

\*\*\*\*\* UNCLASSIFIED / \*\*\*\*\*

Subject: MCBUL 5215. CONTINUATION OF POLICY CHANGES AFFECTED BY THE DON'T ASK  
DON'T TELL (DADT) REPEAL ACT OF TITLE 10, U.S. CODE, SECTION

Originator: CMC WASHINGTON DC(UC)

DTG: 271700Z Sep 12

Precedence: ROUTINE

DAC: General

To: AL MARADMIN(UC)

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UNCLASSIFIED/  
MARADMIN 537/12

MSGID/GENADMIN/CMC WASHINGTON DC MRA MP// SUBJ/MCBUL 5215. CONTINUATION OF  
POLICY CHANGES AFFECTED BY THE DON'T ASK DON'T TELL (DADT) REPEAL ACT OF TITLE  
10, U.S. CODE, SECTION 654// REF/A/DOC/TITLE 10, U.S. CODE, SECTION  
654/YMD:19940124// REF/B/MSG/CMC WASHINGTON DC/200402ZSEP2011// REF/C/DOC/CMC  
WASHINGTON DC/20100908// REF/D/DOC/CMC WASHINGTON DC/20021001// REF/E/DOC/CMC  
WASHINGTON DC/20070318// REF/F/DOC/CMC WASHINGTON DC/20080205// REF/G/DOC/CMC  
WASHINGTON DC/20070606// REF/H/DOC/CMC WASHINGTON DC/20001016// REF/I/DOC/CMC  
WASHINGTON DC/20110502// REF/J/DOC/CMC WASHINGTON DC/20090605// REF/K/DOC/CMC  
WASHINGTON DC/20100825// REF/L/DOC/CMC WASHINGTON DC/19800321// REF/M/DOC/CMC  
WASHINGTON DC/20070510// REF/N/DOC/CMC WASHINGTON DC/20120504// REF/O/DOC/CMC  
WASHINGTON DC/20060418// NARR/REF A IS TITLE 10, U.S.C., SECTION 654 ("DON'T ASK,  
DON'T TELL"). REF B IS MARADMIN 532-11, MCBUL 5215 REQUIRED CHANGES TO MARINE  
CORPS DIRECTIVES TO IMPLEMENT THE REPEAL OF TITLE 10, U.S.  
CODE, SECTION 654, DON'T ASK, DON'T TELL. REF C IS MCO 1040.31, ENLISTED  
RETENTION AND CAREER DEVELOPMENT PROGRAM. REF D IS MCO 1130.80A, PRIOR SERVICE  
AND RESERVE AUGMENTATION ENLISTMENTS INTO THE REGULAR MARINE CORPS. REF E IS  
NAVMC DIRECTIVE 5040.6H, MARINE CORPS READINESS INSPECTIONS AND ASSESSMENTS. REF  
F IS MCO 1752.5A, SEXUAL ASSAULT PREVENTION AND RESPONSE PROGRAM. REF G IS MCO  
P1900.16F, MARINE CORPS SEPARATION AND RETIREMENT MANUAL. REF H IS MCO  
7220R.38C, SELECTED RESERVE INCENTIVE PROGRAM. REF I IS MCO 1040R.35, RESERVE  
CAREER RETENTION AND DEVELOPMENT MANUAL. REF J IS MCO 5530.14A, MARINE CORPS  
PHYSICAL SECURITY PROGRAM MANUAL. REF K IS MCO 3000.19A, U.S. MARINE CORPS TOTAL  
FORCE MOBILIZATION, ACTIVATION, INTEGRATION, AND DEACTIVATION PLAN. REF L IS THE  
MARINE CORPS MANUAL. REF M IS MCO 5215.1K, MARINE CORPS DIRECTIVES MANAGEMENT  
PROGRAM. REF N IS MCBUL 5215, MARINE CORPS DIRECTIVES MANAGEMENT PROGRAM. REF O  
IS MCO 5210.11E, MARINE CORPS RECORDS MANAGEMENT PROGRAM// POC/D. A. REDDING/HQMC  
ARDB/DIRECTIVES MANAGEMENT/  
TEL: COMM: 703-614-2311, DSN: 225-2311/  
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DSN: 225-9386/EMAIL: [WILLIAM.MCWATERS@USMC.MIL](mailto:WILLIAM.MCWATERS@USMC.MIL)// GENTEXT/REMARKS/1. THE PURPOSE  
OF THIS BULLETIN IS TO ENSURE THAT CONTINUITY OF POLICY CHANGES REGARDING DON'T  
ASK DON'T TELL (DADT) REPEAL IDENTIFIED IN REF (B) REMAIN IN EFFECT ACROSS THE  
MARINE CORPS. ALTHOUGH SEVERAL CHANGES ARE INCORPORATED INTO PERMANENT POLICY,  
MANY ARE STILL IN PROGRESS. SYNOPSIS OF THESE CHANGES ARE LISTED BELOW:  
A. REF (C) (ENLISTED RETENTION AND CAREER DEVELOPMENT PROGRAM).  
(1) PAGE 6-7, DELETE LINE: "(C) ALSO, THE FOLLOWING STATEMENT IS  
REQUIRED: I HAVE BEEN BRIEFED AND UNDERSTAND MARADMIN 259/02, HOMOSEXUAL CONDUCT  
POLICY." RELETTER SUBSEQUENT PARAGRAPHS.

