

RECORD VERSION

STATEMENT BY

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BEFORE THE

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PENDING LEGISLATION REGARDING SEXUAL ASSAULTS IN THE MILITARY

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COMMITTEE ON ARMED SERVICES**

Thank you, Chairman Levin, Ranking Member Inhofe, and other distinguished members of the Committee for allowing us to testify today.

It is clear to me that the Department of Defense and specifically the Army has a serious problem. We have failed in our efforts to date to fully protect our Soldiers, Civilians and Family members from sexual assault and sexual harassment within our ranks. Sexual assault and harassment are like a cancer within the force – a cancer that left untreated will destroy the fabric of our force. It's imperative that we take a comprehensive approach to prevent attacks, to protect our people, and where appropriate, to prosecute wrongdoing and hold people accountable. This is about inculcating a culture that is in line with our Army Values, specifically treating all with dignity and respect.

In 1976, I entered into an Army that was rife with disciplinary problems across the force. Over the course of my thirty-seven year career, I have commanded at every level, including division, corps, and theater command in combat. I know what it takes to prepare this Nation's sons and daughters for war and the discipline that must exist at every level of command to ensure an effective fighting force. As the Chief of Staff of the Army, as a commander of forces at every level, and as a parent of two sons and a daughter, sexual assault and harassment cut to the core of what I care most about – the health and welfare of America's sons and daughters.

Our profession is built on the bedrock of trust – the trust that must inherently exist among Soldiers, and between Soldiers and their leaders to accomplish their mission in the chaos of war. Recent incidents of sexual assault and sexual harassment demonstrate that we have violated that trust. In fact, these acts violate everything our Army stands for and they will not be tolerated.

On May 16, I sent a message to our 1.1 million Soldiers and 266,000 Department of the Army civilians via email and several social media channels to address the issue of sexual assault and harassment within our ranks. Since its release, I have been taken aback by the emotional responses I have received – hundreds of messages from victims, from sexual assault response coordinators, and from leaders about their personal experiences dealing with sexual assault and harassment. It is clear that we have lost the confidence of some of our people because we have failed them – we have failed to address previous incidents in a just, compassionate, and comprehensive way.

In a video conference with Army commanders on May 17, I told my commanders that combating sexual assault and sexual harassment within our ranks is now the Army's #1 priority. The actions we will take to get after this problem will be guided by five imperatives.

First, we must prevent potential offenders from committing sexual crimes and when a crime has been committed, we must provide compassionate care and protect the rights of survivors, particularly their right to privacy.

Second, we must ensure that every allegation of sexual assault and harassment is thoroughly and professionally investigated and that appropriate action is taken.

Third, we must create a climate and an environment in which every person is able to thrive and achieve their full potential. Leaders must take action to establish and sustain standards at every level. Leaders must develop systems to “see” their units and themselves in order to understand the extent to which their leadership promotes a positive command climate. Every Soldier must believe that when they report an incident of sexual assault or harassment the chain of command will respond quickly and will protect the victim. Part of building a positive command climate is reducing the stigma associated with reporting these crimes.

Fourth, it is imperative that we hold individuals, units and organizations, and commanders accountable for their behavior. Commanders are ultimately responsible for ensuring an environment of mutual respect, trust and safety. We must take a deliberate approach to implementing the necessary checks and balances that will ensure commanders and their legal advisors reinforce their mutual responsibilities to administer the Uniformed Code of Military Justice. At the same time every individual – leaders, peers, and subordinates alike – must be compelled to report sexual misconduct to eliminate the bystander mentality.

Fifth, it is imperative that we keep the chain of command fully engaged and at the center of any solution to combat sexual assault and sexual harassment. Command authority is the most critical mechanism for ensuring discipline and accountability, cohesion and the integrity of the force. Increased commander involvement and accountability is essential to instituting a change of culture in our Army, restoring the trust of our Soldiers, and is necessary to comprehensively solve this problem.

