Stand-Down to Address Extremism in the Navy Ranks

Discussion Guide
Supplemental Slides
19Feb21
Overview - Why Are We Here Today?

SECDEF Austin’s February 5, 2021 Memo Regarding Stand-down to Address Extremism in the Ranks
• “We took an oath to obey the law, support and defend the Constitution”
• “Without question, the vast majority of the men and women of this Department serve with honor and uphold our core values.”
• “Service in the DoD is a privilege that comes with added responsibilities and obligations”
• “We will not tolerate actions that go against the fundamental principles of the oath we share, including actions associated with extremist ideologies.”

SECDEF Austin’s February 19, 2021 Video and Leadership Stand-Down Framework
• The vast majority of the men and women in the United States military and those who serve the Department of Defense as civilian employees perform their duties and responsibilities with integrity, and do not support racially and ethnically motivated violent extremists, including white supremacists, and other domestic terrorists such as anti-government violent extremists. However, recent events have shown that we must be ever vigilant in our efforts to identify and combat such ideology within the ranks and organizations.
Overview - Why Are We Here Today?

- SECDEF Austin’s February 19, 2021 Video and Leadership Stand-Down Framework
  - **Duty to Reject**: Service members and DoD civilian employees must reject participation in such activities. With regard to Service members, Department policy makes clear that commanders have the authority to employ the full range of administrative and disciplinary actions, including involuntary separation, dismissal, or even appropriate criminal prosecution against those who actively engage in such activity. Supervisors and leaders of all ranks must also take action to maintain good order and discipline and root out extremism.

  - **Recruitment**: Extremist organizations and individuals often target current or former military members or DoD civilian employees for recruitment because of their unique military skills, knowledge, and abilities, as well as to gain legitimacy for their cause. Service members and DoD civilian employees must be vigilant of these efforts.
Consider these provisions of the Constitution we support and defend:

- **The Constitution entitles all to equal protection of the laws.**
  - Together, our Constitution, laws, and policies prohibit discrimination on the basis of race, creed, color, ethnicity, national origin, sex (including gender identity), sexual orientation, or religion.

- **All possess First Amendment rights of free exercise of religion, freedom of speech, and peaceful assembly.** These rights are not unlimited.
  - Speech that incites violence or criminal activity is not protected.
  - Vandalizing government property and storming a police barrier is not an exercise of First Amendment rights.
  - Similarly, speech in the workplace that interferes with the mission, espouses extremist or discriminatory doctrine, or is disrespectful and harmful to colleagues, will have consequences.
“To Support and Defend the Constitution against all enemies foreign and domestic”

- We defend the Constitution, not a supervisor, political appointee or person occupying a political office.
- Our oath has no expiration date.
- The oath we have pledged is much bigger than ourselves.
As a symbolic recommitment to obey the law, support and defend the Constitution, and do our jobs to the best of our abilities, I invite you to join me in reaffirming the oath of office or enlistment

- Conduct Officer/DON Civilian Oath of Office
- Conduct Oath of Enlistment
“I, (state your name), do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.”
"I, (state your name), do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; and that I will obey the orders of the President of the United States and the orders of the officers appointed over me, according to regulations and the Uniform Code of Military Justice. So help me God."
Options for Reporting Extremist Conduct

- Everyone has a duty to report suspected or actual extremist behaviors.
  - Early identification is key to effective intervention. What are some indicators of extremist ideologies?

- Reporting options:
  - Inform your chain of Command.
  - Talk to the CMEO and file a formal or informal complaint. Our Command CMEO is ___________________(insert contact info).
  - Talk to the DoN Insider Threat Program Office.
  - Contact EEO Office for DoN Civilian Personnel.
  - Contact NCIS / local law enforcement.
    - NCIS tip line can be anonymous – but please be specific
  - You MUST report credible allegations to the Security Manager. Our Command Security Manager is ______(insert contact info).

- Thanks for your participation and I challenge you to have honest and open discussions in your small group break-out sessions.

