

SECRETARY OF THE AIR FORCE
WASHINGTON

JAN 10 2000

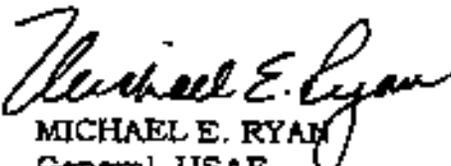
MEMORANDUM FOR ALL AIR FORCE PERSONNEL

SUBJECT: Air Force Policy on Harassment

The strength of our Air Force is its talented, dedicated, and diverse men and women working together as professionals to accomplish our mission. Threats, harassment or ridicule directed at others show a lack of self-control that discredits the person who engages in such conduct and, at the same time, erodes morale, good order and discipline. Our professionalism demands more. It dictates that we treat each other with dignity and respect. Every Air Force member deserves to work and live in an environment that is free of discrimination and harassment. Accordingly, harassment, threats or ridicule of individuals or groups based upon their real or perceived differences, including sexual orientation, have no place in the United States Air Force and will not be tolerated.

The Department of Defense has recently reemphasized its policy in regard to military members subjected to harassment based on alleged or perceived homosexuality. Members who are subjected to such harassment must be able to report that they are the victims of this behavior without fear that they will themselves become the subject of an inquiry simply for reporting the harassment. Commanders are expected to take prompt, appropriate action against individuals who engage in harassment.

We wholeheartedly endorse and support this policy. Each of us has an individual responsibility and a professional obligation to do his or her best to prevent harassment of any nature and to immediately correct it if it does occur.


MICHAEL E. RYAN
General, USAF
Chief of Staff


P. WHITTEN PETERS
Secretary of the Air Force

UNCLASSIFIED

OPERATIONS
SUPPORT DIRECTORATE

ROUTINE
R 101800Z JAN 00
FM HQDA WASHINGTON DC//DAPE-HR-L//
TO ALARACT
INFO HQDA WASHINGTON DC//DAP-HR-L//

ZYUW RUEADWD7977 0101914

FILE

UNCLAS ALARACT 008/00
SEC ARMY AND CSA SEND
TO ALARACT

SUBJECT: DIGNITY AND RESPECT FOR ALL

1. SERVICE IN OUR ARMY IS HONORABLE AND RESPECTED BY THE CITIZENS OF THIS COUNTRY. SOLDIERS WHO OFFER THEIR COMMITMENT AND THEIR LIVES IN THIS SERVICE SHOULD AND MUST BE TREATED WITH DIGNITY, HONOR AND RESPECT. RESPECT FOR OUR FELLOW SOLDIERS DEMANDS THAT WE SPEAK WITH RESPECT FOR ALL. ANY DEROGATORY WORDS ABOUT ANY GROUP, INCLUDING THOSE BASED UPON SEXUAL ORIENTATION, THAT ARE PREJUDICIAL TO GOOD ORDER AND DISCIPLINE, MAY SUBJECT THE SOLDIER TO ADVERSE ADMINISTRATIVE ACTIONS OR DISCIPLINARY MEASURES UNDER THE UCMJ. EVERY SOLDIER HAS THE RIGHT TO EXPECT TREATMENT CONSISTENT WITH OUR CORE VALUES, A SAFE AND SECURE ENVIRONMENT, AND THE SUPPORT OF THEIR CHAIN OF COMMAND. WHENEVER WE VIOLATE THE TRUST OF ANY SOLDIER, WE VIOLATE THE TRUST OF ALL SOLDIERS.
2. WE AFFIRM THAT TREATING SOLDIERS WITH DIGNITY AND RESPECT IS A BEDROCK VALUE FOR THE ARMY. WE DECLARE THAT THERE IS NO ROOM FOR HARASSMENT OR THREATS TO ANY SOLDIER IN OUR ARMY FOR ANY REASON. THEREFORE, AS THE SENIOR LEADERS OF THE ARMY, WE ARE DETERMINED TO CONTINUE TO IMPLEMENT THE "DONT ASK, DONT TELL" POLICY WITH EQUITY AND FAIRNESS TO ALL OF OUR SOLDIERS.
3. FINALLY, WE CONTINUE TO EXPECT THAT ALL SOLDIERS IN THE UNITED STATES ARMY WILL BE TREATED WITH DIGNITY AND RESPECT AT ALL TIMES, AND WILL BE AFFORDED A SAFE AND SECURE ENVIRONMENT IN WHICH TO LIVE AND WORK. HARASSMENT OF SOLDIERS FOR ANY REASON, TO INCLUDE PERCEIVED SEXUAL ORIENTATION, WILL NOT BE TOLERATED. WE EXPECT COMMANDERS AT EVERY LEVEL TO TAKE APPROPRIATE ACTION TO PREVENT HARASSMENT OF OR THREATS AGAINST ANY MEMBER OF OUR ARMY. ONCE AGAIN WE ARE DETERMINED