The Military Justice System

It is my belief that Soldier discipline is the foundation of any well-trained force capable of winning our Nation’s wars. Discipline is built, shaped and reinforced over a Soldier’s career by commanders with authority. The commander is necessarily vested with ultimate authority because he or she is responsible for all that goes on in a unit – health, welfare, safety, morale, discipline, training, and readiness to execute a mission in wartime and in times of peace. The commander’s ability to punish quickly, visibly, and locally is essential to maintaining discipline in all its forms within a unit. The Uniform Code of Military Justice (UCMJ) is the vehicle by which commanders can maintain good order and discipline in the force. Without equivocation, I believe maintaining the central role of the commander in our military justice system is absolutely critical.

I also believe that the military justice system, based upon the Uniform Code of Military Justice, is well equipped to meet the challenges of crime and indiscipline in the Army, to include the crimes of sexual assault and sexual harassment. Commanders have a wide range of disposition options available to them, from four levels of court martial, non-judicial punishment, punitive administrative discharge, adverse

administrative action, to imposing non-punitive measures. This toolbox of disposition options allows commanders to address the entire spectrum of sexual misconduct, from precursor behaviors of verbal harassment up to and including a rape. Civilian systems do not provide a corresponding range of disposition options. At the same time, I also believe that there are additional checks and balances that can be added to the UCMJ that will both assist commanders and ensure that they are following the appropriate procedures. This is where we must work together.

Sexual assault and harassment are unacceptable problems within our military and our society. We cannot, however, simply prosecute our way out of this problem. Sexual assault and harassment are issues of discipline that require a change in our culture. I need our commanders to instill that culture change as they continue to train our Soldiers to prevent and to respond to issues of sexual assault and harassment. I am certain that removing a commander's role in military justice will, unfortunately, undermine a commander's ability to effect these culture changes. It will adversely affect discipline, and may result in an increase to the problems we seek to resolve.

The Army's Sexual Assault Reporting, Response, and Disposition Process

The Army's system for receiving and processing reports of sexual assault consists of five basic elements: reporting options and victim care, independent investigation, legal review, tracking mechanisms, and the disposition decision. As detailed in our regulations, the Army's policies regarding sexual assault are intended to provide a series of checks and balances to ensure that once a report of sexual assault is made, there is accountability, visibility, and transparency in our system. We are taking a hard look at each of the steps detailed here so that we ensure we have the tools in place to ascertain full compliance with Army policies, and identify any gaps and areas for improvement.

First, victims must have a variety of options by which they can reach out for help and make a report. Understanding the intensely personal nature of these crimes, the Army provides victims with two types of reports for sexual assault victims in the Army. An unrestricted report, preferred by Army policy, can be made to any source and triggers immediate victim support and an independent law enforcement investigation. A restricted report can be made only to select individuals, and will allow a victim to obtain counseling, medical and advocacy services. Restricted reports may be made only to a Victim Advocate, Sexual Response Coordinator, and healthcare personnel, and this is commonly known to our Soldiers. A restricted report does not trigger a law enforcement investigation; however, a victim who chooses to make a restricted report is able to convert to an unrestricted report at any time. The choice to make a restricted or unrestricted report is left to the discretion of the victim.

Soldiers may make unrestricted reports to multiple sources, including: uniformed or civilian Victim Advocates, uniformed or civilian Sexual Assault Response Coordinators, military or civilian law enforcement (including 911), military or civilian hospitals, chaplains, the inspector general's office, judge advocates, hotline numbers managed by the Department of Defense and local installations that accept phone calls

and texts, websites for on-line reporting and any member of the victim's chain of command. These sources are considered 'first responders' and are specially trained to respond and support victims. A friend or family member of the victim may report to any of these sources which may also trigger a law enforcement investigation if the report is unrestricted. Every officer or non-commissioned officer within the chain-of-command who receives or learns of an allegation of sexual assault in their unit is obligated to report that crime to law enforcement. Failure to do so may be considered a dereliction of duty.

As soon as a report is made, victim care responsibilities are triggered. Throughout the reporting, investigative and prosecution process, victim care is an essential and ongoing element of the program. Victims are assigned a Victim Advocate, their primary point of contact, from the initial report. Victims are offered the services of Legal Assistance Attorneys, who provide confidential advice within the privileged context of an attorney-client relationship, on victim's rights, options and the military justice system. Victim Witness Liaisons assist with educating victims about their rights and the military justice process and provide compassionate, direct assistance that includes accompanying victims to interviews and proceedings.