(2) PAGE 6-17, DELETE LINE IN CONTRACT: "I HAVE BEEN BRIEFED AND UNDERSTAND MARADMIN 259/02, HOMOSEXUAL CONDUCT POLICY."

B. REF (D) (PRIOR SERVICE RESERVE AUGMENTATION ENLISTMENTS INTO THE REGULAR MARINE CORPS).

(1) ENCLOSURE (1), PAGE 1, PARAGRAPH 1: ADD THE FOLLOWING NEW SUBPARAGRAPH D: "D. FORMER SERVICE MEMBERS WHO WERE DISCHARGED SOLELY UNDER U.S.C. SECTION 654 AND WERE ASSIGNED AN RE CODE OF RE-4, WILL BE PROCESSED AS ANY OTHER RE-ACCESSION UNDER MARINE CORPS POLICIES. THEY WILL BE EVALUATED ACCORDING TO THE SAME CRITERIA AND SERVICE REQUIREMENTS APPLICABLE TO ALL PRIOR SERVICE MEMBERS SEEKING RE-ENTRY TO THE MARINE CORPS."

C. REF (E) (MARINE CORPS READINESS INSPECTIONS AND ASSESSMENTS).

(1) APPENDIX B, PAGE B-1, CHECKLISTS CONTAINED IN THE AUTOMATED INSPECTION REPORTING SYSTEM (AIRS): DELETE FUNCTIONAL AREA "030 HOMOSEXUAL CONDUCT MPO-40."

D. REF (F) (SEXUAL ASSAULT PREVENTION AND RESPONSE PROGRAM).

(1) PAGE A-2, PARAGRAPH 8, DELETE "OF THE OPPOSITE SEX" IN THE DEFINITION OF DOMESTIC ABUSE.

E. REF (G) (MARINE CORPS SEPARATION AND RETIREMENT MANUAL).

(1) CHAPTER 1.

(A) PAGE 1-4, DELETE DEFINITION "8. BISEXUAL" IN ITS ENTIRETY.

(B) PAGE 1-6, DELETE DEFINITION "25. HOMOSEXUAL" IN ITS ENTIRETY.

(C) PAGE 1-6, DELETE DEFINITION "26. HOMOSEXUAL ACTS" IN ITS ENTIRETY.

(D) PAGE 1-6, DELETE DEFINITION "27. HOMOSEXUAL CONDUCT" IN ITS ENTIRETY.

(E) PAGE 1-6, DELETE DEFINITION "28. HOMOSEXUAL MARRIAGE OR ATTEMPTED MARRIAGE" IN ITS ENTIRETY.

(F) PAGE 1-7, DELETE DEFINITION "42. PROPENSITY" IN ITS ENTIRETY.