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ACTION SAMR(1) DAAR(3) SAFM(1) DACH(1) DACS-1(1) (A,G,F)
 DAEN-ZC-SMTP(1) RETURN TO NRO(1) DAEN-ZC(1) SAPA(1)
 DAJA(1) DALO(3) DANH(1) DAMI(1) DAMO(2) DAPE(3)
 DASG(2) NGB(2) SASA(1) SAM-PT(1) SAAG(1)
 SAM-PT-ANR(1) ABR SECTION(1) SAIS(1) SAAM(1)
 SAILE(1) SACW(1) SARD(1) AOC-AHS(1) DAIN(2) SAGC(1)
 OCSC'S SAT TERMINAL(1)
 INFO SCB REVIEW(1) DACS-SA(1) DACS-SAUS(1) DACS-SN(1)
 DACS-ZD(1) DACS-ZAA(1) DACS-DNZ(1) OACS-CAD(1)
 DACS-DCS(1) DACS-SA(1) DACS-SAUS(1) DACS-SN(1)
 DACS-ZD(1) DACS-ZAA(1) DACS-DNZ(1) OACS-CAD(1)
 OACS-DCS(1)
 +MGIC INTEL CHARLOTTESVILLE VA

03 COE

ACTION
INFO CEHECIM(1)

(A)

1

04 OLA FT BLVR

ACTION
INFO OLATCC(1)

(A)

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06 HONDURAS

ACTION
INFO JTFBTCC(1)

(A)

1

08 PUEBLO CO

ACTION PUEBLO DEPOT CO(1)

(A)

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UNCLASSIFIED

OPERATIONS
SUPPORT DIRECTORATE

TO CONTINUE TO IMPLEMENT THE "DONT ASK, DONT TELL" POLICY WITH
FAIRNESS TO ALL BECAUSE THAT IS THE RIGHT THING TO DO FOR OUR
SOLDIERS.
CALDERA AND SHINSEKI BT