In addition to victim service providers, commanders are required to protect and care for victims. Commanders must transfer a victim to another unit if requested; must keep the victim informed monthly about the status of the investigation; must ensure that victim afforded support services; and must take action to ensure victim and unit safety are maintained, to include issuing a no-contact order. The commander's role in protecting and caring for the victim is integral to promoting faith and trust in the military justice system and is another reason why commanders must be involved in the process. Victim support services continue until he or she elects to reduce or change support requirements.

Second, every sexual assault allegation must be subject to a thorough and professional investigation. Every source that receives an unrestricted report of sexual assault is required to notify law enforcement immediately. Every sexual assault allegation, from an unwanted touch over the clothing to rape, is required to be investigated by the specially-selected and trained agents of the Criminal Investigation Division (CID), the Army's felony level detectives. CID agents do not work for the commander, and the commander has no role in shaping or advising the investigation. CID agents receive some of the best and most extensive training in sexual assault investigations of any investigative agency, including their initial training, annual refresher training, and an in-depth 80-hour Special Victim Unit (SVU) Investigation Course. Further, CID has hired civilian sexual assault investigators (SAIs) to supervise their SVUs and sexual assault investigative teams. The sexual assault investigators bring, on average, 16 years of experience and expertise from civilian State and Federal law enforcement agencies.

Third, qualified judge advocates, including our specially trained and selected Special Victim Prosecutors (SVPs), provide legal advice to the investigators and the commanders and protect the rights of victims. SVPs are hand-selected at the

Department of the Army level for their skill and experience in the courtroom and their ability to work with victims. SVPs receive an intense three-month training prior to assuming their duties that includes on-the-job experience with a civilian Special Victim Unit in a major metropolitan city and the National District Attorney's Association Career Prosecutor's course. The SVP works hand-in-hand with the CID agents to develop these investigations. SVPs are notified of and track every allegation of sexual assault. The SVP trackers are provided monthly to the Office of The Judge Advocate General Criminal Law Division and the Trial Counsel Assistance Program for oversight. SVPs are also trained to meet with the victim as soon as practicable after the report, to establish rapport and begin the relationship that will serve as the foundation of every case.

When the CID investigation is complete, a judge advocate must provide a legal opinion that the allegation should be "founded" or "unfounded" based on the requirement that there be evidence of every element of the offense. This process, an agreement between the investigator and the prosecutor, comports with civilian jurisdiction practice, in which the police and district attorney make collaborative decisions about the sufficiency of evidence. If the allegation is determined to be "unfounded," the commander is notified and the record becomes a permanent law enforcement record. If the allegation is determined to be "founded," the judge advocate will take the case to the commander for discussions and recommendations on disposition options.

Fourth, every allegation is tracked using several reporting methods to provide visibility and transparency. Every sexual assault allegation is entered on the daily crime blotter that is circulated to all leadership personnel with a need to know on that military installation, to include each level of command up to the Commanding General, usually within 24 hours of the initial report. Every investigation is evaluated by a judge advocate for the sufficiency of evidence. Every investigation, no matter the outcome, results in a permanent law enforcement record associated with the offender. The progress of the investigation and the disposition of every case is monitored by the installation and unit Sexual Assault Response Coordinators and discussed monthly at the Sexual Assault Review Board, chaired by the senior commander on the installation. Finally, the disposition and description of every allegation of sexual assault is provided to Congress in the Annual Report on Sexual Assault in the Military.

Fifth, the disposition of sexual assault allegations are reserved for senior, seasoned and trained commanders relying on the advice of judge advocates. Due to the complexities of sexual assault crimes, the disposition of the most serious, penetrative offenses is withheld to the Special Court Martial Convening Authority, a brigade commander O-6 (Colonel) with a dedicated legal advisor. These officers have over 20 years of experience in the Army, command units of approximately 3,000-5,000 Soldiers and have been trained in their responsibilities under the military justice system repeatedly, to include a specialized, sex assault focused Senior Officer Leader Orientation at the Army Judge Advocate General's Legal Center and School. The non-penetrative sexual assault offenses are withheld for disposition to the Summary Court

Martial Convening Authority, a battalion commander with an average of 20 years of experience who commands a unit of approximately 500 soldiers.