(G) PAGE 1-8, DELETE DEFINITION "54. SEXUAL ORIENTATION" IN ITS ENTIRETY.

(H) PAGE 1-8, DELETE DEFINITION "B. SODOMY" IN PARAGRAPH 55 SEXUAL PERVERSION.

(I) PAGE 1-9, DELETE DEFINITION "56. STATEMENT THAT A MEMBER IS A HOMOSEXUAL OR BISEXUAL" IN ITS ENTIRETY.

(J) PAGE 1-13, PARAGRAPH 1004.5.A.1.(A), DELETE "OR HOMOSEXUAL CONDUCT".

(K) PAGE 1-37, PARAGRAPH 1101.5.B(2), DELETE "HOMOSEXUAL CONDUCT".

(L) PAGE 1-37, PARAGRAPH 1101.5.B.(4)(A), DELETE "HOMOSEXUAL CONDUCT".

(M) PAGE 1-51, PARAGRAPH 1308.A.(3), DELETE "HOMOSEXUAL CONDUCT NOT INVOLVING AGGRAVATING FACTORS LISTED IN PARAGRAPH 6207.5." RENUMBER SUBSEQUENT SUBPARAGRAPHS.

(N) PAGE 1-52, PARAGRAPH 1309.L, DELETE "OR HOMOSEXUAL CONDUCT THAT INVOLVES AGGRAVATING FACTORS LISTED IN PARAGRAPH 6207."

(2) CHAPTER 4.

(A) PAGES 4-4 THRU 4-10, DELETE PARAGRAPH 4103.3 "HOMOSEXUAL CONDUCT" IN ITS ENTIRETY.

(3) CHAPTER 6.

(A) PAGE 6-1, TABLE OF CONTENTS, DELETE "HOMOSEXUAL CONDUCT

- 6207 6-23."
- (B) PAGE 6-5, DELETE DEFINITION "2. BISEXUAL" IN ITS ENTIRETY.
  - (C) PAGE 6-6, DELETE DEFINITION "9. HOMOSEXUAL" IN ITS ENTIRETY.
  - (D) PAGE 6-6, DELETE DEFINITION "10. HOMOSEXUAL ACTS" IN ITS ENTIRETY.
  - (E) PAGE 6-6, DELETE DEFINITION "11. HOMOSEXUAL CONDUCT" IN ITS ENTIRETY.
  - (F) PAGE 6-6, DELETE DEFINITION "12. HOMOSEXUAL MARRIAGE OR ATTEMPTED MARRIAGE" IN ITS ENTIRETY.
  - (G) PAGE 6-7, DELETE DEFINITION "14. PROPENSITY" IN ITS ENTIRETY.
  - (H) PAGE 6-7, DELETE DEFINITION "20. SEXUAL ORIENTATION" IN ITS ENTIRETY.
  - (I) PAGE 6-7, DELETE DEFINITION "C. SODOMY" IN PARAGRAPH 21 SEXUAL PERVERSION.
  - (J) PAGE 6-8, DELETE DEFINITION "22. STATEMENT THAT A MEMBER IS A HOMOSEXUAL OR BISEXUAL" IN ITS ENTIRETY.
  - (K) PAGE 6-14, PARAGRAPH 6106.4.B, DELETE "HOMOSEXUAL CONDUCT".
  - (L) PAGE 6-15, PARAGRAPH 6108.2, DELETE ENTIRE PARAGRAPH.
  - (M) PAGE 6-21, PARAGRAPH 6204.3.D, DELETE THE SENTENCE, "IF THE MATERIAL MISREPRESENTATION INCLUDED PRESERVICE HOMOSEXUAL CONDUCT, THE PROCEDURES IN PARAGRAPH 6207 SHALL BE APPLIED."
  - (N) PAGE 6-23 THRU PAGE 6-30, PARAGRAPH 6207, DELETE ENTIRE PARAGRAPH.
  - (O) PAGE 6-31, PARAGRAPH 6210.1.A, DELETE ENTIRE PARAGRAPH. RELETTER SUBSEQUENT SUBPARAGRAPHS.
  - (P) PAGE 6-39, TABLE 6-1, DELETE "PAR. 6207, HOMOSEXUAL CONDUCT" AND CORRESPONDING NOTES.
  - (Q) PAGE 6-57, PARAGRAPH 6310.1.A, DELETE "HOMOSEXUAL CONDUCT".
  - (R) PAGE 6-58, PARAGRAPH 6311.3, DELETE "HOMOSEXUAL CONDUCT".
  - (S) PAGE 6-61, TABLE 6-2, DELETE "HOMOSEXUAL CONDUCT" AND THE CORRESPONDING NOTES.
  - (T) PAGE 6-72, PARAGRAPH 6319.5.D, DELETE "HOMOSEXUAL CONDUCT".
  - (U) PAGE 6-86, PARAGRAPH 6401.5.A.(1), DELETE "HOMOSEXUAL CONDUCT".
- (4) APPENDIX A.
- (A) PAGE A-2, PARAGRAPH 1105 - COURT-MARTIAL, DELETE "INVOLUNTARY DISCHARGE - (HOMOSEXUAL)."
  - (B) PAGE A-5, PARAGRAPH 6204.3 - FRAUDULENT ENTRY INTO MILITARY SERVICE, DELETE "INVOLUNTARY DISCHARGE-HOMOSEXUAL ACT, ADMISSION OR MARRIAGE (NO BOARD)."
  - (C) PAGE A-5, PARAGRAPH 6207, DELETE ENTIRE SECTION.
- (5) APPENDIX K.
- (A) PAGE K-5, FOOTNOTE (9), DELETE "OR (5) FOR HOMOSEXUAL ACTS, INVOLVING AGGRAVATING CIRCUMSTANCES."