- Facilitators: If questions come up in small groups, please consult with CMEO or other command subject matter experts to ensure best information available.
Options for Reporting Extremist Conduct

- You can:
  - Inform your chain of Command
  - Talk to the CMEO and file a formal or informal complaint. Our Command CMEO is _________________.
  - Commanding Officers will contact SJA/NCIS for more severe cases.
  - Contact EEO Office for DoN Civilian Personnel.

- Thanks for your participation and I challenge you to have honest and open discussions in your small group break-out sessions.

- Facilitators: If questions come up in small groups, please consult with CMEO or other command subject matter experts to ensure best information available.
Transition to Small Group Break Out
“Our Core Values of **Honor, Courage, and Commitment** and our attributes of Integrity, Accountability, Initiative, and Toughness will always guide us. They underpin who we are as members of the profession of arms: **united by our common oath**, dedicated to our **special standards of ethics** and **character**, and constantly honing our unique expertise in the art and science of naval warfare.”

**ADM Mike Gilday, Chief of Naval Operations quote from Signature Behaviors of the 21st Century Sailor**
Our 10 Signature Behaviors Are:

• Treat every person with respect
• Take responsibility for my actions
• Hold others accountable for their actions
• Intervene when necessary
• Be a leader and encourage leadership in others
• Grow personally and professionally every day
• Embrace the diversity of ideas, experiences, and background of individuals
• Uphold highest degree of integrity in professional and personal life
• Exercise discipline in conduct and performance
• Contribute to team success through actions and attitudes
Each member of the Navy is entitled to be treated with dignity and respect.

Zero Tolerance for harassment and unlawful discrimination against persons or groups based on race, color, religion, sex (including gender identity), creed, ethnicity, national origin, or sexual orientation.

Prohibited conduct includes, but is not limited to, offensive jokes, slurs, epithets or name calling, physical assaults or threats, intimidation, ridicule or mockery, insults or putdowns, offensive objects or pictures, and interference with work performance regardless of the means of communication (oral, written, e-mail, text messages, social media, etc.).

OPNAVINST 5354.1G (Navy Equal Opportunity Manual)
Supremacist/Extremist Conduct

1990 Navy Regulations, Article 1167: Supremacist Activities
“No person in the Naval service shall participate in any organization that espouses supremacist causes; attempts to create illegal discrimination based on race, creed, color, sex, religion, or national origin; advocates the use of force or violence against the government of the United States or the government of any state, territory, district, or possession thereof, or the government of any subdivision therein; or otherwise engages in efforts to deprive individuals of their civil rights.”

See also: DoDI 1325.06; OPNAVINST 5354.1G
Example One: Paramilitary Activity

In September 2019, as a result of an FBI investigation, an Army junior enlisted member was arrested and charged in the federal criminal justice system with one count of distributing information related to explosives and weapons of mass destruction. During the investigation, it was discovered that the Service member had “disseminated guidance on how to construct improvised explosive devices” and had spoken about his desire to travel to Ukraine to fight with the Azov Battalion, a paramilitary group with neo-Nazi sympathies. At the time of his arrest, the Service member stated that he did this to cause “chaos.” He was administratively discharged from the Army and sentenced to 30 months in federal prison.
Example Two: Domestic Extremism

In February 2019, the FBI arrested a junior officer in the U.S. Coast Guard after uncovering a stockpile of weapons, ammunition, and opioids in his home. The member planned to conduct a widespread domestic terror attack targeting politicians and journalists in the Washington, D.C. area. The officer was a self-described white nationalist and conducted thousands of internet searches on neo-Nazi and neo-fascist websites using his government computer. The officer was dropped from the Coast Guard rolls and sentenced in federal court to 13 years in prison.
In May 2019, an Air Force senior enlisted member was alleged to have been a member of Identity Evropa, a neo-Nazi and white supremacist organization. The Service member also allegedly physically posted supremacist propaganda on several occasions. Furthermore, he allegedly served as an organizer with Identity Evropa, recruited other members, and appeared in photographs wearing clothes with the Identity Evropa logo and taking part in a protest sponsored by the group. He was demoted in grade and administratively separated from the Air Force.
Example Four: Racist and Supremacist Statements