END

ROUTINE R 281833Z OCT 99 ZYB MIN PSN 792903J30

FM CNO WASHINGTON DC//N1//

TO NAVADMIN UNCLAS //NO1910// NAVADMIN 291499

MSGID/GENADMIN/NPC-06//

SUBJ/CONTINUING GUIDANCE CONCERNING PROPER APPLICATION OF DOD
/HOMOSEXUAL CONDUCT POLICY//

REF/A/DOC/10USC654/30NOV93//

REF/B/DOC/DODDIRECTIVE1332.30/14MAR97//

REF/C/DOC/DODDIRECTIVE1332.14/4MAR94//

REF/D/DOC/SECNAVINST1910.4B/29MAY96//

REF/E/DOC/NAVMILPERSMAN/12DEC97//

REF/F/MSG/CNO WASHINGTON DC/010300ZMAR94//

REF/G/MSG/CNO WASHINGTON DC/251253ZJUN99//

REF/H/DOC/OSD MEMO/12AUG99//

REF/I/DOC/OSD MEMO/12AUG99//

NARR/REF A IS 10 USC 654 POLICY CONCERNING HOMOSEXUALITY IN THE
ARMED FORCES; REF B IS DOD DIRECTIVE 1332.30 SEPARATION OF
REGULAR AND RESERVE COMMISSIONED OFFICERS; REF C IS DOD
DIRECTIVE 1332.14 ENLISTED ADMINISTRATIVE SEPARATIONS; REF D IS
SECNAV INSTRUCTION 1910.4B ENLISTED ADMINISTRATIVE SEPARATIONS;
REF E IS NAVAL MILITARY PERSONNEL MANUAL, ARTICLE 1910-148 OF
WHICH PERTAINS TO SEPARATION BY REASON OF HOMOSEXUAL CONDUCT;
REF F IS NAVADMIN 033/94 IMPLEMENTATION OF DOD POLICY ON
HOMOSEXUAL CONDUCT; REF G IS NAVADMIN 176/99 REVISED EQUAL
OPPORTUNITY AND SEXUAL HARASSMENT/SITREP REPORTING REQUIREMENTS;
REF H IS OSD MEMO ON GUIDELINES FOR INVESTIGATING THREATS
AGAINST OR HARASSMENT OF SERVICE MEMBERS BASED ON ALLEGED
HOMOSEXUALITY; REF I IS OSD MEMO ON IMPLEMENTATION OF
RECOMMENDATIONS CONCERNING HOMOSEXUAL CONDUCT POLICY//

RMKS/1. ON 28 FEB 94, THE SECRETARY OF DEFENSE ORDERED
IMPLEMENTATION OF ADDITIONAL POLICY CONCERNING HOMOSEXUAL
CONDUCT IN THE ARMED SERVICES AS MANDATED BY REF A. REFS B
THROUGH E PROMULGATED THIS POLICY. REF F PROVIDED COMPREHENSIVE
AND DETAILED GUIDANCE CONCERNING ESSENTIAL ELEMENTS OF THIS
POLICY WHICH REMAINS UNCHANGED. REF G PERTAINS TO SITREP
REPORTING REQUIREMENTS. PER REF H, PARAS 3 TO 5 OF THIS MSG
REISSUE GUIDANCE CONCERNING INVESTIGATING THREATS AGAINST OR
HARASSMENT OF SERVICEMEMBERS BASED ON ALLEGED HOMOSEXUALITY. PER
REF I, AND PENDING FINAL APPROVAL BY OSD, PARAS 6 TO 8 OF THIS
MSG ISSUE NEW INTERIM GUIDANCE ON AUTHORIZATION OF CERTAIN
INVESTIGATIONS FOR HOMOSEXUAL CONDUCT.

2. TODAY'S NAVY/MARINE CORPS TEAM IS COMPOSED OF DIVERSE
INDIVIDUALS FROM EVERY PART OF THE UNITED STATES. RESPECT FOR
THE INDIVIDUAL IS PARAMOUNT. COMMANDING OFFICERS MUST NOT
CONDONE HOMOSEXUAL JOKES, EPITHETS, OR DEROGATORY COMMENTS, AND
MUST ENSURE A COMMAND CLIMATE THAT FOSTERS RESPECT FOR ALL

INDIVIDUALS. REF G EXPLAINS REPORTING REQUIREMENTS FOR COMPLAINTS OF SEXUAL HARASSMENT.