- (6) APPENDIX L.
  - (A) FIGURE L-6.
    - 1. PAGE L-11, DELETE "3. NOTE THAT SECTION VII GOVERNS HOMOSEXUAL CONDUCT CASES." RENUMBER SUBSEQUENT SUBPARAGRAPH.
    - 2. PAGE L-15 THRU L-16, SECTION VII, DELETE ENTIRE SECTION.
    - 3. PAGE L-21, SECTION XV: SPECIAL INSTRUCTIONS, DELETE THE THIRD PARAGRAPH AND SUBPARAGRAPHS 1-3 "SRMBR."
  - (B) FIGURE L-8.
    - 1. PAGE L-24, DELETE "THE SENIOR MEMBER ADVISED THE BOARD OF THE SPECIAL RULES FOR CASES INVOLVING HOMOSEXUAL CONDUCT, INCLUDING REFERENCE TO CONGRESSIONAL FINDINGS."
    - 2. PAGE L-26, DELETE "(ADD IF APPLICABLE. THE SENIOR MEMBER ADVISED THE BOARD OF THE SPECIAL RULES FOR CASES INVOLVING HOMOSEXUAL CONDUCT.)."
  - (C) PAGE L-30 THRU L-32, FIGURE L-10. DELETE ENTIRE SECTION.
- (7) INDEX.
  - (A) PAGE INDEX-1, DELETE "HOMOSEXUAL CONDUCT 6207."
  - (B) PAGE INDEX-5, DELETE "HOMOSEXUALS, SEPARATION, ENLISTED 6207 AND OFFICERS 4103.3".
  - (C) PAGE INDEX-6, DELETE "HOMOSEXUAL 6207."
- F. REF (H) (SELECTED RESERVE INCENTIVE PROGRAM).
  - (1) PAGE 12, PARAGRAPH 14A(2), DELETE "UNDER THE PROVISIONS OF REFERENCE (B) RECOUPMENT IS NOT AUTHORIZED IF A MEMBER IS INVOLUNTARILY SEPARATED FROM THE SMCR FOR HOMOSEXUAL CONDUCT UNLESS A SPECIFIC WRITTEN FINDING IS MADE BY AN ADMINISTRATIVE BOARD (OR, IN THE CASE WHERE THE BOARD IS WAIVED, BY THE SEPARATION AUTHORITY) THAT, DURING THE CURRENT TERM OF THE SERVICE, THE MEMBER ENGAGED IN HOMOSEXUAL CONDUCT THAT CONSTITUTES A BASIS FOR RECOUPMENT."
- G. REF (I) (RESERVE CAREER RETENTION AND DEVELOPMENT MANUAL).
  - (1) PAGE 5-20, PARAGRAPH 4.A.3, DELETE ENTIRE PARAGRAPH "I HAVE BEEN BRIEFED AND UNDERSTAND THE HOMOSEXUAL CONDUCT POLICY, PER (CITE CURRENT DIRECTIVES ON HOMOSEXUAL CONDUCT)." RENUMBER SUBSEQUENT SUBPARAGRAPH.
  - (2) PAGE A-3, DELETE "MARADMIN 259/02 HOMOSEXUAL CONDUCT POLICY" AS A DIRECTIVE PERTINENT TO CAREER RETENTION.
- H. REF (J) (MARINE CORPS PHYSICAL SECURITY PROGRAM MANUAL).
  - (1) PAGE N-5, REPLACE PARAGRAPH 11.A.8 "8) SEX OFFENSES. VIOLATIONS OF ART. 120C(2), ART. 125 AND SEX RELATED CRIMES OF ART. 134." WITH "8) SEX OFFENSES. VIOLATION OF ART. 120C (2), ART 125 (I.E. NON-CONSENSUAL SODOMY OR SODOMY THAT IS PREJUDICIAL TO GOOD ORDER AND DISCIPLINE LIKE FRATERNIZATION) AND SEX RELATED CRIMES OF ART. 134."
  - (2) PAGE N-6 AND N-7, PARAGRAPH 11.C.24, DELETE THE ENTIRE PARAGRAPH. RENUMBER SUBSEQUENT SUBPARAGRAPHS.
  - (3) PAGE N-12, NAVMC 11197 (NUMBER 24 HOMOSEXUALITY) LAW ENFORCEMENT AND PHYSICAL SECURITY ACTIVITIES REPORT FORM.
- I. REF (K) (USMC TOTAL FORCE MOBILIZATION, ACTIVATION, INTEGRATION, AND DEACTIVATION PLAN).
  - (1) PAGE A-12-6, PARAGRAPH 2.D.4, DELETE THE WORDS, "OR