In 2019, an enlisted Marine shared a number of racist social media posts, including one of himself in blackface and with Nazi propaganda. One of the posts depicted military explosives placed in the shape of a Swastika. The member was administratively discharged from the Service.
Extremist Group  OPNAVINST 5354.1G defines an Extremist Group as an organization that espouses supremacist causes; attempts to create illegal discrimination based on race, creed, color, ethnicity, national origin, sex [includes gender identity], sexual orientation, or religion; advocates using force or violence; or otherwise engages in efforts to deprive individuals of their civil rights.

The DOD does not maintain a list of “prohibited organizations.”

- Extremist groups advocate use of illegal means in espousing a wide variety of causes and ideologies. Supremacist groups are only a subset of extremist groups.

The focus is on the behavior of Service members.

- Advocating for a change in policy or law is authorized.
- Using illegal means to deprive someone of a right under law or policy is not.
Key Concepts and Definitions

- **Supremacism** Though not defined in DoD or Navy policy, dictionary definitions of supremacism generally delineate a belief that a particular group, especially one determined by race, religion, or sex, is superior and should therefore dominate society (e.g. KKK, neo-Nazis).
Prohibited Behaviors

- Unlawful **participation** in a supremacist, extremist, or criminal organization includes but is not limited to:
  - fundraising;
  - demonstrating or rallying as a member of the organization;
  - recruiting, training, organizing, or leading members;
  - distributing material (including posting online);
  - knowingly wearing gang colors or clothing;
  - having tattoos or body markings associated with such gangs or organizations;
  - or otherwise engaging in activities in furtherance of the objective of such gangs or organizations that are detrimental to good order, discipline, or mission accomplishment or are incompatible with military service.
Potential Adverse Consequences

Misconduct subject to punishment under the Uniform Code of Military Justice (UCMJ)

- Art. 88 – Contempt toward officials
- Art. 92 – Failure to obey an order
- Art. 94 – Mutiny or sedition
- Art. 115 – Communicating a threat
- Art. 116 – Riot or breach of peace
- Art. 117 – Provoking speeches or gestures
- Art. 133 – Conduct unbecoming an officer
- Art. 134 – Conduct prejudicial to good order and discipline or service discrediting
- Any other violations of the UCMJ, and federal and state criminal laws

Potential Adverse Outcomes (For Service Members)

- Court-Martial
- Non-judicial punishment
- Administrative separation
- Denial of Reenlistment
- Loss of Security Clearance
- Suspension of eligibility to occupy sensitive positions
- Removal from certain duties, such as restricted area badge access or flying status, or duties involving firearms
- Counseling and corrective training
- Adverse evaluations and position reassignments
Potential Adverse Outcomes for Civilians

Potential Adverse Outcomes (For DON Civilians)

- Loss of Security Clearance
- Suspension of eligibility to occupy a sensitive position
- Removal from certain duties, such as restricted area badge access, duties involving firearms
- Written reprimand
- Suspension
- Removal
- Criminal penalties
<table>
<thead>
<tr>
<th>Category</th>
<th>The UCMJ Applies…</th>
<th>Federal Law applies…</th>
<th>State Law applies…</th>
</tr>
</thead>
<tbody>
<tr>
<td>Active Duty (AD)</td>
<td>Yes, over all offenses in all places.</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Reserve Component (RC)</td>
<td>Yes, over all offenses in all places that occur:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• while on active duty or on inactive-duty training (ADT, IDT, AT, ADOS, Mobilization, recall, etc.);</td>
<td></td>
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</tr>
<tr>
<td></td>
<td>• during travel to and from active duty or to and from the inactive-duty training site of the member, pursuant to orders or regulations;</td>
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</tr>
<tr>
<td></td>
<td>• during intervals between consecutive periods of inactive-duty training on the same day, pursuant to orders or regulations; and,</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• during intervals between inactive-duty training on consecutive days, pursuant to orders or regulations.</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Reserve Retirees</td>
<td>No (unless receiving hospitalization from an armed force)</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Retired / Fleet Reserve</td>
<td>Yes, over all offenses in all places with SECNAV approval.</td>
<td>Yes</td>
<td>Yes</td>
</tr>
</tbody>
</table>
Considers: **Allegiance (Loyalty) to the United States**

