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[H.A.S.C. No. 112–122]

HEARING

ON

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013

AND

OVERSIGHT OF PREVIOUSLY AUTHORIZED PROGRAMS

BEFORE THE

COMMITTEE ON ARMED SERVICES
HOUSE OF REPRESENTATIVES

ONE HUNDRED TWELFTH CONGRESS

SECOND SESSION

SUBCOMMITTEE ON MILITARY PERSONNEL HEARING

ON

HAZING IN THE MILITARY

HEARING HELD
MARCH 22, 2012

U.S. GOVERNMENT PRINTING OFFICE

73–794 WASHINGTON : 2012

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HAZING IN THE MILITARY

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
SUBCOMMITTEE ON MILITARY PERSONNEL,
Washington, DC, Thursday, March 22, 2012.

The subcommittee met, pursuant to call, at 1:00 p.m. in room 2212, Rayburn House Office Building, Hon. Joe Wilson (chairman of the subcommittee) presiding.

OPENING STATEMENT OF HON. JOE WILSON, A REPRESENTATIVE FROM SOUTH CAROLINA, CHAIRMAN, SUBCOMMITTEE ON MILITARY PERSONNEL

Mr. WILSON. Ladies and gentlemen, I would like to welcome you to a subcommittee meeting of the Military Personnel Subcommittee of the House Armed Services Committee. Today, we will be taking testimony regarding hazing in the military.

The committee will come to order.

Today, the Military Personnel Subcommittee will receive testimony from the Services' senior enlisted advisors concerning the Services' policies, training, and enforcement with respect to hazing.

This is a topic that cannot be taken lightly. Hazing is a degrading act that must not be tolerated in the military or in our society. Unfortunately, it happens. The military services do have policies on hazing to ensure its members understand it is wrong and must not be tolerated. Hazing is contrary to the values of our volunteer force and affects the morale of units. It violates the professionalism achieved and expected by our military.

The subcommittee will hear from the senior enlisted leadership within the Services who are charged with keeping the service chiefs informed. These leaders are also responsible for ensuring the service member at the lowest level not only understands these policies but also knows the courses of action that service members should take to remedy the situation when policies are violated.

This issue concerns me as a Member of Congress, as a veteran myself of the Army National Guard and Reserves, but especially as the father of four sons who are currently serving in the military where what we want is the best environment for what we know is an opportunity of military service.

I would like to welcome our distinguished witnesses: Sergeant Major of the Army Raymond F. Chandler, III; Master Chief Petty Officer of the Navy Rick D. West; Sergeant Major of the Marine Corps Micheal P. Barrett; Chief Master Sergeant of the Air Force James A. Roy; and Master Chief Petty Officer of the Coast Guard Michael P. Leavitt.

[The prepared statement of Mr. Wilson can be found in the Appendix on page 27.]

Mr. WILSON. Mrs. Davis is our ranking member from California. Would you like to make any opening remarks?

STATEMENT OF HON. SUSAN A. DAVIS, A REPRESENTATIVE FROM CALIFORNIA, RANKING MEMBER, SUBCOMMITTEE ON MILITARY PERSONNEL

Mrs. DAVIS. Yes. Thank you, Mr. Chairman.

I am very pleased that the subcommittee is turning its focus to the important issue of hazing in the military. Over the past year, there has been a number of hazing incidents across the Services that have been brought to the public's attention.

I am sure that we would all agree that hazing is a serious and deplorable crime. It disrupts unit cohesion and reduces the morale of our men and women in uniform; and it can, as we know, lead to tragic consequences. Hazing, particularly in light of the current ongoing deployments and responsibilities that are being asked of our men and women in uniform, is a very serious matter.

I am aware that most of the Services have policies that prohibit hazing and harassment, for that matter. But I am interested to hear how the Services educate and train our military personnel so that they know how to recognize hazing and harassment and what they should do to stop it or prevent its tolerance among the force. Do we even know how often these incidents occur? If incidents are not tracked, how does the Service even recognize that this is an isolated incident or an epidemic?

Parents and families who send their son or daughter to serve our Nation in uniform are already concerned about their health and safety, given the operational requirements service members are facing. They should not have to worry about whether their child is being subjected to hazing or harassment as well. So we need to restore the confidence in our families that the Services are doing all that they possibly can to prevent hazing from occurring among the force, and hopefully this hearing will be one step toward that goal.

I want to welcome our witnesses. We thank you very much for being here, and I certainly look forward to hearing our most senior enlisted members of the Services present to us today. Thank you very much.

[The prepared statement of Mrs. Davis can be found in the Appendix on page 28.]

Mr. WILSON. Thank you very much, Mrs. Davis.

Without objection, I ask that statements from the Organization of Chinese Americans and the Asian American Justice Center be included in the record of the hearing.

Hearing none, so ordered.

[The information referred to can be found in the Appendix on pages 51 and 55, respectively.]

Mr. WILSON. I ask unanimous consent that other committee and non-committee members—and I want to welcome Congresswoman Judy Chu of California and Congresswoman Nydia Velázquez to be present. Also, Congressman Honda, thank you for coming too, as you are just entering—that the three of you be allowed to partici-

pate in today's hearing after all subcommittee members have had an opportunity to ask questions.

Is there any objection?

Without objection, non-subcommittee members will be recognized at the appropriate time under the 5-minute rule that each of us has applicable.

Sergeant Major Chandler, we will begin with your testimony. As a reminder, please keep your statements to 3 minutes. We have your written statements for the record.

STATEMENT OF SMA RAYMOND F. CHANDLER III, USA, SERGEANT MAJOR OF THE ARMY

Sergeant Major CHANDLER. Thank you, Chairman.

Mr. Chairman, distinguished members of this committee, thank you for the invitation to address you on this issue which concerns all of us associated with the United States Army.

Let me give you the bottom line up front. Hazing has no place in our Army. We will not tolerate hazing in any form, and we will hold those in violation of this policy accountable for their actions.

I spend about 270 days out of the year traveling around to post camps and stations throughout the world visiting with soldiers and families and discussing a wide variety of topics. My overall message to the force is the Army profession. I talk about what it means to be a professional, how soldiers should conduct themselves, and, more importantly, how they should treat each other.

To be a professional, our soldier must possess the three Cs: competence, commitment, and character. The first is easy to spot. Competence means you are doing your job and doing it well. Commitment and character are not so easy. A soldier who is committed to the Army and has character lives the Army values at all times, even in the absence of peers or leadership. Soldiers who lack character, commitment, or competence are not the type of individuals our Nation needs to serve as part of our Army.

We have a duty as professional soldiers to maintain the trust and confidence of the American people, not just to fight and win our Nation's wars but also to maintain high professional and ethical standards. So when a soldier behaves inappropriately, Congress and the American people expect the Army to hold that soldier accountable. For 237 years, the Army has worked hard and successfully to strengthen that bond.

