



COMDTCHANGENOTE 1040
01 NOV 2018

COMMANDANT CHANGE NOTICE 1040

Subj: CH-2 TO TEMPORARY SEPARATIONS MANUAL, COMDTINST M1040.6

1. PURPOSE. This Commandant Change Notice publishes a change to the Temporary Separations, COMDTINST M1040.6.
2. ACTION. All Coast Guard unit commanders, commanding officers, officers-in-charge, deputy/assistant commandants, and chiefs of headquarters staff elements must comply with the provisions of this Commandant Change Notice. Internet release is authorized.
3. DIRECTIVES AFFECTED. With the addition of this Commandant Change Notice, Temporary Separations, COMDTINST M1040.6 is updated.
4. DISCLAIMER. This document is intended to provide operational requirements for Coast Guard Personnel and is not intended to, nor does it impose legally binding requirements on any party outside of the Coast Guard.
5. MAJOR CHANGES. This change makes the Commander, Coast Guard Personnel Service Center (CG PSC) the waiver authority and Commandant (CG-133) the waiver appeal authority for this Manual. Adds three new items to the annual report and requires the annual report to Commandant (CG-13) be routed through Commandant (CG-133). Removes promotion as an example of a benefit received that would incur additional obligated service. Removes the restriction for members with a 3 or less in any dimension in any Enlisted Evaluation Review Summary in the last 4 years to participate in the TEMPSEP program. Removes surrogacy as a reason to request TEMPSEP as well as the definition of surrogacy. Waives the minimum pay grades for enlisted members who submit an unrestricted report of sexual assault to participate in the TEMPSEP program. Updates references to the Enlisted Accessions, Evaluations, and Advancements Manual to the new Enlistments, Evaluations, and Advancements Manual, COMDTINST M1000.2 (series).

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NON-STANDARD DISTRIBUTION:

6. ENVIRONMENTAL ASPECT AND IMPACT CONSIDERATIONS.

- a. The development of this Commandant Change Notice and the general policies contained within it have been thoroughly reviewed by the originating office in conjunction with the Office of Environmental Management, Commandant (CG-47). This Commandant Change Notice is categorically excluded under current Department of Homeland Security (DHS) categorical exclusion (CATEX) A3 from further environmental analysis in accordance with “Implementation of the National Environmental Policy Act (NEPA)”, DHS Instruction Manual 023-01-001-01 (series).
- b. This Commandant Change Notice will not have any of the following: significant cumulative impacts on the human environment; substantial controversy or substantial change to existing environmental conditions; or inconsistencies with any Federal, State, or local laws or administrative determinations relating to the environment. All future specific actions resulting from the general policy in this Commandant Change Notice must be individually evaluated for compliance with the National Environmental Policy Act (NEPA), Department of Homeland Security (DHS) and Coast Guard NEPA policy, and compliance with all other applicable environmental mandates.

7. DISTRIBUTION. No paper distribution will be made of this Commandant Change Notice. An electronic version will be located on the following Commandant (CG-612) web sites:
Internet: <http://www.dcms.uscg.mil/directives> and CGPortal:
<https://cgportal.uscg.mil/library/directives/SitePages/Home.aspx>.

8. PROCEDURE.

<u>Remove</u>	<u>Replace</u>
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Pages 6-1 to 6-2	Pages 6-1 to 6-2
Pages 8-3 to 8-4	Pages 8-3 to 8-4
Pages 9-1 to 9-2	Pages 9-1 to 9-2

9. RECORDS MANAGEMENT CONSIDERATIONS. This Commandant Change Notice has been evaluated for potential records management impacts. The development of this Commandant Change Notice has been thoroughly reviewed during the directives clearance process, and it has been determined there are no further records scheduling requirements, in accordance with Federal Records Act, 44 U.S.C. 3101 et seq., National Archives and Records Administration (NARA) requirements, and the Information and Life Cycle Management Manual, COMDTINST M5212.12 (series). This policy does not have any significant or substantial change to existing records management requirements.

10. FORMS/REPORTS. The forms referenced in this Commandant Change Notice are available in USCG Electronic Forms on the Standard Workstation or on the Internet: [https://dcms.uscg.afpims.mil/Our-Organization/Assistannt-Commandant-for C4IT-CG-6/The-Office-of-Information-Management-CG-61/Forms-Management/](https://dcms.uscg.afpims.mil/Our-Organization/Assistannt-Commandant-for-C4IT-CG-6/The-Office-of-Information-Management-CG-61/Forms-Management/); CGPortal at: <https://cgportal2.uscg.mil/library/forms/SitePages/Home.aspx>.
11. REQUEST FOR CHANGES. Recommendations for changes or improvements to Military Separations, COMDTINST M1000.4 (series), are welcome and should be submitted via the chain of command to the Office of Military Personnel, Policy and Standards Division, Commandant (CG- 1331), at: HQS-PolicyandStandards@uscg.mil.