The disposition process is a continuation of the investigative process in that the same people are advising the command: the investigator and the legal advisor. The relationship between the judge advocate legal advisor and the commander is unique. The commander has the authority, but that commander relies on his or her judge advocate for advice and recommendation. Commanders do not make disposition decisions without judge advocate advice, and Article 34, UCMJ, requires that the judge advocate provide written advice before charges may be referred to a court-martial. In the event that a judge advocate encounters a commander unwilling to follow advice to take an allegation to trial, the judge advocate may take the same allegation to the superior commander, who can essentially pull the case up to the next level.

Although these policies for reporting, disposition and victim care provide a sound base, I believe the Army must take a hard look at our system, from start to finish to ensure that the central role of the commander is subject to appropriate checks and balances, all while protecting the interests of the victim and the due process rights of accused Soldiers.

Military Justice System Improvements

I am aware of a number of legislative proposals that contemplate changes to the role of the commander and to the UCMJ. I welcome candid and vigorous discussion about how we can improve our military justice system. Below are detailed some of the changes we should consider to improve our current system:

- **Commander Response Certification.** I believe we should implement a process of checks and balances to ensure commanders and their legal advisors are reinforcing their mutual responsibilities to administer the UCMJ properly. Although our commanders participate in our monthly Sexual Assault Review Boards held at the local level to review sexual assault cases and ensure effective victim support is provided, we believe the Army can do more to improve our response services and responsibilities. For example, we are considering whether to create a new system to formally track all commanders' actions after a report of sexual assault has been received. Army Regulation 600-20 lists the actions required by the commander, as well as the actions that must be taken by Sexual Assault Response Coordinators, CID, and staff judge advocates in the event of a reported sexual assault. These actions apply equally to reports made through the chain of command and those made outside the chain of command. However such actions are not formally tracked until an investigation is initiated by military law enforcement. In order to ensure the proper responsibility for and accountability of all command actions, we will consider the best ways in which to strengthen and codify these checks and balances.
- **Article 60, UCMJ Limitations.** I support the Secretary of Defense's position and the DoD's proposed amendment to Article 60 which would limit a commander's ability to disapprove a finding of guilt and would require a commander to justify any sentence

reduction in writing. I also believe that the commander's role in the post-trial process should generally be preserved, particularly for the purpose of ensuring fairness to an accused when an appellate process may not be available.

- **Trainee Sexual Abuse.** I support proposals that would criminalize sexual activity between trainers and trainees as well as recruiters and recruits. I also believe that the definition of a "trainer" should be interpreted broadly to include training cadre and other supporting personnel.

- **General Court Martial Referral for Rape.** I support proposals which would require that all penetrative sexual offenses (for rape, sexual assault, forcible sodomy and attempts to commit those crimes) be referred to a General Court Martial only, rather than a Special Court Martial or a Summary Court Martial, due to the severity of these crimes. To implement this proposal, however, we will need to consider several technical amendments to ensure the UCMJ functions properly in practice.

- **Bar to Service.** I support a bar to service for any person who has been convicted of a sexual offense or who has been separated from military service due to any previous sexual misconduct.

- **Mandatory Administrative Separation.** I support the mandatory administrative separation of any person required to register as a sex offender. Registration requirements for sex offenders are already set forth in Federal law, State law, and Department of Defense policy, and the Army is in compliance.

- **Expanded Legal Assistance Training.** The Army has 300 well-trained legal assistance attorneys in the field right now. We are carefully watching the Air Force pilot program and adopting their best practices by incorporating specialized, victim-oriented training for our counsel. Along with this effort, we are fielding the FY13 NDAA-mandated "Special Victim Capability" (SVC) which includes the following four specially trained personnel: Special Victim Prosecutor (SVP), Sexual Assault Investigator, Victim-Witness Liaison, and Paralegal.