3. PER REF H, THIS NAVADMIN REITERATES EXISTING POLICY REGARDING INVESTIGATION OF THREATS AGAINST OR HARASSMENT OF SERVICE MEMBERS ON BASIS OF ALLEGED HOMOSEXUALITY. SERVICEMEMBERS SHOULD BE ABLE TO REPORT CRIMES AND HARASSMENT FREE FROM FEAR OF HARM, REPRISAL, OR INAPPROPRIATE OR INADEQUATE GOVERNMENTAL RESPONSE. WHEN A MEMBER REPORTS INCIDENTS OF THREATS OR HARASSMENT, THE COMMANDING OFFICER MUST TAKE IMMEDIATE STEPS TO PROTECT THE SAFETY OF THE VICTIM, TO STOP OFFENSIVE OR THREATENING BEHAVIOR, AND TO HOLD THOSE RESPONSIBLE FOR THREATENING OR HARASSING CONDUCT ACCOUNTABLE FOR THEIR ACTIONS. A COMMANDER MAY INITIATE AN INVESTIGATION INTO ALLEGED HOMOSEXUAL CONDUCT ONLY UPON RECEIPT OF CREDIBLE INFORMATION OF SUCH CONDUCT. THE FACT THAT A SERVICEMEMBER REPORTS BEING THREATENED OR HARASSED BECAUSE HE OR SHE IS SAID OR PERCEIVED TO BE A HOMOSEXUAL SHALL NOT, BY ITSELF, CONSTITUTE CREDIBLE INFORMATION JUSTIFYING INITIATION OF AN INVESTIGATION OF THE THREATENED OR HARASSED SERVICEMEMBER. THE REPORT OF A THREAT OR HARASSMENT SHOULD RESULT IN PROMPT INVESTIGATION OF THE THREAT OR HARASSMENT ITSELF. INVESTIGATORS SHOULD NOT SOLICIT ALLEGATIONS CONCERNING SEXUAL ORIENTATION OR HOMOSEXUAL CONDUCT OF THE THREATENED OR HARASSED PERSON. IF, DURING THE COURSE OF AN INVESTIGATION, INFORMATION IS RECEIVED THAT THE SERVICEMEMBER HAS ENGAGED IN HOMOSEXUAL CONDUCT, COMMANDERS SHALL CAREFULLY CONSIDER THE SOURCE OF THAT INFORMATION AND THE CIRCUMSTANCES UNDER WHICH IT WAS PROVIDED IN ASSESSING ITS CREDIBILITY. SUCH INFORMATION DOES NOT NEGATE THE NEED TO INVESTIGATE THE ALLEGED HARASSER.

4. HOMOSEXUAL CONDUCT IS GROUNDS FOR ADMINISTRATIVE SEPARATION ONLY IF SERVICEMEMBER'S COMMANDING OFFICER HAS RECEIVED CREDIBLE EVIDENCE OF SUCH CONDUCT. RESPONSIBILITY TO DETERMINE WHETHER EVIDENCE IS CREDIBLE REMAINS EXCLUSIVELY WITH THE COMMANDING OFFICER. CREDIBLE EVIDENCE IS INFORMATION WHICH SUPPORTS A REASONABLE BELIEF THAT A SERVICEMEMBER HAS MADE A HOMOSEXUAL STATEMENT, ENGAGED, OR ATTEMPTED TO ENGAGE, IN A HOMOSEXUAL ACT, OR ENTERED INTO, OR ATTEMPTED TO ENTER INTO, A HOMOSEXUAL MARRIAGE, AS DEFINED AND PROHIBITED IN REF B THROUGH E. IN SHORT, IT IS RELIABLE EVIDENCE FROM A TRUSTWORTHY INDIVIDUAL WHO HAS FIRST-HAND KNOWLEDGE OF FACTS AND CIRCUMSTANCES SURROUNDING THE ALLEGED ACTIVITY OR STATEMENT. IT MAY ALSO CONSIST OF DOCUMENTS OR OTHER EVIDENCE THAT IS OBTAINED FROM A RELIABLE SOURCE. CREDIBLE EVIDENCE IS NOT BASED ON RUMOR, HEARSAY, OR SUSPICION.