**Conditions that may be disqualifying** include:

a. Involvement in support of, training to commit, or advocacy of any act of sabotage, espionage, treason, terrorism, or sedition against the U.S.;

b. **Association or sympathy** with persons involved in any of the above acts;

c. **Association or sympathy** with persons or organizations that advocate, threaten, or use for or violence or other **illegal means** in an effort to:
   1) Overthrow or influence the government;
   2) Prevent government personnel from performing their official duties;
   3) Gain retribution for perceived wrongs of government; or
   4) Prevent others from exercising their legal rights.
Key Take-Aways

- Extremist and supremacist behaviors are prohibited
- These behaviors are **not aligned** with the Navy Culture of Excellence, our Core Values or Signature Behaviors of the 21st Century Sailor/Civilian
- They also violate provisions of the UCMJ and Navy Policy and can result in criminal or administrative accountability, including loss of security clearance
- While we all enjoy the First Amendment Right of Freedom of Speech, an individual military member’s rights are **balanced** with the mission requirement of maintaining loyalty to the United States and Good Order and Discipline in a military force
Our Military is Apolitical | Non-Political

- The military as an institution is only effective if we have the trust of the public.
- Our Constitution firmly establishes that the military is subordinate to civilian leadership — regardless of political party.
- Therefore, we are an APOLITICAL (non-political) institution and must remain vigilant in preserving our reputation as an APOLITICAL (non-political) body.
Permissible Political Activities

- Registering to vote and voting
- Encouraging others to participate in political process
- Expressing purely personal opinions (caution)
- Joining a political club (e.g. Young Democrats of America)
- Signing petitions
- Attending meetings, rallies as spectator (not in uniform)
  - Off-duty; not in a foreign country, lawful (with required permits); when violence is unlikely
- Giving money to a political organization
- Writing a personal letter to the editor or posting on social media (caution)
- “Liking” or “following” a political party or candidate on social media

Use caution in commenting, posting, or linking to material expressing contempt towards elected officials or discrediting a military service as they may constitute violations of the UCMJ if done by a military service member.
Active duty personnel and civilian employees have different rules when it comes to political activities. Civilians are governed by the “Hatch Act.”

- In general many prohibitions that apply to military personnel are the same for civilians while they are on duty or in the federal workplace, but civilians have much greater ability to participate in political activities when off-duty and not at work.
- The list of prohibited activities on the following slide applies to active-duty personnel (at all times) and Civilians when they are at work.
Prohibited Political Activities

- Campaigning for a candidate or party
- Holding public office (generally)
  - Special rules for Reserve Personnel
- Posting political posters in government housing
- Speaking appearances on behalf of a candidate (even privately)
- Fundraising for candidate, party, or cause
- Distributing partisan political literature
  - *Partisan* means related to a political party
- Having large stickers or signs on vehicles
- “Sharing” or suggesting others “like” a political post or candidate on social media (in contrast to permissible “liking” or “following”)

UNCLASSIFIED
## Examples of Prohibited Speech for Military Personnel

<table>
<thead>
<tr>
<th>Expression</th>
<th>Violation of an Article</th>
</tr>
</thead>
<tbody>
<tr>
<td>“The President is a ….&amp; is screwing up the U.S.”</td>
<td>Art 88 – Contemptuous words toward officials</td>
</tr>
<tr>
<td>“With all due respect Sir, why don’t you go…”</td>
<td>Art 89 – Disrespect to a Superior Commissioned Officer</td>
</tr>
<tr>
<td>Flipping the bird to the CO</td>
<td>Art 117 – Provoking Speeches/Gesture</td>
</tr>
</tbody>
</table>
**Permissible | Recommended Social Media Practices**

- **Treat others with dignity and respect**
  - Seek to understand others’ positions. Use respectful language when you disagree.