The Army's SVP program, in place since 2009, has dramatically improved the overall handling and prosecution of sexual offenses. For the past three years, the feedback we have received from victims and their families attest to the dedicated, compassionate assistance provided by the specially-selected and trained Special Victim personnel. In addition, the number of courts-martial for sexual assault and domestic violence has steadily increased, reflecting a justice system that is increasingly focused on this problem. The robust training programs created to support that mission are now being multiplied to specially train the rest of the Special Victim Capability personnel. In addition, our legal assistance attorneys are receiving similar training so they are prepared to adequately represent victims' needs and privacy interests.

- **Response System Panel.** I am in full support of the FY13 NDAA Section 576 creation of a Response Systems Panel (RSP) and the Judicial Proceedings Panel (JPP) to study the reporting, investigating, and prosecuting of sexual offenses under military

and civilian jurisdictions and to determine what changes should be made to law and policy.

It is my view that any changes to the UCMJ – even if we agree that change is required – not be made in a piecemeal fashion. I agree that improvements can and should be made, but I recommend a measured approach. The UCMJ system created in 1950 was carefully crafted by Congress over the course of two years after numerous hearings, testimony from lawyers and on-lawyers, and carefully drafted legislation. Since that time, Congress has made major changes to the Code on only one occasion, when it enacted the Military Justice Act of 1968 after months of hearings and testimony. Any proposed statutory and policy changes should be made as part of RSP panel and not implemented until the panel is complete.

By taking a deliberate and thoughtful approach, we can ensure that the UCMJ remains a first class piece of legislation, but also ensure that unforeseen or unanticipated consequences do not adversely affect our military legal system. Any changes to our system must be done with a full appreciation for the second and third order effects on our pre-trial, post-trial and appellate process.

Addressing Sexual Assault and Harassment

There are a number of existing and new initiatives underway at the institutional level and across our operational force, and within our military justice system to get after the problems of sexual assault and sexual harassment.

Institutional Initiatives

The Army's Sexual Harassment/Assault Response and Prevention (SHARP) program takes a comprehensive approach to preventing and responding to both sexual assault and harassment because research demonstrates that sexual assault is often preceded by sexual harassment. The Army's SHARP strategy is consistent with the Strategic Direction to the Joint Force on Sexual Assault Prevention and Response Memorandum dated 7 May 2012, DoD policy, and it is being updated to meet FY13 NDAA legislative requirements.

Due to the criticality and priority of this mission, I support exempting all SHARP program personnel from the civilian furlough and the hiring freeze so that we may continue to interview and hire additional Sexual Assault Response Coordinators (SARC), Victim Advocates, investigators, lab examiners and trainers through the end of fiscal year 2013.

On 10-11 June 2013, I will host a two day SHARP Summit with all of the Army's senior commanders and command sergeants major. The conference will bring together Army leaders, Congressional representatives, and civilian subject matter experts to discuss sexual assault and harassment related concerns. For example, conference participants will discuss the status of compliance with Army policies and any challenges implementing the current Army SHARP Campaign Plan and new requirements as outlined by the Secretary of Defense in his 6 May 2013 Sexual Assault Prevention and

Response and 17 May 2013 Stand-down directives. The conference will provide the opportunity for Army civilian and military leaders and survivors to share their lessons learned and develop best practices across the force.

- **CSA SHARP Panel.** I am in the process of establishing a SHARP panel of experts to provide Army senior leaders with a critical, independent review of the Army's current programs that will be used to inform any changes to the Army's policies and procedures. The panel will be composed of civilian government, legal, and academic experts, military commanders, and sexual assault survivors so that they can share their experiences and help to identify areas for improvement and increased responsiveness. In addition, the Sergeant Major of the Army will chair a junior enlisted SHARP panel to provide a more diverse view from across the force on sexual assault and harassment issues.

- **Department of Defense Standards for SHARP Personnel.** The Army oversees 32 SHARP training courses that span from initial entry up through command sergeants major and pre-commissioning to general officer. For example, the Army created and runs the SHARP 80-hour certification course which has been approved by the National Organization for Victim Assistance and is required for all personnel who respond to victims of sexual assault. To date, more than 20,000 Army personnel have completed the course.

