



PERSONNEL AND
READINESS

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

JUN 17 2022

Ms. Sharon Block
Acting Administrator
Office of Information and Regulatory Affairs
Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

Dear Ms. Block:

Pursuant to Office of Management and Budget (OMB) procedures established at 5 CFR Part 1320, *Controlling Paperwork Burdens on the Public*, I request that the information collection proposed by the Internal Review Team (IRT) on Racial Disparities in the Investigative and Military Justice Systems of the Department of Defense (DoD), as detailed in the attached Supporting Statement – Part A, be granted a 180-day emergency clearance in accordance with 5 CFR § 1320.13.

The promise of our Nation is that every American is equal under the law, yet a 2019 Government Accountability Office (GAO) identified significant racial and gender disparities in all the Military Services for Service members with recorded investigations, and in four of the Military Services for trials by special and general courts-martial. GAO recommended that DoD conduct an evaluation to identify the causes of these disparities and take steps to address them.

The men and women who risk their lives in defense of the United States deserve better. President Biden has rightly put equity at the center of his agenda with a whole of government approach to embed racial justice across Federal agencies, policies, and programs. In furtherance of the President's call to action, on May 3, 2022, the Deputy Secretary of Defense (DSD) established the IRT and directed it to undertake a 90-day "sprint" to address the root causes of racial disparities in the DoD investigative and military justice systems. The IRT is comprised of military general officers and Senior Executive Service civilians who have been charged to devote their full-time efforts to this review. The IRT commenced its work on June 1, 2022, and is to provide the DSD its findings by August 24, 2022. The DSD has made plain her expectation, and I agree, that the IRT must provide actionable recommendations the Department can implement to address these disparities. The work of the IRT is consequential to our men and women in uniform, and to this Administration, and must be executed methodically, but without delay.

Given the importance and urgency of its work, I have determined both that the collection of information the IRT proposes is needed prior to the expiration of time periods established under 5 CFR Part 1320 and is essential to the mission of the Department.

Further, the Department and IRT cannot reasonably comply with the normal clearance procedures under Part 1320 because the use of such procedures is reasonably likely to prevent or disrupt the collection of information as proposed.

Because of the accelerated timeline under which the IRT must operate, it is impracticable for DoD to consult in advance with interested agencies and members of the public to minimize the burden of the collection of information, as required by 5 CFR § 1320.13(c).

As this request for emergency clearance concerns a matter that cuts to the heart of all that this Administration stands for, I am also requesting OMB's approval to waive the requirements set forth in 5 CFR §§ 1320.5(a)(1)(iv) and 1320.8(d)(I), for Federal Register notice prior to the IRT's collection of information.

The Department would be most grateful were you to provide a determination on these requests and grant emergency clearance for the IRT's information collections, by close of business on Monday, June 27, 2022.

Sincerely,

A handwritten signature in black ink, appearing to read "Gilbert R. Cisneros, Jr.", written in a cursive style.

Gilbert R. Cisneros, Jr.

Attachment:
As stated