We must also continue to train and educate our soldiers and Department of the Army civilians on the effects of hazing in our ranks. The vast majority live the Army values and are truly professional. However, even one incident of hazing means we are not doing enough.

I can assure you the Army has taken a strong stance against hazing. Hazing is not compatible with our Army values and will not be tolerated. The American people trust we will hold perpetrators of hazing accountable for their actions, and we take that trust seriously.

I, along with the Army senior leaders, am committed to fight hazing until there are no such incidents in our Army anymore. Our soldiers, families, Department of the Army civilians, and the American people deserve no less.

I appreciate your time and will answer any questions you may have. Thank you very much.

[The prepared statement of Sergeant Major Chandler can be found in the Appendix on page 29.]

Mr. WILSON. Thank you very much.

And we will now proceed with the testimony of the Master Petty Sergeant Rick West.

STATEMENT OF MCPON RICK D. WEST, USN, MASTER CHIEF PETTY OFFICER OF THE NAVY

Master Chief Petty Officer WEST. Chairman Wilson, Ranking Member Davis, and distinguished members of this subcommittee, as a Master Chief Petty Officer of the Navy, I am honored to have the privilege of representing more than 427,000 Active and Reserve sailors who comprise the finest total force in the history of the United States Navy.

People are absolutely our most precious asset. Their individual success and the Navy's collective mission accomplishment lie in our ability to provide an environment that promotes inclusiveness and a validated sense of value to the team. Maintaining a positive command culture that fosters these ideas is a top priority of our chief of naval operations, for me personally, and for leadership at all levels.

Hazing unequivocally destroys these ideas and is not tolerated in your Navy. It is inconsistent with core values, our core values of honor, courage, and commitment, and detrimental to the individual esteem and unit cohesion.

The Secretary of the Navy's instruction on hazing is the cornerstone of our approach to education, prevention, enforcement, and accountability. Training on hazing, equal opportunity, and core values begins with recruits at boot camp and is reinforced regularly in a variety of forums throughout a sailor's career. We also emphasize and actively train our force on bystander intervention as an effective measure to prevent numerous offenses, including hazing.

There is no plausible excuse for lack of awareness on the Navy's hazing policy, nor any legitimate explanation for violation of a policy explicitly intended to protect the health and welfare of our people. Navy policy requires commanders to formally report every suspected incident of hazing to the chain of command as soon as possible. Every sailor has a responsibility to make the appropriate authorities aware of hazing. All reported incidents are fully investigated, while the rights and needs of victims and witnesses are immediately addressed by the chain of command. Those who commit violations of the policy and those in leadership positions who may tolerate such acts are held accountable.

We understand people are truly the singular measure of the Navy's success. We appreciate your passionate interest in protecting their welfare, and we stand committed to meeting your expectations.

I look forward to your questions, sir.

[The prepared statement of Master Chief Petty Officer West can be found in the Appendix on page 33.]

Mr. WILSON. Thank you very much.

And we proceed now to the Sergeant Major of the Marine Corps Micheal P. Barrett.

STATEMENT OF SGTMAJMC MICHEAL P. BARRETT, USMC, SERGEANT MAJOR OF THE MARINE CORPS

Sergeant Major BARRETT. Thank you, sir.

Chairman Wilson, Ranking Member Davis, members of the committee, I am grateful for the opportunity to appear before you today to discuss the important matter of hazing in our Armed Forces.

The individual marine is our greatest asset. So let me be clear, hazing is not a part of our service culture or who we are.

Our official policy states that hazing is contrary to our ethos of taking care of our own. It violates the virtuous conduct and soldierly repute earned by marines who have served the corps honorably since its inception. Hazing fosters a climate of maltreatment and cruelty, concepts inconsistent with our core values.

As leaders, we naturally want marines to be successful and maintain the desire to stay in our corps. As an institution, the only way that the Marine Corps can exist, survive, and thrive is through fostering a climate where marines have every opportunity for participation and advancement in accordance with their talents, backgrounds, culture, and skills.

The positive contributions of our marines bring us mission success. The Marine Corps aims to transform our Nation's youth not only into ethical warfighters but into better quality citizens. As we do so, we expect to confront matters of hazing arising sometimes from the indiscretions of youth.

The Marine Corps recruits from young demographics; and it is well documented that the Marine Corps is the most youthful of all the service branches, with 63 percent of the force aged 25 years or younger. Unfortunately, hazing can manifest sometimes in organizations that conflate immaturity, youth, and arduous responsibility. In such an environment, young people sometimes might confuse hazing with the means for belonging or a rite of passage.

As an institution of more than 202,000 personnel, the Marine Corps is not perfect. No institution is. Yet we rely on our 236-year legacy of honor, courage, and commitment to help us address problems like hazing when they arise.

Hazing is a behavioral problem and a form of misconduct for which we must remain vigilant. The Marine Corps works diligently to change behaviors and mindsets into an effort to foster better judgment, especially among our junior leaders.

As a sergeant major of the Marine Corps, I tell our marines throughout the entire corps that every marine deserves to be in a good unit, led morally, ethically, and professionally; and, as such, marines are products of our leadership. Engaged, dedicated leaders must display those enduring trust qualities: competent, committed, consistently dependable, of the highest moral and ethical character, and team mentality. There is no greater compliment than one to say to another, I can count, I can trust you always. That is our end state.

Hazing has nothing whatsoever to do with being a leader and is not taught as a leadership tool in any period of instruction in our schoolhouses. Those engaging in hazing do not act with the Marine

Corps' blessing. The commandant and I are disgusted with that kind of behavior.

Thank you for this opportunity to appear before you today, and I look forward to your questions.

[The prepared statement of Sergeant Major Barrett can be found in the Appendix on page 37.]

Mr. WILSON. Thank you, Sergeant Major.

We now proceed to the Chief Master Sergeant of the Air Force James A. Roy.

STATEMENT OF CMSAF JAMES A. ROY, USAF, CHIEF MASTER SERGEANT OF THE AIR FORCE

Chief Master Sergeant ROY. Chairman Wilson, Ranking Member Davis, and distinguished members of the subcommittee, thank you for an opportunity to speak on behalf of the more than 500,000 men and women who comprise the finest Air Force our Nation has ever seen.

Today's airmen are highly motivated and better qualified to conduct our missions across the globe than ever before. Regardless of where they serve and what they do, none of our airmen can complete this mission alone. Each of us needs a wingman to help make sure this job gets done.

Our Service's most precious commodity is our airmen. To protect them, we create and promote a culture of respect and dignity. Airmen are exposed to human relations training early and often, starting with recruitment, basic training, continuing through separation and retirement. This training makes it clear that activities like hazing will not be tolerated.

