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# Stand-Down to Address Extremism in the Ranks



# References



- SECDEF MEMO, Stand-Down to Address Extremism in the Ranks, 5 Feb 21
- DODI 1325.06 Ch1, Handling Dissident and Protest Activities Among Members of the Armed Forces, 22 Feb 12
- US Navy Regulation 1990, Article 1167
- MCO 5354.1E Admin Ch, Marine Corps Prohibited Activities and Conduct Prevention and Response Policy



# Message From Leadership



- SECDEF Video Message
  - <https://www.defense.gov/Watch/Video/videoid/784150/dvpcc/false/#DVIDSVideoPlayer581>
- Commandant and Sergeant Major of the Marine Corps Video Message
  - Link
- Unit leader Message



# SECDEF MEMO



SECRETARY OF DEFENSE  
1000 DEFENSE PENTAGON  
WASHINGTON, DC 20301-1000

FEB - 5 2021

MEMORANDUM FOR SENIOR PENTAGON LEADERSHIP  
DEFENSE AGENCY AND DOD FIELD ACTIVITY DIRECTORS

SUBJECT: Stand-Down to Address Extremism in the Ranks

As Service members or Federal civil servants, we each take an Oath of Office on entering into public service. The framers of the Constitution included the requirement to take an Oath of Office in the Constitution itself. While the nature of that oath may vary depending on the individual role you serve, all oaths include the commitment to support and defend the Constitution of the United States against all enemies foreign and domestic. Because we each took an oath to obey the law, support and defend the Constitution, and to do our jobs to the best of our ability, we expect public servants to be guided in their actions by a strong moral compass. And 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 by nature of holding a national security position or having access to the Nation's sensitive information. Those responsibilities are accentuated for Service members, who have accepted the jurisdiction of the Uniform Code of Military Justice and the added responsibilities inherent to good order and discipline.

We will not tolerate actions that go against the fundamental principles of the oath we share, including actions associated with extremist or dissident ideologies. Service members, DoD civilian employees, and all those who support our mission, deserve an environment free of discrimination, hate, and harassment. It is incumbent upon each of us to ensure that actions associated with these corrosive behaviors are prevented. Commanders, supervisors, and all those who hold a leadership position within the Department have a special responsibility to guard against these behaviors and set the example for those they lead.

To that end, I am directing commanding officers and supervisors at all levels to select a date within the next 60 days to conduct a one-day "stand-down" on this issue with their personnel. The Secretaries of the Military Departments have discretion to authorize extensions beyond 60 days, if required by the operational nature of the unit, as well as for the National Guard and Reserve Forces units. Department of Defense Instruction (DoDI) 1325.06, "Handling Dissident and Protest Activities Among Members of the Armed Forces" provides the core tenets to support such discussions. Leaders have the discretion to tailor discussions with their personnel as appropriate, but such discussions should include the importance of our oath of office; a description of impermissible behaviors; and procedures for reporting suspected, or actual, extremist behaviors in accordance with the DoDI. You should use this opportunity to listen as well to the concerns, experiences, and possible solutions that the men and women of the workforce may proffer in these stand-down sessions.

This stand-down is just the first initiative of what I believe must be a concerted effort to better educate ourselves and our people about the scope of this problem and to develop sustainable ways to eliminate the corrosive effects that extremist ideology and conduct have on the workforce. We owe it to the oath we each took and the trust the American people have in our institution.

cc:  
Director of Administration and Management



# Significance of the Oath



## Oath of Office

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.