M. W. SIBLEY /s/
Rear Admiral, U.S. Coast Guard
Acting Director of Reserve and Military
Personnel

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Chapter 1 Overview

A. Purpose.

1. The intent of this program is to retain the valuable experience and training members possess that might otherwise be lost by voluntary separations.
2. The Temporary Separation (TEMPSEP) program allows Coast Guard active duty members to return to active duty after a temporary separation, allowing the member to focus on personal interests/issues they might be precluded from performing by remaining on active duty.

B. Summary. This Chapter is a summary of the program. Subsequent chapters detail specific policies and standards.

1. A member separating through TEMPSEP must have a guarantee of reenlistment or reappointment to active duty subject to physical condition and other qualifications. This guarantee must only be for the same pay-grade and relative precedence prior to separation.
2. All members requesting TEMPSEP must agree to affiliate with the Coast Guard Reserve for the entire TEMPSEP period to ensure easier return to active duty.
3. A member separated under this policy must not receive any military entitlement during the separation, except for benefits provided while serving in the Coast Guard Reserve.
4. No member is required to return to active duty **via the program** after the TEMPSEP agreement is expired.
5. No member is required to remain affiliated with the Coast Guard Reserve after the TEMPSEP agreement, subject to any other military service obligation requirements.

C. Other Coast Guard policies.

1. Unless otherwise directed in this Manual, **separation** from the service **is sponsored by** Reference (a), Military Separations, COMDTINST M1000.4 (series).
2. Members must follow the appropriate policies for **affiliating with** the Coast Guard Reserve:
 - a. Regular commissioned officers must follow Regular to Reserve appointment policy in Reference (b), Officer Accessions, Evaluations, and Promotions, COMDTINST M1000.3 (series).
 - b. Enlisted members must follow Reference (c), Coast Guard Recruiting Manual, COMDTINST M1100.2 (series).
 - c. Reserve Program Administrators (RPAs) **must** follow the RPA designation removal policy in Reference (b), Officer Accessions, Evaluations, and Promotions, COMDTINST M1000.3 (series).
3. After **affiliating with** the Coast Guard Reserve, all members must follow direction in Reference (d), Reserve Policy Manual, COMDTINST M1001.28 (series).

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4. Members who return to active duty must be assigned in accordance with Reference (e), Military Assignments and Authorized Absences, COMDTINST M1000.8 (series).

Chapter 2 Roles and Responsibilities

- A. Overview. This Chapter describes general responsibilities for Coast Guard units and members. Subsequent chapters detail additional and specific responsibilities.
- B. Assistant Commandant for Human Resources (CG-1).
1. **Commander, Coast Guard Personnel Service Center (CG PSC) serves as the waiver authority for this Manual.**
 2. **Commandant (CG-133) serves as the appeal authority for waivers denied by Commander (CG PSC) and the sponsoring office for this manual.**
 3. Commandant (CG-126) must:
 - a. Assist Commander (CG PSC) with the requirements in Article 2.C.4. of this Manual.
 - b. Forecast the number of returnees to active duty for Commander (CG PSC) for planning purposes.
- C. Commander, Coast Guard Personnel Service Center (CG PSC). Commander (CG PSC) must:
1. Develop, promulgate, implement, and review operating procedures in accordance with this Manual.
 2. Commander (CG PSC-OPM/EPM-1) must act as approving authority to approve or deny requests for TEMPSEP.
 - a. This authority may not be delegated.
 - b. Commander (CG PSC) may reserve this authority to a higher organizational level.
 3. Commander (CG PSC-c) must act as the appeal authority for all TEMPSEP requests. This authority may be delegated to officers in the pay-grade of O-6.
 4. Annually report the health of the TEMPSEP program (by pay-grade) to Commandant (CG-13), **through Commandant (CG-133)** to include:
 - a. Number of applicants for the program,
 - b. Number of approvals,
 - c. Reasons for denial,
 - d. Number of personnel currently on TEMPSEP,
 - e. Number of personnel who returned from TEMPSEP,
 - f. Number of waivers received,**
 - g. Number of waivers approved, and**

h. Reasons for waivers denial.

