



*Repeal of Don't Ask,
Don't Tell (DADT)*

Repeal of Don't Ask, Don't Tell

Introduction

❖ Purpose of Brief

- Inform Airmen about repeal and its effects
- NOT to change individual beliefs

❖ Expectation During Brief

- Ask policy-focused questions
- Maintain professional demeanor

Leadership • Professionalism • Discipline • Respect



What is the New Policy?

The Policy – Effective Upon Repeal

❖ What's new?

- No discharge based on sexual orientation
- Not a factor in recruitment and retention

❖ What has **NOT** changed?

- Evaluation based on merit, fitness and capability
- Sexual misconduct = grounds for administrative or legal action

Leadership • Professionalism • Discipline • Respect



Is there a New Policy...

For Civilian Employees and DoD Contractors?

- ❖ **There is no new policy for DoD civilian employees**
 - DoDD 1020.02 prohibits unlawful employment discrimination based on sexual orientation
- ❖ **Contractor employees should address any concerns with their supervisor at the company of employment**

Leadership • Professionalism • Discipline • Respect



What is the New Policy?

Key Policy Features

❖ Sexual Orientation is:

- A personal and private matter
- NOT a bar to military service
- NOT a basis for discharge

❖ The DoD maintains:

- Zero tolerance for harassment, violence or discrimination

Leadership • Professionalism • Discipline • Respect



How is the New Policy Enforced?

Standards of Conduct

- ❖ **Apply without regard to sexual orientation**
- ❖ **Violations may be punished as:**
 - Violation of a lawful regulation
 - Disobeying an order
 - Dereliction of duty
- ❖ **Possible disciplinary and administrative actions to include involuntary separation**

Leadership • Professionalism • Discipline • Respect



How is the New Policy Enforced?

Uniform Code of Military Justice (UCMJ)

- ❖ Remains legal foundation of good order and discipline
- ❖ Enforces standards of conduct and laws
- ❖ Prohibits harassment, sexual assault or other violence
- ❖ Punishes sexual misconduct of all Service members

Leadership • Professionalism • Discipline • Respect



What if...

I Have Moral or Religious Concerns?

❖ **Rights:**

- Free exercise of religious expression, within law and policy, remains unchanged
- Maintain beliefs
- Discuss concerns with commander/chaplain

❖ **Responsibilities:**

- Continue to treat all with dignity and respect
- Continue to follow all lawful orders

Leadership • Professionalism • Discipline • Respect



What Can I Expect...

From My Chaplain?

- ❖ **Free exercise of religion and duty to care for all remains unchanged**
- ❖ **In the context of their religious ministry, chaplains are not required to take actions inconsistent with their religious beliefs**

Leadership • Professionalism • Discipline • Respect



What If...

I Want an Early Discharge?

- ❖ **No policy for early discharge based on:**
 - Opposition to repeal
 - Opposition to serving or living with gay, lesbian or bisexual Service members
- ❖ **Provision for voluntary discharge remains the same, and is granted only when in the best interest of the Service**

Leadership • Professionalism • Discipline • Respect



How Does this Policy Affect...

Privacy and Cohabitation?

- ❖ No segregation of facilities, quarters, berthing or practices based on sexual orientation
- ❖ Commanders retain the authority to address concerns on a case-by-case basis

Leadership • Professionalism • Discipline • Respect



How Does this Policy Affect...

Medical Readiness?

- ❖ Existing practices ensure medical readiness
- ❖ No change to medical policies
- ❖ Medical information still protected by HIPAA

Leadership • Professionalism • Discipline • Respect



How Does this Policy Affect...

Equal Treatment?

- ❖ All Service members shall be evaluated only on individual merit, fitness and capability
- ❖ Use existing mechanisms such as chain of command, IG, etc., for redress of issues based on sexual orientation

Leadership • Professionalism • Discipline • Respect



How Does this Policy Affect...

Data and Records?

- ❖ No requirement to ID sexual orientation
- ❖ No collection or maintenance of information on sexual orientation
- ❖ Privacy protection applies to information voluntarily provided by Service members such as:
 - SGLI beneficiary
 - Emergency notification contact

Leadership • Professionalism • Discipline • Respect



How Does this Policy Affect...

Co-Location?

- ❖ **Defense of Marriage Act (DOMA) currently recognizes only opposite-sex marriage**
- ❖ **No DoD sponsored co-location assignments for same-sex dual-military couples**
- ❖ **Any Service member may request hardship-based assignment accommodation**

Leadership • Professionalism • Discipline • Respect



How Does this Policy Affect...

Overseas Assignments?

- ❖ **Current policies remain in effect**
- ❖ **Information provided on host-country laws, to include homosexuality**
- ❖ **No funding or country clearance for same-sex partner**
- ❖ **Any Service member may request hardship-based assignment accommodation**

Leadership • Professionalism • Discipline • Respect



How Does this Policy Affect...

Accession and Recruiting?

- ❖ **No requirement to declare sexual orientation**
- ❖ **Sexual orientation is NOT a bar to military Service**

Leadership • Professionalism • Discipline • Respect



How Does this Policy Affect...

Re-Accession?

- ❖ Reentry based on past performance, character of service and Service needs
- ❖ Prior Service members may seek reentry if separated under Don't Ask, Don't Tell
- ❖ No requirement to petition for change of adverse reentry codes PRIOR to reentry

Leadership • Professionalism • Discipline • Respect



How Does this Policy Affect...

Claims and Redress?

- ❖ No change to existing policy
- ❖ No retroactive change to lawful standards
- ❖ Any Service member may petition for redress

Leadership • Professionalism • Discipline • Respect



How Does this Policy Affect...

Family Members and Family Support Services?

- ❖ **Family Support Services will continue to offer information and referral services to all**
- ❖ **Families will be offered repeat information through various avenues**
- ❖ **What is the impact to eligibility for:**
 - Family Advocacy Services
 - Child Development Services
 - Youth Services

Leadership • Professionalism • Discipline • Respect



How Does this Policy Affect...

Benefits Policy?

- ❖ **Same-sex partner does NOT qualify for benefits such as:**
 - Medical
 - BAH
 - Travel/Transport Allowance
 - Family Separation Allowance
 - Survivor Benefit Plan (death on active duty)

Leadership • Professionalism • Discipline • Respect



How Does this Policy Affect...

Beneficiaries?

- ❖ **As always, any person may be designated as beneficiary for certain benefits:**
 - Thrift-Savings Plan
 - Death Gratuity
 - SGLI
 - Unpaid Pay and Allowances
 - Survivor Benefit Plan at Retirement – only if qualified as an insurable interest



How Does this Policy Affect...

Military Family Housing?

- ❖ **Current policies still apply for Service members with statutorily authorized dependents**
- ❖ **Non-dependents are generally NOT authorized to reside in military family housing**
- ❖ **Exceptions made without regard to sexual orientation**

Leadership • Professionalism • Discipline • Respect



Repeal of Don't Ask, Don't Tell

Summary

- ❖ Brief provided information regarding the repeal of DADT and its effects
- ❖ Brief provided reminders of:
 - Core values
 - Service diversity and unit cohesion
 - Standards of conduct
- ❖ Until the date of repeal, current policy remains in effect

Leadership • Professionalism • Discipline • Respect