In support of Army commanders, the Army will resource 902 military and civilian full-time positions, which includes 829 full-time Sexual Assault Response Coordinators (SARC) and Victim Advocates (VA) at brigade level as well as 73 full-time SHARP 80-hour Certification Course Trainers at Division level and higher Army organizations. Army Command and Headquarters Department of the Army level organizations. There are approximately 9,010 personnel with collateral duty positions at battalion and below units.

The Army also continues to increase its number of female drill sergeants. As of 22 May 2013, the Army is authorized 494 female drill sergeants, currently has 478 on hand and expects to add an additional 51 personnel (for a total of 529) within the next three months.

- **Training and Education Programs.** We are in the process of updating all Professional Military Education training programs on sexual assault and harassment from new recruit through general officer level and the Civilian Education System training. Program updates are based upon new legislation, revised DoD guidance, and changes to the Army's sexual harassment/assault prevention campaign efforts.

At their pre-command course, commanders receive mandatory SHARP training modules on current trends, cultural considerations, and the commander's role in establishing a climate and culture that does not tolerate sexual misconduct. In addition, an Army sexual assault Highly Qualified Expert (HQE) instructs commanders on their roles and responsibilities as Special/General Court Martial Convening Authorities.

Consistent with the Fiscal Year 2013 National Defense Authorization Act, the Army indoctrinates new recruits and first-term Soldiers on SHARP training with in the first 14 days of Basic Combat Training and offers support to Soldiers who self-disclose a pre-service history of sexual assault. In training facilitated by sexual assault subject matter experts, recruits participate in a second course consisting of interactive skits dealing with dating, consent, and sexual assault to foster understanding about the nature and impact of interpersonal violence. Reserve Officer Training Corps (ROTC) Cadets receive a three hour introductory course on SHARP early in their common core training program. A comprehensive curriculum at the United States Military Academy includes lessons on sexual harassment and sexual assault topics during the cadets' basic training as well as additional SHARP instruction throughout the 47-month cadet experience.

- **Increasing Investigator, Lab Examiner, and Prosecutor Capacity.** Since 2012, the Army has served as the Executive Agent for the Special Victims Unit Investigation 80-hour Course that trains all the military services' investigators and prosecutors at the U.S. Army Military Police School. Approximately 250 personnel were trained in FY12. The U.S. Army Criminal Investigation Laboratory supports all military services and the laboratory's DNA processing meets all Congressionally mandated timelines of under 60 days. The Army maintains a Special Victims Unit capability through 70 CID units worldwide, which includes 22 Sexual Assault Investigators at 19 Army installations; an additional 8 Sexual Assault Investigators will be hired in FY14.

In addition to these programs, the Army has hired or assigned the following added personnel to increase capacity for investigations and prosecutions:

- 4 Criminal Investigation Division (CID) Highly-Qualified Experts
- 6 (of 7) civilian lawyers who are Highly-Qualified Experts in the field of sexual assault
- 20 (of 23) Special Victim Prosecutors (remaining filled by summer 2013)
- 32 Lab Examiners whose express purpose and focus is sexual assault

- **Medical Command (MEDCOM).** Every Army Military Treatment Facility has a Sexual Assault Care Coordinator, Sexual Assault Clinical Provider, and a Sexual Assault Response Coordinator (SARC) who train other healthcare providers and healthcare personnel on their requirements regarding the preservation of restricted reports, in addition to providing support to victims of sexual assault. There are a total of 304 designated health care providers and 398 SHARP trained personnel who support MEDCOM efforts.

Actions across the Operational Force

- **Unit Training.** The Army will continue to require training and improve our ability to conduct realistic, pertinent, interactive training with our operational units. We have

mandatory annual training for all personnel, which includes small-group, interactive training and a self-study module on sexual assault and harassment prevention and response. This includes leader and Soldier videos as well as scenario-based role playing to discuss how Soldiers, leaders, and commanders make choices in situations dealing with sexual harassment and sexual assault.