The Air Force holds leaders responsible for creating a safe work environment. However, we believe all of our airmen are leaders; and, therefore, we hold all airmen accountable for recognizing conflict and intervening as necessary, especially in less formal settings.

Although the Air Force does not have its own policy on hazing, the DOD's [Department of Defense] definition and guidance is implemented through our subordinate commands. Our accession sources have adopted the DOD's definition to appeal to the targeted audiences. This allows us to impart on our airmen that hazing will not be tolerated and serves as a foundation for the culture and respect and dignity we build starting at accession and continuing throughout an entire career.

I would like to thank you again for your continued support and concern for our airmen and their families.

[The prepared statement of Chief Master Sergeant Roy can be found in the Appendix on page 42.]

Mr. WILSON. Thank you very much for being here today.

And we conclude with the opening statements with Master Chief Petty Officer of the Coast Guard Michael P. Leavitt.

STATEMENT OF MCPOCG MICHAEL P. LEAVITT, USCG, MASTER CHIEF PETTY OFFICER OF THE COAST GUARD

Master Chief LEAVITT. Good afternoon, Chairman Wilson, Ranking Member Davis, and distinguished members of the sub-

committee. Thank you for the opportunity to appear before you to discuss issues related to military hazing.

I, along with all the leaders in the Coast Guard, am responsible for ensuring our personnel are treated with dignity and respect. Hazing serves no purpose and is contrary to our core values of honor, respect, and devotion to duty.

The Coast Guard's hazing policy is found in a discipline and conduct manual released in October of 2011. The policy defines hazing and clearly states that consent does not eliminate accountability. Hazing can be punished under provisions of the Uniform Code of Military Justice and in severe situations may result in court-martial, fines, reductions in rank, jail sentences, and/or punitive discharge from the Coast Guard.

Hazing typically occurs in connection with unofficial, unsupervised initiations for other informal rites of passage and are not authorized in the Coast Guard or unit policy. In those cases, offenders seem to target junior personnel.

Prevention of hazing can best be achieved through training and strong leadership that is engaged and is involved at all levels. This will help ensure the culture across the Coast Guard is intolerant of hazing.

We are constantly striving to improve our organizational culture and our workplace environment. For example, every 2 years, the Coast Guard conducts a comprehensive survey of the workforce called the Organizational Assessment Survey. The results consistently show the Coast Guard is rated strong in several key areas, such as communications, diversity, leadership and quality, supervision, team work, and work environment. We will continue to monitor trends in these key areas in order to prevent and eradicate inappropriate behaviors such as hazing.

All personnel must understand that hazing will not be tolerated, and no one may consent to being hazed, which is an important part of our policy. Training of all Coast Guard members occurs during recruit training and annually thereafter.

Awareness and support of hazing policy has been emphasized by senior leadership. The commandant as well as Pacific and Atlantic area commanders have recently released messages regarding hazing, sending a strong and clear message to the workforce. Leadership courses for our perspective commanding officers and officer in charge as well as our boat force's command cadre positions include training on hazing, thus ensuring future leaders understand and enforce the policy.

So, as I close, let me emphasize that the Coast Guard places the highest priority on preventing hazing. We have strong and clear policy, extensive training, effective leadership, and an environment within the Coast Guard to ensure our members are treated with dignity and respect. It is essential to eradicate hazing so all Coast Guard members may fully contribute to mission success. The people of our great Nation deserve nothing less from us.

So thank you again for the opportunity to testify today, and I look forward to answering any questions you may have.

[The prepared statement of Master Chief Leavitt can be found in the Appendix on page 45.]

Mr. WILSON. Thank you very much, and thank each of you for being here today.

This is a real honor for me to have not only members of our subcommittee, but we have three other members who are very interested, and rightly so, in this very, very important issue; and so it is an opportunity to have very dedicated Members of Congress here on this issue.

We will have a 5-minute rule. And I appreciate Mr. Craig Greene, the professional staff, will be maintaining the time; and we will be proceeding with each person of the subcommittee and then our visiting welcomed members.

At this time, my first question is, I believe that hazing contradicts, as has been stated, the Services' core values. There are policies and training that attempt to prevent hazing. I am interested to know, beginning—and we will start with the Army and go to the Coast Guard—how you, as the senior enlisted members of the Service, emphasize through the noncommissioned officers [NCO] chain that hazing threatens the effectiveness of your Service and will not be tolerated.

Sergeant Major CHANDLER. Thank you, Mr. Chairman.

Recently, we have published a letter to all members of the Service about hazing. The Secretary of the Army, the Chief, and I have tri-signed a letter to reemphasize the Army's commitment to prevention or elimination of hazing.

Within training, we do that within the initial military training environment through basic training through the United States Military Academy. The Army does not have a formal policy or training program at the unit or individual level specifically focused on hazing, and we are actually reconsidering whether or not we need to make some adjustments in our training program.

Sergeant Major BARRETT. Throughout the life cycle of an average marine, and we will say the average marine's is 4 years, because 75 percent of our cohort gets out every 4 years, but in that 4-year timeframe every single marine will go through not less than or a minimum of 11 times they will receive value-based leadership and value-based training. From the second they step on the yellow footprints at Parris Island or San Diego, to the time they go to their infantry training battalion for their Marine combat training, all the way to when they step into their MOS [military occupational specialty] school, and then when they get to their first unit, they are welcomed aboard, and then they receive annual training, all the way through to the Service or the rank appropriate EPME [enlisted professional military education] academies that they will attend. So through the life cycle of an average marine, through 4 years, a minimum of 11 times, they will receive their training.

We have also refreshed and reenergized our policy order that more clearly delineates exactly what hazing is. That was not in our old order, and we have reengaged and we reenergized our leadership to take that forward and take it down to the lowest level.

Master Chief Petty Officer WEST. Sir, thank you.

For the Navy, it is a continuum of training from the time that individual starts into boot camp until that individual is out of the Navy, essentially. But we reinforce that at all levels, at all times. We do that through a variety of mixed training, from the class-

room-type training to individual-based training, i.e. GMT, general military training.

We also have the levels of training associate at our command leadership schools, which our COs [commanding officers], our XOs [executive officers], department heads, and our command master chiefs receive that training as well.

We check that as well throughout a sailor's career by various means, such as a CMEO survey, or Command Managed Equal Opportunity survey, or through various visits to the fleet, which we receive feedback.

And, also, now as well social media is a powerful tool which we are able to get indicators that are out there.

But it is a continuum, sir, and we will continue to press forward on that. We do have a policy in place that is out there. It is very clear to our leaders, and it is very clear to our sailors.

Chief Master Sergeant ROY. Again, sir, thank you for the question.

Just like others have stated, ours begins at accessions, whether it be officer enlisted, begins at accession. It goes through professional military education. It also touches on those command billets. Every time that somebody gets prepared for a command billet, it is touched on as well.