## 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; 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.



# Law Enforcement



- The FBI and DHS use the term Domestic Violent Extremist (DVE) to describe an individual based and operating primarily within the territorial jurisdiction of the United States who seeks to further their ideological goals wholly or in part through unlawful acts of force or violence.
- FBI Threat Categories:
  - Racially or Ethnically Motivated Violent Extremism,
  - Anti-Government or Anti-Authority Violent Extremism,
  - Animal Rights/Environmental Violent Extremism,
  - Abortion-Related Violent Extremism, and
  - All Other Domestic Terrorism Threats.
- NCIS established “Domestic Terrorism” to capture and investigate extremism.
  - Domestic Terrorism – Terrorism perpetuated by individuals and groups inspired by or associated with primarily United States based movements that espouse extremist ideologies of a political, religious, social, racial, or environmental nature.
  - NCIS investigates crimes associated with domestic extremist organizations when there is an apparent Federal violation, identified violent extremist ideology, and an active service member or current Department of Navy civilian employee who has expressed an aspiration to further the identified violent ideology by threats, acts of violence, or other enabling criminal activity.



# Supremacist/Extremist Prohibited Activities



<p>Marines must not actively advocate for:</p>	<p>Active participation in supremacist or extremist organizations is prohibited :</p>
<ul style="list-style-type: none"><li>• Supremacist or extremist doctrine, ideology, or causes.</li><li>• Individuals or organizations that advance, encourage, or advocate:<ul style="list-style-type: none"><li>• Illegal discrimination based on race, color, religion, sex, creed, ethnicity, national origin;</li></ul></li><li>or</li><li>• The use of force, violence, or criminal activity or otherwise advance efforts to deprive individuals of their civil rights.</li></ul>	<p>Active participation includes but is not limited to:</p> <ul style="list-style-type: none"><li>• Fundraising;</li><li>• Demonstrating or rallying;</li><li>• Recruiting, training, organizing or leading members,</li><li>• Distributing material (including posting on-line);</li><li>• Knowingly wearing supremacist or extremist colors or clothing;</li><li>• Having tattoos or body markings associated with supremacist or extremist organizations; or</li><li>• Otherwise engaging in activities in furtherance of the objectives of a supremacist or extremist organization that are detrimental to<ul style="list-style-type: none"><li>• Good order, discipline;</li><li>• Mission accomplishment; or</li><li>• Incompatible with military service.</li></ul></li></ul>



# Indicators



- Examples of conduct that may indicate active participation in extremist activities or organizations (not limited to):
  - Identification with or support for extremist or hate-based ideology,
  - Making or attempting to make contact with extremist groups, and
  - Possession of extremist literature or paraphernalia.
- Report to your chain of command any observations of conduct that may be an indicator of active participation.
  - Participation may lead to violence.





# Recruitment



- Extremist organizations and individuals often target our personnel for recruitment:
  - For our military skills, knowledge, abilities, and
  - To gain legitimacy for their cause.
- We all must be vigilant against recruitment.
  - Report any attempts at recruitment to your chain of command.



# Off-Base Demonstrations



- Attendance at an off-base assembly is prohibited if:
  - On duty,
  - Foreign country,
  - The activities constitute breach of law and order,
  - Violence likely, or
  - In uniform where service discrediting or military support inferred.



# Different Standard: Civilians



- CAN\* actively advocate and actively participate in activities that are not themselves illegal, but not at work.
- Public employees, like all citizens, enjoy a constitutionally protected interest in freedom of speech.
  - Discipline for constitutionally protected speech is not authorized.
  - Unprotected speech can result in disciplinary action.
    - Discipline for certain speech, not constitutionally protected, may be in accordance with law in the employment context and may promote the efficiency of the service.



# Civilians



- Unprotected speech categories
  - Illegal (Criminal and otherwise)
  - Actionable (in the employment context)
- ILLEGAL - CRIMINAL

**These sections of title 18 of apply to all (Marine and civilian).**

18 USC §1381	Enticing desertion and harboring deserters
18 USC § 2385	Advocating overthrow of the Government
18 USC § 2387	Activities affecting the Armed Forces generally
18 USC § 2388	Activities affecting the Armed Forces during war



# Civilians



- Unprotected Speech – speech that may not be itself illegal, but can be the basis for disciplinary action.