5. IF THE COMMANDING OFFICER QUESTIONS THE CREDIBILITY OF EVIDENCE OF HOMOSEXUAL CONDUCT OR SINCERITY OF AN INDIVIDUAL MAKING AN ADMISSION OF HOMOSEXUALITY, A FACT-FINDING INVESTIGATION MAY BE NECESSARY. AN INVESTIGATION IS NOT

MANDATORY AND ONLY A COMMANDING OFFICER CAN AUTHORIZE IT. SOLE PURPOSE OF AN INVESTIGATION IS TO UNCOVER FURTHER INFORMATION TO ASSIST THE COMMANDING OFFICER IN DETERMINING WHETHER THE ALLEGED HOMOSEXUAL CONDUCT ACTUALLY OCCURRED. INVESTIGATION SHOULD GATHER ALL RELEVANT INFORMATION THAT DIRECTLY RELATES TO GROUNDS FOR POSSIBLE SEPARATION. INVESTIGATIONS SHOULD BE LIMITED TO FACTUAL CIRCUMSTANCES DIRECTLY RELATED TO SPECIFIC ALLEGATIONS.

6. PER REF I, BEFORE A COMMANDING OFFICER AUTHORIZES AN INVESTIGATION CONCERNING ALLEGED HOMOSEXUAL CONDUCT -- TO ENSURE CORRECT APPLICATION OF HOMOSEXUAL CONDUCT POLICY UNDER EXISTING STATUTORY AND REGULATORY STANDARDS AND TO PROVIDE COMMANDING OFFICERS WITH CONSISTENT, FAIR, AND APPROPRIATE ADVICE CONCERNING NEED FOR AN INVESTIGATION -- THE COMMANDING OFFICER'S JUDGE ADVOCATE SHOULD CONSULT WITH THE SENIOR JUDGE ADVOCATE ASSIGNED TO THE GENERAL COURT-MARTIAL CONVENING AUTHORITY OR HIGHER AUTHORITY. COMMANDING OFFICERS WITHOUT ASSIGNED JUDGE ADVOCATES SHOULD CONSULT DIRECTLY WITH A SENIOR JUDGE ADVOCATE IN THEIR CHAIN OF COMMAND, OR SEEK ASSISTANCE IN SECURING SUCH ADVICE FROM NAVY TRIAL SERVICE OFFICES OR COMMANDER, NAVY PERSONNEL COMMAND. SUCH CONSULTATION SHOULD OCCUR PRIOR TO INITIATION OF ANY INVESTIGATION.

7. IN MOST CASES WHERE A SERVICEMEMBER HAS STATED THAT HE OR SHE IS A HOMOSEXUAL OR BISEXUAL AND DOES NOT CONTEST SEPARATION, LITTLE OR NO INVESTIGATION SHOULD BE NECESSARY. A COMMANDER WHO SUSPECTS THAT A SERVICEMEMBER HAS MADE SUCH A STATEMENT FOR PURPOSE OF SEEKING SEPARATION FROM THE NAVAL SERVICE IN ORDER TO AVOID A SERVICE OBLIGATION, SUCH AS A DEPLOYMENT, OBLIGATED SERVICE, OR PAYBACK OF EDUCATIONAL BENEFITS, AND WHO BELIEVES THAT THE MEMBER IS NOT A PERSON WHO ENGAGES IN, ATTEMPTS TO ENGAGE IN, HAS A PROPENSITY TO ENGAGE IN, OR INTENDS TO ENGAGE IN HOMOSEXUAL ACTS, MAY INITIATE A MORE SUBSTANTIAL INVESTIGATION ONLY WHEN AUTHORIZED. A REQUEST FOR SUCH AUTHORIZATION SHOULD BE FORWARDED BY THE MOST EXPEDITIOUS MEANS, TO COMMANDER, NAVY PERSONNEL COMMAND (PERS-8) AND CHIEF OF NAVAL PERSONNEL WHO WILL ENSURE COORDINATION IS DONE IAW REF I. REQUEST WILL PROVIDE FACTS SURROUNDING DISCLOSURE, AN EXPLANATION OF WHY FURTHER INQUIRY IS APPROPRIATE, AND AN ASSESSMENT OF ANY POTENTIAL DISADVANTAGES OF AN EXPANDED INQUIRY. DIRECT QUESTIONS TO THE FOLLOWING OFFICES: POC FOR ENLISTED CASES IS PERS-832 AT DSN 882 4438/4433/4431, EMAIL P832"AT"PERSNET.NAVY.MIL. POC FOR OFFICER CASES IS PERS-834 AT DSN 882-4420/4417/4424, EMAIL P834"AT"PERSNET.NAVY.MIL. POC FOR LEGAL ADVICE IS PERS-06L6 AT DSN 882-3160, EMAIL PERS-06L6"AT"PERSNET.NAVY.MIL. COMMERCIAL PREFIX IS (901) 874-XXXX.