5. Commander (CG PSC) **must** regularly contact members on TEMPSEP.

Chapter 3 Eligibility for, Granting, and Cancelling TEMPSEP

A. Overview. This chapter describes how to determine eligibility for TEMPSEP and standards for granting and cancelling TEMPSEP agreements. To ensure maximum eligibility, all members are eligible unless explicitly ineligible because of a reason in Articles 3.D. through 3.F. of this Manual. Members who are not eligible for a specific reason described in Articles 3.D. through 3.F. of this Manual could still be eligible under Chapter 4 of this Manual.

1. If not explicitly ineligible for TEMPSEP per this Chapter, a member must be eligible for TEMPSEP.
2. Eligibility for TEMPSEP does not guarantee approval. Commander (CG PSC-OPM/EPM-1), must approve or deny eligible requests based on the needs of the Service and the member's record.

B. Authority.

1. Commander (CG PSC-OPM/EPM-1) must:
 - a. Determine the request's eligibility in accordance with Chapters 3 and 4 of this Manual, and
 - b. Deny ineligible requests, and
 - c. Approve or deny eligible requests based on the needs of the Service and the member's record.
2. Commander (CG PSC-c) must serve as the appeal authority for eligible members' requests denied by Commander (CG PSC-OPM/EPM-1). Requests that Commander (CG PSC-OPM/EPM-1), has determined ineligible must not be appealed.
3. Commander (CG PSC) may create additional requirements for granting TEMPSEP to eligible members, including timelines to allow ample time for promotion/advancement and assignments processes to account for the member's separation.

C. All members.

1. Members must submit their request for TEMPSEP through their unit commander in accordance with directions set by Commander (CG PSC). Failure to follow this procedure may cause a person to be ineligible or delayed in approval for TEMPSEP.
2. Eligibility for TEMPSEP is based on the requested separation date, not on the date of the request for TEMPSEP.
3. Personnel who already have an approved separation date may request, prior to that date, TEMPSEP in lieu of normal separation. Denial of TEMPSEP **must** not impact the original separation request.
4. The use of any type of leave must not impact the determination, approval, or disapproval for TEMPSEP.

5. Requests must include a signed acknowledgment of the specific conditions governing:
 - a. Separation in accordance with Chapter 5 of this Manual,
 - b. Joining the Reserve in accordance with Chapter 6 of this Manual,
 - c. Return to active duty in accordance with Chapters 7 and 8 of this Manual,
 - d. Loss of active duty benefits after separation,
 - e. Impact of TEMPSEP on current and future separation pay eligibility, and
 - f. Adjustment of:
 - (1) Precedence and date of rank for officers upon return to active duty, and
 - (2) TIR for enlisted members upon return to active duty.

D. All members ineligible for TEMPSEP. The following members are ineligible to request TEMPSEP.

1. Members who have separated from active duty through a TEMPSEP agreement in their career. This must not be held against a member who was approved for TEMPSEP but the request was cancelled before the member left active duty.
2. Members with active duty obligated service. Active duty obligated service means a commitment of active duty time due to some benefit a member received, such as training, tuition assistance, permanent change of station orders, or advancement, etc.
3. Members on Extended Active Duty (EAD), except for permanent RPAs.
4. Members who are not tour complete at the time of separation.
5. Members in receipt of permanent change of station (PCS) orders.
6. Members pending investigation, performance probation, NJP, courts-martial, or civilian 1
7. Members with a record of disciplinary action (civil arrest, NJP or courts-martial) for two years prior to requesting separation.
8. Members eligible for a regular, non-regular, or physical disability retirement.
9. Members on a current body fat probation in accordance with Coast Guard Weight and Body Fat Standards Program Manual, COMDTINST M1020.8 (series). Members may be on an exemption or abeyance.

E. Ineligible officers. In addition to requirements in Article 3.D. of this Manual, the following officers are ineligible for TEMPSEP.

1. Officers with less than five years continuous active duty in the Coast Guard prior to TEMPSEP. Cadet time must not be creditable for this policy. Enlisted time is creditable for this policy.

