

# Executive Order -- “Sexual Assault, Harassment and Discrimination Protections at the Military Service Academies”

## EXECUTIVE ORDER

### SEXUAL ASSAULT, HARASSMENT AND DISCRIMINATION PROTECTIONS AT THE MILITARY SERVICE ACADEMIES

Whereas discrimination and harassment of any Service member is contrary to good order and discipline and degrades combat readiness;

Whereas the elimination of sexual harassment and discrimination is a military and economic necessity for our nation's forces;

Whereas a military environment free from personal, social, or institutional barriers preventing Service members from rising to their highest levels is of the utmost importance;

By the authority vested in me as President of the United States of America, by the Constitution and the laws of the United States, it is hereby ordered as follows:

Section 1. No person in the United States shall, on the basis of gender, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or opportunity of the Military Service Academies.

Section 2. This Order incorporates the definition of sex discrimination used by Title IX, as developed both by case law and administrative guidance.

Section 3. Individuals may file complaints with the Equal Opportunity (EO) Program, the relevant Sexual Assault and Harassment Prevention programs, or the Chain of Command, as currently provided by law, regulation, or policy. Nothing in this Executive Order alters the jurisdiction or responsibilities of these existing programs and procedures.

Section 4. The Department of Defense Inspector General (IG) is tasked with ensuring the Military Service Academies comply with this Order.

(i) Cadets, midshipmen, and Military Service Academy faculty and staff may file a complaint with the IG challenging a policy or practice, including, but not limited to, Chain of Command decision-making processes related to the disposition of sexual misconduct claims. Any complaint must be filed within 300 days of the alleged discrimination. Complainants are not required to exhaust Chain of Command procedures before filing a complaint with the IG.

(ii) Upon opening an investigation, the IG will work with the Military Service Academies to come into compliance with the Executive Order.

(iii) The IG will provide the complainant and the Secretary of the corresponding service with a written and permanent record of the complete investigation, findings, and recommendations within 45 days. The IG shall retain the record of investigation for 50 years and make it available to the complainant upon request.

(iv) At the close of an investigation, the IG will issue a report to the President and the Secretary of Defense outlining any violations of the Executive Order and the Military Service Academies' progress during the investigation.

(v) If a Military Service Academy fails to cooperate with the IG in coming into compliance, the IG will make recommendations to the Secretary of the corresponding service to compel compliance.

Section 5. Each Military Service Academy is required to appoint at least one full-time employee to ensure compliance with the Executive Order.

Section 6. Case by case exceptions to provisions in this Order may be allowed for critical national security interests, subject to approval by the Secretary of Defense.

BARACK OBAMA

THE WHITE HOUSE