the DAC-PSM are subject to certain Federal ethics laws, including 18 U.S.C. § 208, governing conflicts of interest, and the Standards of Ethical Conduct regulations in 5 Code of Federal Regulations, Part 2635.

Dated: _____