8. MEMBERS ARE REQUIRED TO RECEIVE BRIEFINGS ON THE UNIFORM CODE OF MILITARY JUSTICE UPON ENTRY INTO THE NAVY AND PERIODICALLY THEREAFTER. REF A REQUIRES THESE BRIEFINGS TO INCLUDE A DETAILED

EXPLANATION OF APPLICABLE LAWS AND REGULATIONS ON SEXUAL CONDUCT BY MEMBERS OF THE ARMED FORCES, INCLUDING HOMOSEXUAL CONDUCT POLICIES PRESCRIBED IN REFS B THROUGH F. PER REF H, TRAINING FOR ALL PERSONNEL SHOULD INCLUDE POLICIES IN THIS NAVADMIN WITH SPECIAL EMPHASIS ON INCORPORATING THIS IN TRAINING FOR COMMANDING OFFICERS, SUPERVISORS, JUDGE ADVOCATES, PARALEGALS, AND LAW ENFORCEMENT PERSONNEL. REF I DIRECTS THE SERVICE INSPECTOR GENERALS TO INCLUDE AS AN ITEM OF SPECIFIC INTEREST IN THEIR INSPECTIONS THE TRAINING OF THOSE CHARGED WITH APPLICATION AND ENFORCEMENT OF THE POLICY ON HOMOSEXUAL CONDUCT, I.E., COMMANDING OFFICERS, JUDGE ADVOCATES, AND INVESTIGATORS.

9. RELEASED BY VADM D. T. OLIVER, N1.//

BT

MARADMIN 014/00

R 070800Z JAN 00 ZYW
FM CMC WASHINGTON DC//MR//
TO MARADMIN

BT

UNCLAS//NO1900//

MARADMIN 014/00

MSGID/GENADMIN/CMC.MPO-40//

SUBJ/HOMOSEXUAL CONDUCT POLICY//

REF/A/10USC654/30NOV93//

REF/B/ALMAR 64/94//

REF/C/ALMAR 65/94//

REF/D/DOC/OSD MEMO/12AUG99//

REF/E/DOC/OSD MEMO/12AUG99//

REF/F/DOC/USD(P&R) MEMO/18DEC99//

REF/G/DOC/ASN(M&RA) MEMO/16DEC99//

RMS/1. REF A IS THE FEDERAL STATUTE THAT ESTABLISHED DOD POLICY ON HOMOSEXUALITY IN THE ARMED FORCES. THE POLICY IS IMPLEMENTED IN REFS B AND C. REF D IS AN OSD MEMO ON GUIDELINES FOR INVESTIGATING THREATS AGAINST OR HARASSMENT OF SERVICE MEMBERS BASED ON ALLEGED HOMOSEXUALITY, AND REF E IS AN OSD MEMO ON IMPLEMENTATION OF RECOMMENDATIONS CONCERNING HOMOSEXUAL CONDUCT POLICY. REFS F AND G DIRECT SERVICE IMPLEMENTATION OF POLICY GUIDANCE IN REFS D AND E.

