



Repeal of Don't Ask, Don't Tell (DADT) Tier 3 Brief



CMC and SMMC Video



Repeal of DADT

Introduction



- **Until the date of repeal, current policy remains in effect**
- Purpose of brief:
 - Inform about repeal and its effects
 - NOT to change beliefs
- Expectations during brief:
 - Ask policy focused questions
 - Maintain professional demeanor



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



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 and the Marine Corps maintains:
 - Zero tolerance for harassment, violence, or discrimination



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



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 Marines and Sailors



What if...

You 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



What can you expect...

From the 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...

You 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 Marine Corps



How does this policy affect...

Privacy and cohabitation?



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



How does this policy affect...

Equal treatment?



- All Marines and Sailors shall be evaluated only on individual merit, fitness and capability
- Use existing mechanisms namely the chain of command, request mast, and the Inspector General (IG) 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



How does this policy affect...

Family members & family support?



- 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



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?



- Any person may be designated as beneficiary for certain benefits:
 - Thrift-Savings Plan
 - SGLI
 - Death Gratuity
 - 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 Marines and Sailors with statutorily authorized dependents
- Non-dependents are generally NOT authorized to reside in military family housing
- Exceptions made without regard to sexual orientation



Repeal of the DADT Policy

Summary



- Brief provided information regarding the repeal of DADT and its effects
- Brief provided reminders of:
 - Core Values
 - Service diversity & unit cohesion
 - Standards of conduct
- The exact date of repeal will be widely distributed
- Until the date of repeal, current policy remains in effect