- **Be proactive when you see online extremist/supremacist conduct by others**
  - Delete it and do not share it.
  - Do not tolerate this behavior. Your silence may lead others to believe you’re okay with it.
    - If you see something wrong, say something about it. Report those who violate the law or Navy policy (Chain of command, CMEO).

- **Remember Social Media is forever.** This is your reputation . . . and the reputation of the U.S. Navy.
  - Do not Tweet angry or impassioned.

When in doubt, download the 2019 Navy Social Media Handbook (online), engage with your chain of command or, simply don’t post it!
Prohibited Social Media Practices

- Do not post, re-tweet, “like”, or participate in online chats/forums regarding any materials that:
  - advocate or promote a supremacist cause;
  - advocate or promote illegal discrimination based on race, color, religion, sex (including gender identity), creed, ethnicity, national origin, or sexual orientation;
  - encourage violence to prevent others from exercising their rights; or
  - violate the UCMJ (including contempt towards elected officials or service discrediting conduct)

- Do not post about partisan political topics; do not share or re-tweet posts from a partisan source or any that solicit funds for political campaigns.

- Do not tolerate your Shipmate’s actions if they violate these rules.
Q: If there have been issues with extremism inside the Department of Defense for a long time, why is the Secretary of Defense so focused on this now?
A:
Q: If there have been issues with extremism inside the Department of Defense for a long time, why is the Secretary of Defense so focused on this now?

A: The increased level of domestic protests around the country in the past several months has emboldened some violent extremist groups to take more aggressive anti-government and racially motivated actions. These groups are known to actively target current and former military personnel. In light of current events, the Secretary wants DoD personnel at all levels to understand the threat and be trained and educated to take appropriate actions when they see indicators of extremism.
Q: Does DoD check the social media records of Service members, DoD civilian employees, and prospective recruits?
A:
Q: Does DoD check the social media records of Service members, DoD civilian employees, and prospective recruits?
A: Consent for obtaining publicly available social media information is provided when Service members and DoD civilian employees submit their Personnel Security Questionnaire (SF-86) to initiate the background investigation process. DoD is examining a scalable means of implementing social media screening in conjunction with background investigations. Furthermore, the FBI currently screens social media for extremism and criminal activity.
Q: I’m upset about a racist comment that one of my shipmates made.
A: 

Q: I follow someone on Facebook that occasionally posts racist comments. Will I get in trouble for that?
A: 

Q: I participate in a group text and one of the Chiefs is always discussing politics, linking to articles, and talking about how incompetent specific officials are.
A: 
Q: I’m upset about a racist comment that one of my shipmates made.  
A: Talk to your chain of command or the CMEO.

Q: I follow someone on Facebook that occasionally posts racist comments.  Will I get in trouble for that?  
A: Following a person without participating (liking, sharing, etc.) in the conversation is not prohibited conduct. However, if that person is a Sailor, you should report the behavior to your chain of command.

Q: I participate in a group text and one of the Chiefs is always discussing politics, linking to articles, and talking about how incompetent specific officials are.  
A: Talk to your chain of command. Partisan activity is prohibited for Sailors but sharing personal views with close friends is generally ok.
Q: My shipmate made a threatening comment about a Senator on Instagram.
A:

Q: What should I do if I think one of my Sailors is participating in a supremacist or extremist group?
A:

Q: What can I share on social media? Don’t I have the right to free speech?
A:
Q: My shipmate made a threatening comment about a Senator on Instagram.
A: Report this behavior to NCIS and your chain of command immediately.

Q: What should I do if I think one of my Sailors is participating in a supremacist or extremist group?
A: Talk to your chain of command. DoD policy requires all commanders remain alert for signs of current or future prohibited activity.

