

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

**Leadership – Professionalism – Discipline - Respect**



# Repeal of Don't Ask, Don't Tell

## Chiefs Video

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# 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

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# Army Values - Our Core

- **Loyalty**
  - **Duty**
  - **Respect**
  - **Selfless Service**
  - **Honor**
  - **Integrity**
  - **Personal Courage**
- our baseline,  
our foundation,  
our core.*
- They define who we  
are, what we do, and  
what we stand for.*

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# 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**

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# Army Guiding Principles (cont)

 **Keep 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**

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# 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**

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# 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**

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# 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

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# 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**

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# 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

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# 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

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# 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**

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# 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**

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# 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**

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# How Does This Policy Affect . . .

## *Medical Readiness?*

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

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# 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**

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# 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**

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# 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**

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# 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**

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# How Does This Policy Affect . . .

## *Accession and Recruiting?*

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

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# 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

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# 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**

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# 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**

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# 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)**

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# 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**

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# 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**

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# Top 10 Things You Need to Know About The Repeal of Don't Ask, Don't Tell

 **Accessions & Separations Policies**

 **Standards of Conduct Apply Equally to Everyone**

 **Personal Privacy**

 **Moral and Religious Concerns**

 **Benefits**

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# 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**

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# 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

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