2. THE MARINE CORPS HAS PREVIOUSLY IMPLEMENTED THE FEDERAL POLICY ON HOMOSEXUAL CONDUCT IN THE ARMED FORCES EFFECTIVE FEBRUARY 1994. THE POLICY REMAINS UNCHANGED, BUT IN ORDER TO ENSURE ITS CONSISTENT APPLICATION, IT IS IMPERATIVE THAT ALL MARINES UNDERSTAND THE POLICY AND THAT ALL COMMANDERS, JUDGE ADVOCATES, AND MILITARY INVESTIGATORS ARE CLEAR ON PROPER ENFORCEMENT OF THE POLICY.

3. KEY PROVISIONS OF THE POLICY ARE:

- WE DO NOT ASK WHETHER A MARINE IS HETEROSEXUAL, HOMOSEXUAL OR BISEXUAL. SEXUAL ORIENTATION IS A PERSONAL AND PRIVATE MATTER. THE FOCUS OF THE POLICY IS ON HOMOSEXUAL CONDUCT, WHICH IS INCOMPATIBLE WITH MILITARY SERVICE.
- HOMOSEXUAL CONDUCT INCLUDES A HOMOSEXUAL ACT, A STATEMENT BY THE MEMBER THAT DEMONSTRATES A PROPENSITY OR INTENT TO ENGAGE IN HOMOSEXUAL ACTS, OR A HOMOSEXUAL MARRIAGE OR ATTEMPTED MARRIAGE.
- HOMOSEXUAL CONDUCT IS GROUNDS FOR DENYING ENLISTMENT OR APPOINTMENT AND FOR SEPARATION FROM THE SERVICE.
- COMMANDERS ALONE ARE AUTHORIZED TO INITIATE A FACT-FINDING INQUIRY INTO HOMOSEXUAL CONDUCT.
- THE INQUIRY IS AUTHORIZED ONLY WHEN CREDIBLE INFORMATION EXISTS THAT THERE IS A BASIS FOR DISCHARGE.

4. REPORTS OF MISTREATMENT. AS ALL MARINES LEARN IN THEIR EARLIEST BASIC TRAINING, MISTREATMENT OF ANY MARINE IS INCOMPATIBLE WITH OUR CORE VALUES AND IS UNACCEPTABLE CONDUCT THAT MUST BE DEALT WITH QUICKLY AND APPROPRIATELY BY COMMANDERS. THE FACT THAT A SERVICE MEMBER REPORTS BEING THREATENED OR MISTREATED BECAUSE HE OR SHE IS PERCEIVED TO BE A HOMOSEXUAL DOES NOT BY ITSELF CONSTITUTE CREDIBLE INFORMATION JUSTIFYING INITIATION OF AN INVESTIGATION OF THE REPORTING SERVICE MEMBER. ACCORDINGLY, NO COMMANDER WILL INITIATE INVESTIGATION OF A SERVICE MEMBER FOR HOMOSEXUAL CONDUCT SOLELY BECAUSE THAT SERVICE MEMBER REPORTS BEING THREATENED OR MISTREATED BECAUSE OF HIS OR HER ALLEGED HOMOSEXUALITY. MOREOVER, SUCH A REPORT WILL BE EVALUATED THE SAME AS ANY OTHER REPORT OF THREATENING CONDUCT OR MISTREATMENT, AND THE ALLEGED CONDUCT WILL BE INVESTIGATED AND PUNISHED AT THE COMMANDER'S DISCRETION ACCORDING TO THE SAME CRITERIA USED TO EVALUATE SIMILAR COMPLAINTS THAT DO NOT

INVOLVE ALLEGATIONS OF HOMOSEXUALITY.

