



Marine Corps Prohibited Activities and Conduct (PAC) Prevention and Response Policy

FREQUENTLY ASKED QUESTIONS

Q. What is this Order and why was it written?

A. This Order updates, consolidates, and aligns existing and newly created policy prohibiting harassment, unlawful discrimination, any type of abuse: hazing, bullying, ostracism, retaliation, wrongful distribution or broadcasting of intimate images, and certain dissident and protest activity (to include supremacist activity). All of these negative behaviors now fall under one policy known as “prohibited activities and conduct” or “PAC”. The Order reaffirms the Marine Corps’ commitment to maintaining a culture of dignity, respect, and trust in which all members of the organization are afforded equal opportunity to achieve their full potential based solely upon individual merit, fitness, intellect, and ability. The Order addresses training and education, support for victims, and tightens accountability; violation of the Order may result in punitive action.

Q. The Marine Corps had policies against hazing, harassment, and discrimination. How is this Order any different?

A. This Order is different in several ways. First, it clearly labels bullying, ostracism, retaliation, the wrongful distribution or broadcasting of intimate images/videos/audio recordings, and active advocacy of, or active participation in, supremacist, extremist, or criminal gang matters as prohibited activities and conduct. Second, it updates and consolidates older existing policies on Equal Opportunity, Sexual Harassment, and Hazing. Third, the Order tightens accountability and imposes a duty on commanders to investigate alleged violations and report substantiated violations in a Marine’s OMPF via page 11 and, for those who receive fitness reports, an adverse fitness report. Fourth, it aligns with the new DoD policy directive on Harassment.

Q: Does this Order provide new tools for commanders/SJAs to hold Marines accountable?

A: This Order consolidates and clarifies multiple existing policies. Commanders retain the authority to employ the full range of administrative and disciplinary actions, including administrative separation or appropriate criminal action, against military personnel who engage in PAC. Training resources currently under development will help outline and clarify options commanders have at their disposal when dealing with alleged PAC incidents. Interim training has been provided for EOAs to assist and advise commanders. Commanders should consult with their EOA and SJA when considering alleged PAC violations.

Q. How will this Order affect annual training?

A. Because this Order consolidates multiple, previously separate policies, the training time will be reduced. Previously units would be required to conduct separate training periods on Equal Opportunity, Sexual Harassment, and Hazing. Annual PAC training will encompass these as well as the remaining prohibited activities and conduct. Formal annual PAC training is under development now. Interim PAC training is available on the Marine Corps Equal Opportunity and Diversity Management Branch website: <https://www.manpower.usmc.mil/webcenter/portal/MPE>. The PAC training code, "PC", is available on Marine Corps Training Information Management System (MCTIMS).

Q. How many policies are going away because of this new Order? Which ones?

A. The Order updates and aligns four existing Orders which had not been updated in more than 10 years: Equal Opportunity (2003), Equal Opportunity Advisor Manual (2002), Sexual Harassment (2006), and Hazing (2013); and it publishes new policy on Bullying.

Q. How can proper oversight occur when commanders have so much discretion?

A: The Order requires documentation of all reported allegations of PAC. Multiple reporting venues enable individual service members to report alleged PAC, to include anonymous reporting. Furthermore, all complaints of alleged violations or reports of PAC that are not otherwise dismissed or referred in accordance with the Order will be reported via an OPREP-3/SIR within three duty days of the commander receiving the complaint. Commanders will submit written notification to the first GCMCA in their chain of command of all alleged violations of PAC. All alleged violations or reports of PAC will go to the EOA for screening and a recommendation to commanders. Commanders will document all decisions to pursue further inquiry/investigation, dismiss, or refer an allegation of PAC in the DASH. Additionally, the Inspector General of the Marine Corps has oversight responsibilities to ensure compliance of the PAC policy.

Q: Does this change current reporting channels for social media misconduct?

A: Social media misconduct can involve prohibited activities and conduct as well as other forms of misconduct not covered by the PAC policy. Reporting guidance specific to social media misconduct was published in April 2017 via MARADMIN 168/17. Social media misconduct can be reported through all of the reporting options: chain of command, Equal Opportunity Advisor, Command Equal Opportunity Representative, Electronic Prohibited Activities and Conduct (EPAC) Portal on-line reporting tool, Inspector General of the Marine Corps (IGMC) Hotline, National Criminal Investigative Service (NCIS) WEB & APP TIP LINE, as well as anonymous reports communicated by several means, including but not limited to organizational hotlines or advice lines, electronic mail, or official telephone lines.

Q: What are the responsibilities of the Commander IRT this Order?

A: Commanders are required to publish written command policy that implements this Order within 90 days, and prominently post it. Commanders are responsible for cultivating a climate and culture of dignity, respect, and trust. Equal opportunity and command climate are leadership and readiness issues. Additionally, the Order imposes a duty on commanders to investigate alleged violations that are not otherwise dismissed or referred to an appropriate office of redress; and report all substantiated violations in a Marine's OMPF via page 11 and, for those Marines who receive fitness reports, an adverse fitness report.

Q: Does this mean the other posted policies, like sexual harassment or hazing, are rolled up under this and commanders just post one?

A: Yes. Commanders will be expected to publish their command policy implementing the Marine Corps PAC Prevention and Response Policy posted in a readily visible, highly trafficked space.

Q: How will the Marine Corps ensure that Marines don't experience retaliation for reporting?

A: Within 45 days following an investigation, follow-ups must be conducted with personnel involved to ensure retaliation has not occurred. This follow-up must be documented and reported in DASH as well.

Q: Is there an online reporting tool available?

The EPAC Portal is an electronic resource that allows Marines to report alleged prohibited activity and conduct both online and using a mobile device. Use of the EPAC Portal will require Marines use their EDIPI so the report can be directed to appropriate EOA for action. Currently the EPAC Portal is still in beta testing and will be piloted at select units later this year.

Q: Can anonymous reporting be used for all the behaviors outlined in the PAC Order?

A: Any Marine Corps personnel can file an anonymous report alleging PAC. Anonymous reports may be communicated by several means, including but not limited to organizational hotlines or advice lines, electronic mail, or official telephone lines. The individual reporting the information is not required to divulge any personally identifiable information. Information alleging prohibited activities and conduct received by the commanding officer or other persons in charge of an organization, regardless of the means of transmission, from an unknown/unidentified source will be processed in accordance with this Order. Additionally, service members and civilians can use the NCIS WEB & APP Tip Line which is a safe, discreet, and anonymous option to report criminal and force protection threats within the USN and USMC without concern of retaliation.

<https://www.ncis.navy.mil/ContactUs/Pages/ReportCrime.aspx>

Q: How is informal resolution (IR) different from a commander formally resolving a complaint of alleged prohibited activities and conduct?

A: Informal resolution is intended for complaints of interpersonal conflict that are not PAC. Complainants of prima facie PAC may request informal resolution. However, commanders are responsible for determining the appropriate inquiry and resolution of all prima facie PAC complaints. Commanders may not direct IR if it is not requested for a prima facie PAC complaint. Commanders are directed to consult their EOA and SJA when considering alleged violations or reports of PAC. Commanders will document all decisions to pursue further inquiry/investigation, dismiss, or refer an allegation of PAC in the DASH system.

RESOURCES

<https://www.manpower.usmc.mil/webcenter/portal/MPE>

<http://www.hqmc.marines.mil/acmc/Task-Force>