<b>PROTECTED</b>	<b>UNPROTECTED</b>
<p>Matter of Public Concern</p> <ul style="list-style-type: none"><li>• Social or other concern to community</li></ul> <p>AND</p> <p>Does Not Disrupt Operations / Efficiency</p>	<p>Personal/Private Interest</p> <ul style="list-style-type: none"><li>• Internal grievances</li></ul> <p>Disruptive Impact</p> <ul style="list-style-type: none"><li>• Impairs discipline</li><li>• Detracts from loyalty</li><li>• Impairs worker harmony</li><li>• Detracts from confidence</li><li>• Impedes duties</li><li>• Interferes with regular operations</li></ul>



# Permissible Political Activities



For both uniform and civilian personnel:

- Register to vote and vote,
- Encourage others to participate in political process,
- Express purely personal opinions,
- Join a political club,
- Sign petitions,
- Attend meetings, rallies as spectator,
- Give money to political organization,
- Personal letters to editor, and
- “Like” or “follow” a political party or candidate on social media.



# Prohibited Political Activities



Active-duty personnel (at all times) and civilians when they are at work:

- Campaigning for anyone,
- Hold public office (generally – special rules for reservists),
- Political posters in government housing,
- Speaking appearances for a candidate (even privately),
- Fundraising for candidate, party, or cause,
- Distributing partisan political literature,
- No large bumper stickers or signs on vehicle, and
- “Sharing” or suggesting others “like” a political post or candidate on social media.



# Social Media “Dos”



- Treat others with dignity and respect.
  - Seek to understand others’ positions and use respectful language when you disagree.
- When you see racist/extremist/supremacist conduct by others, report it.
  - System administrator or supervisor, and
  - Chain of command, IG, or EOA when it involves a Service member.
- Report those who violate the law or Marine Corps policy.
  - There are times when it can be difficult to understand someone’s intent online. When it’s clear, however, that someone is posting materials that are prohibited or unlawful, talk to your chain of command about it.





# Social Media “Don’ts”



- Do not advocate or promote supremacist or extremist materials.
- Do not post, share, re-tweet, “like,” etc. any materials that promote discrimination based on race, color, religion, sex (including gender identity), creed, ethnicity, national origin or sexual orientation; or encourage violence to prevent others from exercising their civil rights.
- Do not participate in online chats, pages, or forums for groups that: discriminate based on race, color, religion, sex (including gender identity), creed, ethnicity, national origin, or sexual orientation; advocates violence or criminal activity; or try to deprive others of their civil rights.
- Do not comment, post, or link to material that violates the UCMJ (including contempt toward officials or service discrediting).
- 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 actions by other Marines that violate these rules.



# Enforcement under the UCMJ



- 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. 115 – Communicating a threat
  - Art. 116 – Riot or breach of peace
  - Art. 117 – Provoking speeches or gestures
  - 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 consequences
  - General court-martial
  - Special court-martial
  - Summary court-martial
  - Non-judicial punishment
  - Administrative separation
- Maximum punishment at court-martial for the above listed offenses
  - Six months to 10 years confinement per offense
  - From forfeiture of 2/3 pay to forfeiture of all pay and allowances
  - Reduction to E-1, and
  - Dishonorable discharge
- Administrative separation with an Other Than Honorable discharge



# Loss of Security Clearance



- Examples of conditions that could raise a security concern and may result in suspension or loss of security clearance include:
  - Involvement in, support of, training to commit or advocacy of, any act of sabotage, espionage, treason, terrorism, or sedition against the U.S.
  - Association or sympathy with persons that advocate, threaten or use violence or any other illegal means in an effort to:
    - Overthrow U.S., state, local government;
    - Prevent U.S., state or local government personnel from performing their official duties;
    - Gain retribution for perceived wrongs caused by U.S., state, or local government; or
    - Prevent others from exercising their rights under U.S. or state law.