And then also one area that we do a little different maybe is during expeditionary start-up training. We also provide it there, and we do annual training as well.

Some of the ways that we measure its effectiveness is, obviously, through the surveys of the IG [Inspector General] and others, through travel of just visiting the units, commands and such.

Master Chief LEAVITT. Mr. Chairman, I would echo the same as a lot of my other peers here.

Our training starts in recruit training, as I mentioned in my oral statement. And then as we push through the Service, as you know, there is a certain level of maturity that you increase when you try to figure out what the core values mean. When you come in at 18 years old, they might be a little bit different as you are adjusting to the Coast Guard.

It is really important for the senior leadership to understand what these values are and what they look like. And so our training programs to look at our command cadre, take a look at what your command climate is. And one of the key things of that is really focusing on your leadership at all levels and understanding what hazing, which is another one of the behaviors, because you have other things out there too. But hazing is definitely a detriment to your command climate, identifying what those things are and training for that. At the end of the day, training is a great thing.

We have all those things in place. It is what we do on the front lines and how we take care of those things and then how we hold those things accountable.

Mr. WILSON. And as we proceed to Mrs. Davis I would like to point out that I always found it helpful at armories, at dining facilities, to have posters identifying that hazing is not tolerated. And what I would hope that it could indicate are the chain of command of if you feel like you have been hazed what to do and that there

will be a follow-through. But I just—a suggestion. I always found it very, very helpful.

Proceed to Mrs. Davis.

Mrs. DAVIS. Thank you, Mr. Chairman.

And I wonder if we could just assume for now that a majority of incidents are reported. And you can speak to that, and perhaps that is really not the case.

But if we have a number of incidents how do you track that? How do you really watch those incidents over time? Are there any statistics that would indicate what happens as a result—disciplinary action, punitive action, whether court-martial. Are there stats to demonstrate that and how vigorously, I guess, do you feel that that represents the situation that we have before us?

Sergeant Major CHANDLER. I can go first.

From the Army perspective, the challenge for us is that there is no punitive or statutory title for hazing. There are many for other forms of misconduct, but there isn't one for hazing.

So if you want to do a search, which the Army has started to search through all of the previous records of judicial punishment to determine, you know, we do have some statistics. I am not comfortable with the quality of the statistics, because you have to really drill down into each one of the charges to see whether or not it was an assault which may have been a fisticuffs or if it was an assault that you could then turn to hazing.

However, what we do have is that, since 2006, we have 71 cases that meet the criteria for hazing, which involved 139 subjects and 123 victims. Of the 139 subjects, 65 received some administrative, judicial, or non-judicial punishment; and 43 are still pending adjudication; 21 have no action taken.

So I am not positive that that is a final answer, but it is a preliminary search of where we stand. And I think the titling question, whether or not we have a specific specification for hazing, may help us to better identify this.

Sergeant Major BARRETT. We have just presently started with the new order that has been delivered that has been sent out by the commandant of the Marine Corps. We are now starting to track in our case management system, in our SJs [summary of judgments], hazing-specific any allegations or confirmed cases of allegation are immediately reported to our operational reporting systems, and they are reported directly to the commandant of the Marine Corps. So we have now a tracking system in place that we didn't have before.

And I concur with exactly what the Sergeant Major of the Army said. When it comes down to the particular criteria, when you look at article 92, disobey of a lawful order; or cruelty or maltreatment for article 93; or 128, assault, you have to drill down to find out those things that may have caused that to lead to a hazing incident.

And I also concur with the Army with what he said that maybe hazing as another element inside demand of court-martial be specifically delineated as a way ahead.

Master Chief Petty Officer WEST. Ma'am, from a Navy perspective, our Secretary of the Navy instruction of 2005 has directed us to all substantiated incidents of hazing be reported via OPREP [op-

erations report] or SITREP [situation report] to our CNO [Chief of Naval Operations].

Now, we also have recently started tracking all incidents of hazing via a quarterly criminal activity report via our JAG [Judge Advocate General]. With that, since 2009, we have had 46 reported hazing incidents, an average of 15 a year. Twenty of those 46 resulted in punitive, administrative, or disciplinary action.

Also with that we drilled a little deeper in it. We have seen no injuries occur because of the incidents, no suicides or suicide ideations was reported in association with those incidents, and race was not a reason or cause for any of those instances as well. The majority of these were physical incidents where most of them were senior to junior, characterized as horseplay activity associated with promotion or qualification achievement.

Chief Master Sergeant ROY. Again, as others have stated, inside the non-judicial punishment there is not really a label per se to pull down. However, we do track through our IG system. We have tracked, since 2005, 21 different incidents. Of that, one being substantiated. The others, as we turn them to command and they report back to us on which actions were taken, again, one of them being substantiated.

Master Chief LEAVITT. Ma'am, since 2009, we have had nine court-martial cases that we keep track of, and seven of those cases occurred at one unit. So there was conflict at one area, and there are two others. Some of these cases are still pending, so we are going to wait for that, but that is where our numbers sit at right now, ma'am.

Mrs. DAVIS. Okay. Thank you.

Thank you, Mr. Chairman.

Mr. WILSON. Thank you very much, and we now proceed with Congresswoman Madeleine Bordallo of Guam.

Ms. BORDALLO. Thank you, Mr. Chairman; and I thank all of you gentlemen for being here this afternoon.

I have just a couple of questions, and any of you please feel free to comment for your respective Services.

We know that each Service seems to have a zero tolerance for hazing, but it is still occurring. Can you tell me how hazing has been dealt with in the past, the lessons that we have learned over the years, and have you employed today more effective ways to combat this type of behavior? How is it different today than it was yesteryear?

We can begin with whoever would like to begin.

Master Chief Petty Officer WEST. Ma'am, I will tell you I have been in the Navy since 1980, signed the papers, and I can tell you from then to today it is night and day in comparison.

We helped put several corrective measures, as I previously stated, into place. We are constantly talking about it. In fact, this particular year I instituted a policy called CPO 365, and it goes back to the CPO or the chief petty officer inductions that we have been doing for many years. Those of the past were behind the closed doors and probably not a thing that we would be proud of. Those today, it is a training opportunity. It is more so of a training evolution, and we put things in place that teach our sailors our core values and our history and heritage.

Sergeant Major BARRETT. We have also heightened our awareness of the situation. In 31 years of service, I have seen cases of hazing that have come before me as being in the leadership position. I have seen them adjudicated. I have seen those who wrongfully committed the violation. I have seen them held accountable. I have seen it at the NJP [non-judicial punishment] level. I have also seen it at the court-martial level. And I have also seen it where it was something as simple as a marine pushing a marine, where it was more of an administrative counseling level.

So I have seen it at every single level, and I have seen convictions, and I have seen the wrongdoers held accountable. There is a heightened awareness in the United States Marine Corps. We have changed our orders, and we have made it more—like I said, we have made it more detailed to truly explain and wash away gray area.