HOMOSEXUAL."

- (2) PAGE A-12-7, PARAGRAPH 2.D.5, DELETE THE WORDS, "OR HOMOSEXUAL."

J. REF (L) (MARINE CORPS MANUAL).

- (1) PAGE 2-26, PARAGRAPH 2603.2.A.5, REMOVE "OR HOMOSEXUAL."
- (2) PAGE 2-26, PARAGRAPH 2603.2.A.8, REMOVE "OR HOMOSEXUAL ACTS."
- (3) PAGE 2-26, PARAGRAPH 2603.2.B.2, REMOVE "OR HOMOSEXUAL ACTS."

- 2. THE MARINE CORPS ORDERS ABOVE AFFECTED BY THIS CHANGE IN LAW WILL BE UPDATED IN PERMANENT POLICY PRIOR TO 31 JAN 2013. CHANGES TO THESE MCO'S WILL BE SUBMITTED TO HQMC ARDB AS OUTLINED IN REFS (M) AND (N).
- 3. RECORDS GENERATED BECAUSE OF THESE POLICY CHANGES SHALL BE PROPERLY CREATED, MAINTAINED, ACCESSIBLE, AND ARCHIVED IAW GUIDELINES IN REF (O).
- 4. THIS BULLETIN IS CANCELLED ON 30 SEPTEMBER 2013.
- 5. THIS BULLETIN IS APPLICABLE TO THE MARINE CORPS TOTAL FORCE.
- 6. RELEASE AUTHORIZED BY LTGEN R. E. MILSTEAD JR, DEPUTY COMMANDANT FOR MANPOWER AND RESERVE AFFAIRS.//