Q: What can I share on social media? Don’t I have the right to free speech?
A: Your online speech must be consistent with good order and discipline and not call into question your loyalty to the Constitution. You have the right to free speech and you can share your opinion - but advocating to illegally deprive others of their legal rights is not permitted. This could result in disciplinary or administrative action and jeopardize your security clearance.
Q: My friend has a confederate flag hanging in his off-base apartment. Do I need to report him to the command?
A:

Q: My boss is always talking about Black Lives Matter. Isn’t that political stuff that they’re not supposed to be talking about at work?
A:
Q: My friend has a confederate flag hanging in his off-base apartment. Do I need to report him to the command?
A: No. Flags are not prohibited in private residences.

Q: My boss is always talking about Black Lives Matter. Isn’t that political stuff that they’re not supposed to be talking about at work?
A: Advocating for or against a public policy issue (as here) is authorized as long as the behavior is otherwise lawful and the advocacy is not politically partisan in nature (e.g. it doesn’t specifically address a political party). If the discussions make you uncomfortable, discuss the matter with your boss or another supervisor.
Q: I come from a conservative religious family and have views on marriage, abortion, and LGBTQ rights that are not considered “mainstream” but are in keeping with my religious beliefs. I often discuss these issues on an online social media forum maintained by my church. Will I get in trouble for my posts?

A:
Q: I come from a conservative religious family and have views on marriage, abortion, and LGBTQ rights that are not considered “mainstream” but are in keeping with my religious beliefs. I often discuss these issues on an online social media forum maintained by my church. Will I get in trouble for my posts?

A: No. Expressing religious views or advocating for a change in policy or law is permissible. Advocating use of illegal means to prevent others from exercising their legal rights is not permissible. Regardless, if you express your views with respect for the dignity of others, you will almost always be on safe ground.
Q: Is it true that advocating or engaging in extremist behavior could jeopardize my security clearance?

A:
Q: Is it true that advocating or engaging in extremist behavior could jeopardize my security clearance?

A: Yes. Examples of conditions that could raise a security concern and may result in suspension or loss of security clearance include:

1. supporting or advocating acts of sabotage, espionage, treason, terrorism, or sedition against the United States or
2. association or sympathy with anyone that advocates, threatens, or uses violence or any other illegal means in an effort to overthrow the government, prevent government personnel from performing their official duties, gain retribution for perceived wrongs caused by the government or prevent others from exercising their rights under the law.
Reporting Option Recap

• Inform your chain of Command.
• Talk to the CMEO and file a formal or informal complaint. Our Command CMEO is _________________(insert contact info).
• Talk to the DoN Insider Threat Program Office.
• Contact EEO Office for DoN Civilian Personnel.
• Contact NCIS / local law enforcement.
  • NCIS tip line can be anonymous – but please be specific
  • NCIS.navy.mil

• You MUST report credible allegations to the Security Manager. Our Command Security Manager is ______(insert contact info).
References

SECDEF Memo / 05FEB21 (Stand-Down to Address Extremism in the Ranks)
https://media.defense.gov/2021/Feb/05/2002577485/-1/-1/0/STAND-DOWN-TO-ADDRESS-EXTREMISM-IN-THE-RANKS.PDF

SECDEF Memo / 16JUL20 (Public Display or Depiction of Flags in the Department of Defense)
https://media.defense.gov/2020/Jul/17/2002458783/-1/-1/1/200717-FLAG-MEMO-DTD-200716-FINAL.PDF

ALNAV / 010/21 (12FEB21) (Stand-Down to Address Extremism in the Ranks)

NAVADMIN / 044/21 (Stand-Down to Address Extremism in the Ranks)
https://www.mynavyhr.navy.mil/References/Messages/NAVADMIN-2021/

DoDI 1325.06 / 27NOV09 (Handling Dissident and Protest Activities Among Members of the Armed Forces)

DoD Directive 1344.10 (Political Activities by Members of the Armed Forces)

Navy Regulation Article 1167 / 03SEP97 (Supremacist Activities)

OPNAVINST 5453.1G (24JUL17) (Navy Equal Opportunity Program Manual)


Uniform Code for Military Justice (contained within Manual for Courts-Martial)