Mr. BORDALLO. Thank you.

Sergeant Major CHANDLER. From an Army perspective, ma'am, I came in the Army at roughly the same time as Master Chief Petty Officer Rick West did.

And I stood on the back deck of my tank on Grafenwoehr, Germany, in 1982 and was promoted to PV2 private. And at that time it was a very common practice to have the backing taken off of your rank and basically people punch it into your skin. And that was a common practice throughout the Army. That is not a common practice today. We call those blood stripes.

Another measure that used to happen in the past was a gauntlet where soldiers from the platoon would line up on either side and as a soldier walked by they would punch him or her in the arm. We don't tolerate that anymore. And that really started to change back in the mid-'90s really when we realized that those types of behaviors were not in keeping with who we say we are as professional soldiers.

I believe and my experience in the Army is that we do not have large incidents of hazing throughout the Service, but we still have incidents like have happened here recently that cause great concern. So we have not completely eradicated it, and our commitment—my commitment—is to see that that happens, and until it is I am very concerned.

Chief Master Sergeant ROY. If I could just add to that, ma'am.

I have only been in for 30 years. We haven't had the blood stripes of sort that has been described. But I will tell you, based on the culture of the United States Air Force, based on the values that have been published and believed amongst all airmen—and I think one other key point, and the Master Chief said it earlier, is this idea of bystander training is so, so important, that it is not just the member, but it is also those that are around those members that should say something as well should they see something. And that has really kind of capped it off for us.

Master Chief LEAVITT. I would like to answer up.

I think in the Coast Guard we just updated our discipline and conduct manual which does a much better job of defining the elements of hazing. I think that is a great tool for our leadership to look at and for all our members in the Coast Guard.

And then the second thing, as soon as the commandant and I took over this job, the commandant updated all our policies to reflect those elements, which hazing is one of those elements and respecting our shipmates, one of his four principles. And then he sent a clear message to the field on several other issues of unethical behaviors, and hazing was one of those, and talked about how those types of things undermine our morale, which degrades our readiness and damages our mission performance. I think those are critical elements pushing forward on in regards to hazing.

Mr. BORDALLO. Thank you.

Mr. Chairman, in interest of time, if I could just—one question, and one of you could answer this. It is important to me.

Given the recent incidents with Asian Pacific Americans, how are the Services learning from these unfortunate experiences and applying lessons to avoid these problems as we go forward in implementing "don't ask, don't tell"?

If just one of you could perhaps answer.

Master Chief Petty Officer WEST. Ma'am, I will tell you from a Navy perspective we constantly train to, one, the policy. Two, we take incidents such as those and those that happen in our Navy and we make them case studies.

I was just up in Newport, Rhode Island, where we teach our commanding officers, our executive officers, and our senior leaders, enlisted leaders. And they will basically walk through an incident from A to Z to make sure, one, they understand it; two, what would they do. So it is train to; and, more importantly, it is enforced.

Mr. BORDALLO. Thank you. And thank you, Mr. Chairman.

Mr. WILSON. Thank you, Ms. Bordallo.

And we now proceed to Congressman Mike Coffman of Colorado.

Mr. COFFMAN. Thank you, Mr. Chairman.

I am somewhat worried by the direction of the discussion here. If we think that the problems that recently arose with the two Asian Americans was a function of hazing and that was all that we have to deal with, I think we have really missed it. I think what we really fundamentally have at the end of the day is a failure of small unit leadership, is a failure of NCO [non-commissioned officer] leadership.

When you are in a ground combat team, there is no stronger interdependent bond that happens. And so what we have is really, in a sense, a soldier—and I am less familiar with the case in the Marine Corps—but who was rejected by his fellow soldiers. And you had an NCO, probably you had a squad leader—I can't remember how the Army is organized that way—but you had a squad leader, and you had a platoon sergeant, and you had a first sergeant that either knew about it and did nothing or should have known about it.

And it is for somebody who has never been in that situation, who has never been a part of a ground combat team, could never realize how difficult that is when you have been rejected by that team and you are there, and you are there.

And so I think that if we say that we have corrected hazing and we don't deal with the psychological component of this we have really missed the mark. This is much more about physical hazing.

This is really about a fundamental failure of leadership at the most basic levels. And so I mean I am just really stunned by it all.

And I do have to ask the United States Navy a question, and that is that I saw a media report about some sailors who were recently disciplined for a hazing incident being deployed aboard ship, and it was caught on some sort of observation cameras, and they were discharged.

Master Chief Petty Officer WEST. Yes, sir.

Mr. COFFMAN. Am I correct in that?

Master Chief Petty Officer WEST. Sir, that is absolutely correct. There were eight sailors that were charged, taken—as a matter of fact, it was investigated, and they were charged. The CO took them to mast. There was a battery of disciplinary actions, one of which they were all discharged from the Navy, yes, sir.

Mr. COFFMAN. I have to say that, you know, we are going to find our way here, but I do think that is—let me tell you where that is an overreaction. They should have been disciplined. It should have been maybe article 15, maybe summary court. I don't know the specific circumstances. But we are going beyond correcting this problem and politicizing it by saying to those sailors with one incident—if I understand the article I read correctly—that we are going to—and what kind of discharge did they receive for that incident?

Master Chief Petty Officer WEST. General discharge, sir.

I would also say that I rely on the chain of command. The chain of command was there. They investigated. And those leaders on the deck plate, which I wasn't there to see, they applied the discipline as they seen fit on the deck plate.

Mr. COFFMAN. And that took place after all the congressional concern that was expressed publicly. But, you know, I question that. I just hope that, and particularly in the Army and the Marine Corps—well, in all the Services. I served in the Army and the Marine Corps, but in all the Services that we have certainly better leadership that ought to recognize this.

You know, we just had an incident in Afghanistan where a staff sergeant went and killed 16 civilians, and it has practically derailed our policy. Where was the leadership there in recognizing this person was starting to, you know, go off-kilter? You know, where was that leadership? Where was the leadership for Private First Class [PFC] Chen? Where was the leadership in Lance Corporal Lew?

It was missing. That is the fundamental issue. To me, it is more about the lack of leadership by the NCOs than it is about the conduct of the junior enlisted in these alleged hazing incidents.

Mr. Chairman, I yield back.

Mr. WILSON. Thank you very much, and we proceed now to Congresswoman Niki Tsongas of Massachusetts.

Ms. TSONGAS. Thank you, Mr. Chairman.

Welcome to all of you, and I appreciate very much your testimony, and I appreciate again the efforts that you all are putting into this.

