Repeal of Don’t Ask, Don’t Tell (DADT)
Tier III Educational Material
Repeal of Don’t Ask, Don’t Tell

Chiefs Video
Repeal of Don’t Ask, Don’t Tell

Introduction

- Purpose of Brief:
  - Inform about repeal and its effects
  - NOT to change beliefs

- Expectations During Brief:
  - Ask policy-focused questions
  - Maintain professional demeanor
Army Values - Our Core

- **L**oyalty
- **D**uty
- **R**espect
- **S**elfless Service
- **H**onor
- **I**ntegrity
- **P**ersonal Courage

They define who we are, what we do, and what we stand for.
Army Guiding Principles

1. Leadership Matters Most
2. Standards of Conduct Apply to Everyone Regardless of Sexual Orientation
3. Treat Each Other with Dignity and Respect
4. Application of our Rules and Policies Must be Sexual Orientation Neutral
5. Emphasize Our Role as Professional Soldiers
Keeper it Simple

There Is No Expectation To Change Religious or Moral Views

Good Order And Discipline Will Be Maintained At All Times

Chaplains have both the right to serve and conduct religious services according to their faith, and a duty to perform or provide religious support.

Stay Focused on Your Mission
What Is the New Policy?

*Effective Upon Repeal*

- **What’s New?**
  - No discharge based on sexual orientation
  - Not a factor in recruitment and retention

- **What has NOT changed?**
  - Evaluations remain 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 Features

- Sexual Orientation is:
  - A personal and private matter
  - NOT a bar to military service
  - NOT a basis for discharge

- The Army maintains:
  - Zero tolerance for harassment, violence, or discrimination
How Is The New Policy Enforced?

Standards of Conduct

- Apply without regard to sexual orientation
- Violations remain punishable as:
  - Violation of a lawful regulation
  - Disobeying an order
  - Dereliction of duty
- Possible disciplinary and administrative actions, to include involuntary separation
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 Soldiers
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:
- Treat all with dignity and respect
- 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
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 unchanged and is granted only when in the best interest of the Army
How Does This Policy Affect . . .

Privacy and Cohabitation?

- No segregation of facilities, quarters or practices based on sexual orientation

- Commanders retain the authority to address concerns on a case-by-case basis
How Does This Policy Affect . . .

Medical Readiness?

- Existing practices ensure medical readiness
- No change to medical policies
- Medical information remains protected by HIPAA
How Does This Policy Affect . . .

*Equal Treatment?*

- All Soldiers remain 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
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 members such as:
  - SGLI beneficiary
  - Emergency notification contact
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 Soldier may request hardship-based assignment accommodation
How Does This Policy Affect . . .

Overseas Assignments?

- Current policies remain unchanged
- Information provided on host-country laws, to include homosexuality
- No funding or country clearance for same-sex partners
- Any Soldier may request hardship-based assignment accommodation
How Does This Policy Affect . . .

Accession and Recruiting?

- No requirement to declare sexual orientation
- Sexual orientation is NOT a bar to military service
How Does This Policy Affect . . .

Re-Accession?

- Reentry based on past performance, character of service and Army needs
- Prior Soldiers may seek reentry if separated “only” under Don’t Ask, Don’t Tell
- No requirement to petition for change of adverse reentry codes PRIOR to reentry
How Does This Policy Affect . . .

Claims and Redress?

- No change to existing policy
- No retroactive change to lawful standards
- An Soldier may petition for redress
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 repeal information through various avenues
- What is the impact to eligibility for:
  - Family Advocacy Services
  - Child Development Services
  - Youth Services
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)
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 Soldiers with statutorily authorized dependents
- Non-dependents are generally NOT authorized to reside in military family housing
- Exceptions made without regard to sexual orientation
Top 10 Things You Need to Know About The Repeal of Don’t Ask, Don’t Tell

1. Accessions & Separations Policies
2. Standards of Conduct Apply Equally to Everyone
3. Personal Privacy
4. Moral and Religious Concerns
5. Benefits
Top 10 Things You Need to Know About The Repeal of Don’t Ask, Don’t Tell

- Equal Opportunity
- Duty Assignments
- Medical Policy
- Release and Service Commitments
- Collection and Retention of Sexual Orientation Data
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
  - Army diversity and unit cohesion
  - Standards of conduct
- Until the date of repeal, current policy remains in effect