2. Permanent regular commissioned Ensigns and Lieutenants (junior grade).
 3. Temporary regular commissioned officers with less than three years active duty as an officer.
 4. Officers, other than permanent RPAs and regular commissioned warrant officers, who are not on the active duty promotion list (ADPL).
 5. Regular commissioned warrant officers who have not completed their three-year probationary period.
 6. Officers who have been non-selected, in the current pay grade, for promotion.
 7. Officers with a mark of 3 or less in any dimension of an Officer Evaluation Report (OER) for the current pay grade.
- F. Ineligible enlisted members. In addition to requirements in Article 3.D. of this Manual, the following enlisted members are ineligible for TEMPSEP.
1. Members with less than six years of continuous active duty service in the Coast Guard. Service in another military service must not be creditable towards TEMPSEP eligibility.
 2. Members in the pay-grade E-3 or less.
 3. High Year Tenure candidates.
 4. Members ineligible or not recommended for reenlistment at the time of separation.
 - 5. Reserved**
 6. For the 12 months before the submission of the request, a member with an unsatisfactory mark in Conduct. For members who have no evaluations during the 12 months preceding the request, use marks for the preceding 24 months before submitting the request.
- G. Service cancelling TEMPSEP option.
1. Commander (CG PSC-OPM/EPM-1) may cancel the TEMPSEP approval prior to active duty separation upon evidence the member is no longer eligible (pending NJP, weight probation, non-selection for promotion, etc.).
 2. Commander (CG PSC-OPM/EPM-1) must:
 - a. Require the member to stay on active duty for situations such as pending investigation, performance probation, NJP, courts-martial, or civilian criminal charges or proceedings,
 - b. Allow the member to separate from active duty without the TEMPSEP, or
 - c. Allow the member to voluntarily remain on active duty.
 3. Commander (CG PSC-OPM/EPM-1) must not cancel the TEMPSEP approval between separation and prior to return to active duty unless the member invalidates the requirements in Chapter 7 of this Manual.

H. Member request to cancel TEMPSEP.

1. Members approved for TEMPSEP may request to cancel, prior to their separation date, their approved TEMPSEP agreement to remain on active duty or separate without TEMPSEP.
 - a. Commander (CG PSC-OPM/EPM-1) must approve all requests to separate without TEMPSEP.
 - b. Members desiring to cancel their TEMPSEP separation and remain on active duty must follow submission requirements set by Commander (CG PSC).
 - (1) Members, whose request to cancel their approved TEMPSEP to remain on active duty is approved, are subject to reassignment at the needs of the Service.
 - (2) Commander (CG PSC-OPM/EPM-1) must approve or reject the cancellation request based on needs and impact of the Service.
 - (3) Members who voluntarily cancel their approved request for TEMPSEP must not be eligible for TEMPSEP for two years from the date of the cancellation request.
2. Commander (CG PSC-OPM/EPM-1) will notify the command and member of their final action on the member's request for cancellation of TEMPSEP.

Chapter 4 Other reasons to request TEMPSEP

- A. Overview. This Chapter modifies the eligibility requirements described in Chapter 3 of this Manual for certain members.
1. All requirements in Chapter 3 apply to this Chapter unless explicitly waived.
 2. Members approved under this Chapter are subject to all requirements in subsequent Chapters.
- B. Care of Newborn Children (CNC). This section applies to both adoptions and to biological parents.
1. These members must meet the following additional criteria:
 - a. The child must be a dependent of the active duty member at the time of separation.
 - b. The child must be less than 1 year old at the time of separation.
 2. A member may submit a request when he or she is:
 - a. On an approved list for adoption with an adoption agency, or
 - b. Pregnant.
 3. These members are exempt from the following ineligibility requirements.
 - a. The requirement for being tour complete specified in Article 3.D.4. of this Manual.
 - (1) For CONUS units, members applying for temporary separation for CNC must have completed at least one year at their current duty station prior to separation.
 - (2) For OCONUS units, members applying for temporary separation for CNC must have completed at least two years at their current duty station prior to separation. If a member has transferred to a new unit within the same geographic OCONUS region, all time served within that region will be applied toward the 2-year requirement, but they must complete at least one year at their current unit.
 - b. Enlisted members must have at least four years of continuous active duty instead of at least six years of active duty per Article 3.F.1 of this Manual.
- C. Reserved.
- D. Unrestricted reports of sexual assault. Requests under this section must not be based on needs of the Service, and Commander (CG PSC-OPM/EPM-1), must endeavor to grant these requests as much as possible.
1. These members must meet the following additional criteria.

- a. Have submitted a Victim Reporting Preference Statement, Form CG-6095, with the unrestricted reporting option selected, within two years of the requested separation date.
 - b. Commander (CG PSC-OPM/EPM-1) (with consultation from LSC-PSC) determines by preponderance of the evidence that a crime of sexual assault may have occurred.
2. These members are exempt from the following ineligibility requirements.
- a. A member may be eligible despite having TEMPSEPEd already in their career, as specified in Article 3.D.1. of this Manual.
 - b. Commander (CG PSC-OPM/EPM-1), may waive obligated service in Article 3.D.2. of this Manual. Waiving obligated service must not waive resulting recoupment action for any debt, including graduate school tuition and Selective Reenlistment Bonus.
 - c. The requirement for a member to be tour complete at the time of separation specified in Article 3.D.4. of this Manual.
 - d. Commander (CG PSC-OPM/EPM-1), may waive ineligibility requirements regarding disciplinary action or pending disciplinary action criteria specified in Articles 3.D.6. and 3.D.7. of this Manual.
 - e. The continuous active duty requirement in Articles 3.E.1 or 3.F.1, as appropriate, in this Manual.
 - f. **The Minimum pay grades found in Article 3.F.2 in this manual.**