But I have to say, as I listen to it, there is a deja vu quality to it. This subcommittee and the broader Armed Services Committee has spent much time addressing the issue of sexual assault in the

military. And over the course of my tenure here in Washington, which has not been that long, but I know even in the years before there are many instances in which you all or representatives of the Service came to talk about the policies you were putting in place to address the issue, the training you were putting in place to address the issue. But the reality was that, despite all those good efforts, in returning visits it has become clear that there are many, many shortcomings. So as you deal with this issue I would encourage you to put in place metrics, objective ways of measuring the outcomes of all this hard work that you do.

And I support also what my colleague, Mr. Coffman, has said, in that instance as well as in this one, it is clear that the role, the leadership role, the role of the command structure is very, very important and that there have to be accountability measures built into that as well.

So really just to make a statement. I thank you for your testimony. I appreciate the hard work, but it should not be spinning your wheels, and we have to find ways to make sure that that is not the case. But thank you for being here.

Mr. WILSON. Thank you, Ms. Tsongas; and we now proceed to Congresswoman Judy Chu of California.

Ms. CHU. First, I want to thank Chairman Wilson and Ranking Member Davis for allowing me to attend this hearing today. I have been trying to get a hearing on this issue for many months, and I am grateful that you are focusing on this critical matter.

And the American people watching, in just a few days I have received 2,097 letters and petitions from concerned citizens calling on us to do something about hazing, and these are the petitions right here. I ask unanimous consent to submit a letter summarizing these petitions for the record.

Mr. WILSON. Without objection.

Ms. CHU. Thank you.

[The information referred to can be found in the Appendix on page 58.]

Ms. CHU. Today's hearing is just a first step. I hope the committee will continue to work together on this issue in the coming months.

I have a personal reason for being here. My nephew was a victim of hazing, and it killed him.

Hazing is a serious problem in the military, and though the military has policies in place, they aren't being enforced, and they aren't effective. Just last year, Private Hamson Daniels McPherson, an African American stationed in Okinawa, facing near-constant racist hazing by his fellow marines, finally, he set himself on fire and died.

Last year, Private Danny Chen was hazed for 6 weeks. He was dragged across gravel until his back bled. Rocks were thrown at him to simulate artillery. He was called "gook" and "chink." Finally, Danny shot himself to death.

In 2010, black Army Specialist Brushaun Anderson was pushed to his physical limit for weeks. He was made to build a sandbag wall with no purpose. He was called dirty and forced to wear a plastic trash bag at all times. Finally, he could take no more. He went to the latrine and shot himself to death.

And then there is my nephew Harry. The Harry that we knew loved to joke and, in fact, was known for his skills in break dancing.

At age 19, he enlisted in the Marines and was sent to Afghanistan. On April 3rd, Harry was found asleep on duty. At 11:15 p.m., his sergeant cursed at Harry loud enough to wake up the rest of the marines, announcing that peers should correct peers.

At 12:01 a.m., the hazing onslaught began. Harry's peers took it upon themselves to administer justice and corrective training. They berated him and ordered him to dig a foxhole, to do pushups, crunches and planks with his heavy full body armor and a 25-pound sandbag. They stomped on his back, kicked and punched him, and poured the entire contents of a sandbag onto his face and in his mouth. It lasted a full three hours and 20 minutes.

Finally, 22 minutes after they stopped, at 3:43 a.m., Harry climbed into a foxhole and killed himself with his own gun. He was 21 years old.

And what punishment was given? Virtually nothing. In Harry's case, three marines were charged. One marine was given just one month in confinement. Two were found not guilty by a jury of their peers, fellow marines.

The platoon just had a big celebration for beating the charges, as we saw on their Facebook. All of them are free to continue with their military careers, be promoted, and continue their behavior. Even a jaywalker would get a worse punishment.

When I talk about Harry, the reaction from the outside versus the inside is like night and day. The outside is horrified. But, from the inside of the military, the top brass usually says, we prohibit hazing, we do not tolerate hazing, these are isolated incidents, we are perfect. But the rank-and-file soldier almost to a person usually says, hazing is necessary to correct bad behavior and keep soldiers strong. Better one person die even at the hand of his fellow service members than compromise the entire unit's safety.

Why do I know people say this? Because I heard them say it at the jury trial over and over again as a defense for those marines. And I saw it in the letters to the editors, and I saw it in the blogs. This is the attitude that is in the military, and it is pervasive.

So here is what I say. You cannot know if these are isolated incidents, because none of you even keep records on hazing. In Harry's unit alone there were six previous cases of hazing within a year.

Do you think you can't do better, that losing a few soldiers' lives here and there at the hands of their fellow soldiers means you are doing everything perfectly? If there is no culture that tolerates or encourages hazing, then why did these men die for no reason? What are you doing, if anything, to change the culture of hazing and institute what I think is necessary, a zero tolerance policy on hazing that actually holds soldiers accountable?

Mr. WILSON. If any would like to answer.

Sergeant Major CHANDLER. Well, first of all, I am personally disturbed by hazing, okay. I am appalled, and I am disgusted by the actions of soldiers who I, as the senior enlisted leader for our Army, am here representing. I don't poo poo this. I don't think that it is something that should be cast off or given any kind of, you

know, wash away or hand wave. This is important things. Because it is about who we say as we are as professionals.

When a young man or woman is hazed, it is not corrective training. It is abuse. And there is a significant difference between abuse and corrective training. Corrective training, when applied properly in the Army, means that it is tied to a specific training deficiency; and the leader is there with the soldier making sure that the training deficiency is overcome and that the corrective action is in line with that.

So, for example, if I show up late to a formation my leader may ask me to come or demand or order me to come to my next place of duty early in a specific uniform. And when I have met the standard that applies to that training deficiency then we go on about our business.

From the Army perspective, from my perspective, this is not something that we are going to tolerate. And I am committed, along with the rest of the Army leadership, to solve this problem. It is against who we say we are. And if one man or woman, one of our brothers or sisters, dies because of our own actions, that is not okay with me, and I am committed to this.

Sergeant Major BARRETT. I am echoing every single thing that the Sergeant Major of the Army said. We are taking as an aggressive stance and fight towards all disgusting societal issues and concerns that are plaguing the Services. And I am not talking just about hazing. I am talking about drugs, alcohol, domestic violence, criminal mischief, sexual misconduct, tasing, operational stress, forced preservation measures, hazing and suicide.

We are taking aggressive steps. Our behavioral health program has integrated every one of our programs at headquarters Marine Corps to better synchronize the research, the resources, the policies, the training, the prevention, and the treatment for all these things. I refer to them as the insurgents inside of our wire, and it is affecting every single Service sitting at this table.

We are aggressive. We are constantly taking and making assessments, and we are going after a problem when we see the problem.

Ma'am, what happened to Lance Corporal Lew is disgusting. The small unit leadership that the congressman was speaking of 10, 15 minutes ago, he is absolutely spot-on. The small unit leadership failed. I wish I could take it all back. We should have done better. But we are aggressively attacking these societal concerns as hard as we can possibly take them, and you have our assurance on that, ma'am.