5. JUDGE ADVOCATE CONSULTATION. JUDGE ADVOCATES ARE DIRECTED TO CONSULT WITH THE STAFF JUDGE ADVOCATE OF THE COGNIZANT GENERAL COURT-MARTIAL CONVENING AUTHORITY BEFORE ADVISING ANY COMMANDER REGARDING INITIATION OF AN INVESTIGATION INTO HOMOSEXUAL CONDUCT.

6. SUBSTANTIAL INVESTIGATION OF STATEMENTS. AS A GENERAL RULE, WHEN A SERVICE MEMBER STATES THAT HE OR SHE IS A HOMOSEXUAL OR BISEXUAL AND DOES NOT CONTEST SEPARATION, LITTLE OR NO INVESTIGATION IS NECESSARY. HOWEVER, IN THE EVENT THAT A COMMANDER SUSPECTS THAT A SERVICE MEMBER HAS MADE SUCH A STATEMENT FOR THE PURPOSE OF SEEKING SEPARATION FROM NAVAL SERVICE IN ORDER TO AVOID A SERVICE OBLIGATION OR UPCOMING DEPLOYMENT OR WHO BELIEVES THAT THE MEMBER IS NOT A PERSON WHO ENGAGES IN, ATTEMPTS TO ENGAGE IN, HAS A PROPENSITY TO ENGAGE IN, OR INTENDS TO ENGAGE IN HOMOSEXUAL ACTS, AND WHO DESIRES TO INITIATE AN INVESTIGATION INTO THE TRUTH OF THE STATEMENT, THE COMMANDER MUST OBTAIN AUTHORIZATION FROM ASN (MERA) VIA THE CHAIN OF COMMAND BEFORE INITIATING A SUBSTANTIAL INVESTIGATION. A REQUEST FOR SUCH AUTHORIZATION SHOULD BE FORWARDED, BY THE MOST EXPEDITIOUS MEANS, TO ASN (MERA) VIA CMC (MPO). THE REQUEST WILL PROVIDE THE FACTS SURROUNDING THE DISCLOSURE, AN EXPLANATION OF WHY FURTHER INQUIRY IS APPROPRIATE, AND AN ASSESSMENT OF ANY POTENTIAL DISADVANTAGES OF AN EXPANDED INQUIRY. SUCH AUTHORIZATION IS NOT REQUIRED FOR INVESTIGATION OF HOMOSEXUAL ACTS OR MARRIAGES, AS DISTINGUISHED FROM HOMOSEXUAL STATEMENTS.

7. POLICY BRIEFINGS. COMMANDERS ARE REMINDED OF THE REQUIREMENT UNDER PAR (D) OF REF A TO PROVIDE BRIEFINGS ON THE HOMOSEXUAL CONDUCT POLICY, AS ESTABLISHED UNDER PAR (B) OF REF A, AFTER SIX MONTHS OF ACTIVE DUTY AND UPON REENLISTMENT.//

BT

MarineLINK > MarAdmins > CHANGE 1 TO MARADMIN 014/00 HOMOSEXUAL CONDUCT POLICY >

MARADMIN 025/00

Date signed: 01/12/2000 MARADMIN Number: 025/00

R 121000Z JAN 00 ZYW

FM CMC WASHINGTON DC//MP//

TO MARADMIN

BT

UNCLAS//NO1900//

MARADMIN 025/00

MSGID/GENADMIN/CMC MPO-40//

SUBJ/CHANGE 1 TO MARADMIN 014/00 HOMOSEXUAL CONDUCT POLICY//

REF/A/MARADMIN 014/00//

RMKS/1. PURPOSE. TO DIRECT PEN CHANGE TO THE REF.

2. ACTION. IN PAR 6 OF THE REF, THIRD SENTENCE, AFTER THE WORD DEPLOYMENT, CHANGE THE WORD "OR" TO READ "AND."

3. ALL OTHER PROVISIONS OF THE REF REMAIN THE SAME.//

BT