As part of the Army's SHARP Stand-down in June, commanders will conduct refresher training for all unit Sexual Assault Response Coordinators, Victim Advocates, recruiters, drill sergeants and AIT platoon sergeants. Commanders will also lead interactive, discussion-based unit training on: the duties and responsibilities for SARCs, VAs, recruiters, drill sergeants and AIT platoon sergeants; how professional ethics, the Warrior Ethos, and the Army Values relate to the subject of sexual harassment and sexual assault; and how sexual harassment and sexual assault affect Army readiness.

- **Commander Review of All SHARP Personnel.** Consistent with the Secretary of Defense Memorandum on Sexual Assault Prevention and Response Stand-down dated 17 May 2013, the Army is in the process of conducting a review of all Army Sexual Assault Response Coordinators, Victim Advocates, and recruiters and will initiate a similar review of all drill sergeants and advanced individual training (AIT) platoon sergeants. In addition to the review, the Army is considering methods of enhancing its selection criteria for these positions which may include enhanced background checks and face-to-face, behavioral health screening. The file review will be complete by 1 July 2013 in the active component and 1 September 2013 in the reserve component.

As part of our review, the Secretary and I have directed that every commander ensure that these positions are filled by the best qualified individuals of the highest moral character. We must ensure that every Soldier or civilian in each of these positions is mature, well-trained and passes a rigorous background check, records review and selection process.

Command Climate Surveys. The Army currently meets the FY13 NDAA requirement for conducting command climate surveys. Commanders conduct annual organizational climate assessments at 30 days, 6 months and annually thereafter, after assuming command. The Secretary of Defense has directed that the results of command climate surveys be provided up to the next level in the chain of command, which will be implemented by 31 July 2013. We are also considering whether to require that commanders develop an Action Plan to address any issues or concerns that are discovered during the course of the survey and its resulting analysis.

- **Sensing sessions.** In support of the Army's SHARP Stand-down, all Army Commands, Army Service Component Commands and Direct Reporting Units will develop a leader engagement plan to discuss sexual assault and harassment with all Soldiers and Civilians across the Army. These engagements are intended to be commander-led, small-group discussions that facilitate greater understanding among leaders, peers, and subordinates about one another's experiences with sexual assault and harassment. At a minimum, commanders should discuss: the Army's SHARP

program and the Army's I. A.M. (Intervene, Act and Motivate) Strong Sexual Harassment/Assault Prevention Campaign; individual responsibility for maintaining a climate of dignity and respect; the Army Values and how they relate to sexual assault and harassment; and how sexual assault and harassment affect the readiness of the Army.

In this effort, we still have much work to do. I understand that the credibility of the Armed Forces and the credibility of the Army are at stake. Our Soldiers, their families, and the American people are counting on us to lead the way in solving this problem within our ranks. It is my responsibility; it is our responsibility to ensure that every serviceman, service woman, and civilian is able to serve the Nation in an environment of mutual respect, trust and safety.

This problem will not be solved quickly because it requires us to take deliberate steps to change our culture. It requires that we restore our people's confidence by improving our system of accountability. It is up to every one of us, civilian and Soldier, general officer to private, to solve this problem within our ranks. To do so, our commanders must play a central role in changing our culture because it is they who are responsible and accountable for every Soldier's health and welfare, unit discipline, and the readiness of our forces in times of war or peace.

Over the last twelve years of war, our Army has demonstrated great competence, courage, and resiliency in adapting to the demands of war. The Army and the military have contributed to positive social change throughout our history – through racial integration, the integration of women across all services, and the elimination of discrimination on the basis of sexual orientation. The Army has faced difficult problems before and succeeded. We will put our minds to this task. And I am absolutely confident that we can and we will ensure will eliminate the scourge of sexual assault and sexual harassment within our ranks.

I am grateful for our continued dialogue and partnership with Congress to ensure that together, we identify and implement the best ways possible to get after the crimes of sexual assault and sexual harassment in our Army, in our military, and in our society writ large. Thank you Mr. Chairman and other distinguished members of the committee for the opportunity to speak with you today. I look forward to your questions.

The strength of our Nation is our Army
The strength of our Army is our Soldiers
The strength of our Soldiers is our Families.
This is what makes us Army Strong!