Mr. WILSON. Thank you, Ms. Chu; and we will proceed to Congresswoman Nydia Velázquez of New York.

Ms. VELÁZQUEZ. Thank you, Mr. Chairman, Chairman Wilson, and Ranking Member Davis.

Sirs, our immigrant community is truly something that makes our country great. In New York, where I am from, this community has always been our strength, growing not just from all over the world but serving as a magnet for young people in this country. As I go to the various parts of my district, whether it is the Polish community, Chinatown, or some West Indies communities, the pride they show in their new country, their country of choice, is inspiring.

This is especially true with the young people. It is not surprising that they would want to show that pride through serving the military or in the military. I have attended over 100 of induction ceremonies. Seeing the young men and women as they are beginning their military careers with the American flag in their lap beaming with pride is inspiring.

Private Danny Chen was one such excited young people. He was my constituent, embarking on a new chapter of his life serving this country. He had a true love for this country and wanted to give back. So imagine the shock he felt upon arriving at his unit to find he was not only unwelcome but the focal point of systemic torture, an act that can only be described as appalling. The result cost us a very special young man who had so much to offer.

What is important to understand is, when we have these acts take place, they don't just impact the individual or family. They impact entire communities. As I talk to family, friends, teachers, and those who knew Danny, I keep hearing a familiar refrain, how could this happen? And while I appreciate all the discussion of the policy on hazing and the difference it will make, I need to hear how the leadership of the military and Services, of all Services, going forward is going to make this policy part of everyday life, just like a soldier formation so it is second nature. This cannot be another paper policy stuck up on a bulletin board or discussed one day and forgotten the next.

So my question to our representatives from the military is, what mechanisms will be in place to ensure that there will be regular top-to-bottom reviews to ensure the policy that we have heard about today is implemented properly and becomes part of our armed services' everyday life?

And I heard, I heard your anger, I heard your frustration and your commitment. I need to hear what is the mechanism that will be in place to make sure that this is part of every soldier, men and women's, life, day life?

Sergeant Major CHANDLER. Yes, ma'am. And I appreciate your sentiments.

We have established a working group. The Director of the Army Staff, Lieutenant General Troy, has directed a working group between Army TRADOC [Training and Doctrine Command] forces command, the Army National Guard, and the Army Reserve, along with the Army staff to do a comprehensive review of our current policy, to look for gaps that are associated with our current policy and training programs, and then to look at either changes to our Army policy or to request changes to the DOD or even up through Members of Congress if we need to have a statutory change to ensure we have the enforcement mechanisms we need.

From a training perspective, we are going to look at how we train this across the Army and whether or not we need to insert it as a special topic as a mandatory training like our Marine Corps and Navy brothers have done.

And that is our commitment. We will have a program. We are in the very early stages, but I expect a very rapid turn. The Secretary of the Army has demanded swift action, and I believe we will have it.

Ms. VELÁZQUEZ. And, sir, are you getting input from different immigrant communities?

Sergeant Major CHANDLER. I am not sure about that, ma'am, but I can take that question for the record and get you a response.

[The information referred to can be found in the Appendix on page 63.]

Sergeant Major BARRETT. Thank you, ma'am.

First, one of the significant purposes behind us integrating all of our behavioral health programs into one single area is so that there is that cross-talk. So we are looking for that common thread to improve our value-based leadership training curriculum from the second you enter the military until the second you decide to walk out a better citizen.

Next, the commandant of the Marine Corps has just directed—and it is starting with our sexual assault. He has just instituted a sexual assault prevention operational planning team consisting of 20 senior officers and 20 senior enlisted leaders headed up by a two-star general. And the purpose of it is to take a fresh, unconstrained look at the problem that sexual assault, the programs, the courses, and the initiatives that we presently have and how we are going to beat this back and get all the prevention to the left of the incident. And we are going to assess what we are doing presently and what we need to do to get to the left of the problem.

The next thing is early this summer the commandant is holding a leadership symposium where he is bringing in all the three-star level leadership this summer to capture every single lesson learned over the last 10 years for the appropriate and the right way ahead.

Mr. WILSON. Thank you very much, and we will proceed with Congressman Mike Honda of California.

Mr. HONDA. I want to add my thanks to Chairman Wilson and Davis and, to the gentlemen here, thank you for your service; and I appreciate, as Congresswoman Nydia Velázquez had indicated, your sentiments.

But just by listening to the testimony I would think that this hearing is almost unnecessary. Each Service appears to denounce hazing and have safeguards to prevent it. Yet, hazing occurs, as evidenced by the recent incidents of Private Danny Chen, Lance Corporal Harry Lew, and aboard the Navy Vessel the *Bonhomme Richard*. In fact, Secretary Panetta just issued an anti-hazing directive during his holiday message in December.

It keeps coming up. What I find extremely troubling is a lack of actual statistics on hazing. And how can anyone be convinced that a problem doesn't exist or our current policies are working if there is no method to monitor or evaluate it? And do any of the Services have a database or other monitoring system to record incidents of hazing and harassment?

I read the reports. It appears that the Coast Guard was doing one that turned in some datum on the incidences and the outcomes. But what I found interesting was that—that needs to be talked about, I guess—in each category of—areas—suicide have no data available to determine hazing was or was not a contributing factor. You need to dig deeper into that and to see, you know, if there is any connection with the breakdown of the racial background—you know, white, Asian, black, Hispanic, others—looking

into the dynamics of diversity, language, background, and cultural issues needs to be dug even a little bit deeper.

How does each Service evaluate their current policies if they are working or not? Waiting to review policies after a slew of tragic cases is not an effective preventative approach. I know that and I have heard that abuse versus corrective training—I am not sure how corrective training is put together, or whether having these kinds of things looked at internally without an external review from other folks who are familiar with these kinds of practices——

A few years ago, we were a part of the Port Hueneme training for the folks over there, both the civilians and enlisted folks. And we did a lot of work on racial interaction, and there was a lot of work to be done, within the ethnic groups and outside of the ethics groups. So I think that that kind of thing needs to be continued.

The hazing of servicemen in a National Guard company assigned in Kosovo surfaced only last month after a private in the company lodged a formal complaint. Lieutenant General Mark Hertling, Commander of the U.S. Army Europe, commented that the private reporting the incident was courageous. In fact, the General said, for this guy to say what you guys are doing is wrong, courageous is an understatement.

I definitely agree. However, it also speaks to how difficult for subordinate servicemen to report inappropriate behavior to the senior officers. I am not sure that we are not looking into that more, to say that this is what you do, this is the process, and not understand some of the barriers or some of the dynamics that enter into reporting. And as a vice principal of a middle school, you know, my kids say, I don't want to be known as a snitch. Translation: I will get my ass beaten.