Chapter 6 Affiliation with the Reserve

- A. Overview. Affiliation with the Reserve greatly eases the Coast Guard's ability to return a member to active duty.
- B. All members.
1. **All TEMPSEP members must affiliate with the Coast Guard Reserve and follow Commander (CG PSC) procedures for affiliating with the Coast Guard Reserve.**
 2. Commander (CG PSC) must assign members at the needs of the Service.
 3. Assignment and subsequent service to any of the following sub-categories of the Reserve is acceptable:
 - a. Selected Reserve (SELRES),
 - b. Individual Ready Reserve (IRR),
 - c. Active Status List (ASL), or
 - d. Inactive Status List (ISL).
 4. Commander (CG PSC) must advise members, who wish minimal affiliation or requirements with the Coast Guard Reserve, to request assignment to the ISL.
 5. TEMPSEP Reservists must be treated the same as non-TEMPSEP Reservists and subject to all Reserve requirements, including involuntary recall, drilling requirements, etc. in accordance with Reference (d), Reserve Policy Manual, COMDTINST M1001.28 (series).
 6. Members must receive all entitlements in accordance with Reference (d), Reserve Policy Manual, COMDTINST M1001.28 (series) including retirement credit service in the active component of the Coast Guard.
 7. Members may earn any type of retirement points for any reason, other than voluntary EAD, without cancelling the TEMPSEP agreement.
 8. Separating from the Coast Guard Reserve must void the TEMPSEP agreement.
 9. Members must have their TEMPSEP agreement cancelled if separated involuntarily or if there is documentation of misconduct while affiliated in the Reserve.
 10. Members must have their TEMPSEP agreement cancelled if performing voluntary EAD (including becoming a provisional RPA). These members may not return to active duty via TEMPSEP.
 11. **Members E-3 and below authorized to TEMPSEP in accordance with Article 4.D.2.f. in this Manual shall be placed in the Individual Ready Reserve.**

C. Officers.

1. **Commander (CG PSC) must not recommend to the Secretary concerned a change to the:**
 - a. **Pay-grade of any officer approved for TEMPSEP, or**
 - b. **Precedence of any officer approved for TEMPSEP (14 USC § 744).**
2. **Officers selected for promotion on the Active Duty or RPA promotions lists but separated prior to promotion must be promoted on the IDPL in accordance with Reference (b), Officer Accessions, Evaluations, and Promotions, COMDTINST M1000.3 (series) and Reference (d), Reserve Policy Manual, COMDTINST M1001.28 (series).**
3. **RPA's must give up their permanent designation and be released from active duty (RELAD).**
4. **Time in the Reserve, including the Inactive Status List (ISL), must count towards total commissioned service.**

D. Enlisted. Members whose rating is active duty specific must change their rate, in accordance with Reference (c), Coast Guard Recruiting Manual, COMDTINST M1100.2 (series).

- b. Will be reenlisted in the higher grade, if the member's name has been reached or bypassed on the current or a previous list.
3. Members whose name was not above the initial cut on the enlisted advancement list prior to separation must receive full credit for any Time in Pay Grade in Present Rating (TIR) formerly creditable prior to their separation for computation of their SWE final multiple.
4. If not advanced to a higher grade, as described above, on return to active duty or affiliation with the Reserve, a member receives credit for time served in grade before the temporary separation. This credit will also apply for any necessary continuous active duty requirements for advancement in accordance with **Enlistments, Evaluations, and Advancements**, COMDTINST M1000.2(series).
5. Members requesting to return to active duty after the TEMPSEP agreement expires must apply through the Open Rate List, in accordance with Reference (c), Coast Guard Recruiting Manual, COMDTINST M1100.2 (series) or request EAD.

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Chapter 9 Definitions

A. Overview.

1. The definitions described in this Chapter apply to the entire Manual.
2. The definitions described in this Chapter may or may not apply to other Coast Guard policies.

B. Definitions.

1. Sexual Assault. Intentional sexual contact, characterized by use of force, threats, intimidation, abuse of authority, or when the victim does not or cannot consent. Further definition is found in Sexual Assault Prevention and Response (SAPR) Program, COMDTINST M1754.10 (series).
2. Reserved.

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