# Continuum of Conduct

## Examples of Lawful v. Unlawful Conduct



### LAWFUL

#### 1<sup>st</sup> Amendment Protected Activity

#### 1st Amendment

- Register to vote and vote (and encourage others to participate in the political process)
- Attend meetings or rallies or marches that do not breach the peace or law an order

### UNLAWFUL

#### Equal Opportunity Violations

#### MCO 5354.1E Marine Corps Prohibited Activities and Conduct Prevention and Response (PAC Order)

- Calling another by a racial slur or epithet
- Mocking another based on their beliefs

### UNLAWFUL

#### Extremist Conduct

#### DoDI 1325.06 Handling Dissident and Protest Activities Among Members of the Armed Forces

- Disseminating an extremist organization's extremist ideology
- Publishing or posting online the overthrow of civilian government through the use of violence
- Providing training to an organization or individual to further their extremist cause
- Organizing an assembly for the purpose of inciting racial violence
- Below examples under domestic terrorism are also examples of extremist conduct

### UNLAWFUL

#### Domestic Terrorism

#### 18 U.S. Code § 2331(5)

- Committing actions of violence (assassination, kidnapping, mass destruction) in order to influence government policy
- Threatening violence against people unless vote a certain way on a proposed law



# Responsibility to Report



If you observe a Marine or co-worker exhibiting concerning behaviors, you have a responsibility to report it through the chain of command or supervision to your local security manager, and/or directly to the Insider Threat program office. Report issues of imminent threats or activity that may constitute criminal conduct to local law enforcement immediately.



# Scenarios for Discussion



- I'm upset about a racist comment made by a fellow Marine.
  - Talk to your chain of command or the EOA.
- I follow someone on Facebook that occasionally posts racist comments. Will I get in trouble for that?
  - Following a person without participating (liking, sharing, etc.) in the conversation is not prohibited conduct. However, if that person is a Marine, you should report their actions to your chain of command.
- I participate in a group text and one of the SNCOs is always discussing politics, linking to articles, and talking about how incompetent specific officials are.
  - Talk to your chain of command. Partisan political activity is prohibited for active duty Marines.
- A Marine made a threatening comment about a Senator on Instagram.
  - Report this action to NCIS and your chain of command immediately.
- What should I do if I think one of my Marines is participating in a supremacist or extremist group?
  - Talk to your chain of command and consult with your command SJA.
- What can I share on social media? Don't I have free speech?
  - Your speech even online must be consistent with Good Order and Discipline and not call into question your loyalty to the Constitution of the United States.
- My boss is always talking about an activist cause. Isn't that political stuff that they're not supposed to be talking about at work?
  - Participation in an activist cause is not prohibited as long as the action is otherwise lawful and the cause is not partisan in nature. If the discussions make you uncomfortable, discuss the matter with your boss, your chain of command, or another supervisor.



# Case Studies



- Paramilitary Activity
- Domestic Extremism
- Organizing and Recruiting
- Racist and Supremacist Statements



# What You Need to Know



- Service is a privilege.
  - Actively advocating supremacist or extremist doctrine, ideology, or causes and active participation in supremacist or extremist organization is incompatible with military service.
  - We all have a duty to reject active participation in extremist activity.
- Be vigilant against recruitment efforts by extremist organizations or individuals.
- Choice is yours.
  - Do you want to be a Marine or do you want to be part of an organization that sows disunity and hate.
    - You cannot have divided loyalties.
- We will investigate reports of supremacist or extremist activity and those found in violation of Marine Corps policies will be held accountable.
  - We do not tolerate supremacist or extremist activity.
- Navigating issues of free speech can be complicated.
  - When in doubt contact your chain of command or seek legal advice.





# Final Thought



- Dignity and Respect
  - The Marine Corps places the highest importance on treating all personnel with dignity and respect, in an inclusive environment, free from impermissible discrimination, harassment, and hate.



# Listening Session



- We want to hear from you.
- Provide your feedback:
  - What are your concerns?
  - Can you share your experiences?
  - Do you have recommended solutions?



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# QUESTIONS?