Okay, so I think that that is the kind of dynamics that you may want to look at. However, this must be nearly impossible during an extended forward operation that these folks are involved in.

So what can be done to create an environment that allows for this type of reporting, both psychologically and physically being able to report that, whether that is through information or through sharing, whatever it is, but it still has to be an environment that is safe and confidential?

What have you done to address culture sensitivity and to adopt a more intentional diversity and inclusion effort? And do hazing and harassment training, monitoring, and enforcement policies need to be uniform across the Services?

And so those are the kinds of thoughts I have, and I appreciate the other members here and their thoughts about leadership in the smaller units. I think that that is part of that dynamics, too. So there is insulation between those who needed to be reported to and those who are victims or bystanders. I think that you have the sense of who the actors are. It is the interaction and the motivation or the encouragement or the sense of responsibility fulfilled that what you say you are instilling in each and every service person.

Thank you, Mr. Chairman. I will wait for my response.

And, by the way, Mr. Chairman, if these responses could be turned in in writing within a couple of weeks, that would be appreciated.

Mr. WILSON. Congressman, actually, thank you very much. Because the time is up, except for one thing. I thought that you actually provided an extraordinary summary. And so for the record, for each of you, I thought the points of the Congresswoman were well made, and I know we would all look forward to receiving response to that question.

And in consultation with our ranking member, again, I want to thank all of you for being here today, your commitment to our country, your dedication, and we look forward to working with you to address this issue in the future.

We are adjourned.

[Whereupon, at 2:08 p.m., the subcommittee was adjourned.]

A P P E N D I X

March 22, 2012

PREPARED STATEMENTS SUBMITTED FOR THE RECORD

MARCH 22, 2012

Statement of Hon. Joe Wilson

Chairman, House Subcommittee on Military Personnel

Hearing on

Hazing in the Military

March 22, 2012

Today, the Military Personnel Subcommittee will receive testimony from the Services' senior enlisted advisors, concerning the Services' policies, training, and enforcement with respect to hazing.

This is a topic that cannot be taken lightly. Hazing is a degrading act that must not be tolerated in the military or in our society. Unfortunately, it happens. The military services do have policies on hazing to ensure its members understand it is wrong and must not be tolerated. Hazing is contrary to the values of our volunteer force and affects the morale of units. It violates the professionalism achieved and expected by our military.

The Subcommittee will hear from the senior enlisted leadership within the Services who are charged with keeping the service chiefs informed. These leaders are also responsible for ensuring the service member at the lowest level not only understands these policies, but also knows the courses of action service members should take to remedy the situation when policies are violated. This issue concerns me as a member of Congress, as a veteran myself, but especially as the father of four sons currently in the military where it was the best environment for what I know is the opportunity of military service.

Statement of Hon. Susan A. Davis

Ranking Member, House Subcommittee on Military Personnel

Hearing on

Hazing in the Military

March 22, 2012

I am pleased that the subcommittee is turning its focus to the important issue of hazing in the military. Over the past year, there has been a number of hazing incidents across the Services that have been brought to the public's attention.

I am sure that we all agree that hazing is a serious and deplorable crime, which disrupts unit cohesion and reduces the morale of our men and women in uniform. Hazing, particularly in light of the current ongoing deployments and responsibilities that are being asked of our men and women in uniform, is a very serious matter.

I am aware that most of the Services have policies that prohibit hazing, and harassment for that matter. But, I am interested to learn how the Services educate and train our military personnel, so that they know how to recognize hazing and harassment, what they should do to stop it or prevent its tolerance among the force. Do we even know how often these incidences occur? If incidences are not tracked, how does a Service recognize that this is an isolated incident or an epidemic?

Parents and families who send their son or daughter to serve our Nation in uniform are already concerned about their health and safety given the operational requirements service members are facing. They should not have to worry about whether their child is being subjected to hazing or harassment as well. We need to restore the confidence in our families that the Services are doing all they can to prevent hazing from occurring among the force; hopefully, this hearing will be one step toward that goal.

RECORD VERSION

STATEMENT BY

RAYMOND F. CHANDLER III
SERGEANT MAJOR OF THE ARMY

BEFORE THE

HOUSE ARMED SERVICES COMMITTEE
SUBCOMMITTEE ON MILITARY PERSONNEL

SECOND SESSION, 112TH CONGRESS

ON HAZING
IN THE UNITED STATES MILITARY

MARCH 22, 2012

NOT FOR PUBLICATION
UNTIL RELEASED BY THE
HOUSE ARMED SERVICES COMMITTEE

STATEMENT BY
RAYMOND F. CHANDLER III
SERGEANT MAJOR OF THE ARMY

Introduction

Mr. Chairman, distinguished members of this committee, thank you for the invitation to address you on this important issue. My message today is a simple one – hazing has no place in our Army.

I spend about 270 days out of the year traveling to camps, posts and stations to talk to Soldiers and their Families about a wide variety of topics, but my overall theme is the Army Profession. I talk about what it means to be a professional, how Soldiers should conduct themselves and, more importantly, how they should treat each other.

To be a professional, a Soldier must possess the three Cs: competence, commitment and character. The first is easy to spot... competence means you are good at your job. Commitment and character are not so easy. A Soldier who is committed to the Army and has character lives the Army Values at all times, even when no one else is around. Soldiers who lack one of the three Cs are not needed in our Army.

We have a duty as professional Soldiers to maintain the trust and confidence of the American people; not just to fight and win our Nation's wars, but also to maintain high professional and ethical standards. So when a Soldier behaves inappropriately, or worse, commits a crime, the American people expect the Army to hold that Soldier accountable. For 237 years the Army has worked extremely hard, and successfully, to strengthen this bond.

This trust begins to break down when any Soldier or Army Civilian acts in an unprofessional manner and puts another at risk of physical or psychological injury. When a Soldier acts unprofessionally, on or off duty, the entire Army feels the repercussions. It is unfortunate that the unacceptable behavior of a few Soldiers can tarnish the image of the other one million who continuously do a tremendous job defending our country.

As noted above, the bottom line is this: hazing has no place in our Army. The Army defines hazing as any conduct whereby one military member or employee, regardless of service or rank, unnecessarily causes another military member or employee, regardless of service or rank, to suffer or be exposed to an activity that is cruel, abusive, oppressive or harmful. This applies to all Soldiers, regardless of rank or status.

Hazing includes, but is not limited to, any form of initiation "rite of passage" or congratulatory act that involves: physically striking another in order to inflict pain; piercing another's skin in any manner; forcing or requiring the consumption of excessive amounts of food, alcohol, drugs or other substances; or encouraging another to engage in illegal, harmful, demeaning or dangerous acts. Soliciting or coercing another to participate in any such activity is also considered hazing. Hazing need not involve physical contact among or between military members or employees; it can be verbal or psychological in nature.

We recognize that leaders often organize team-building activities that may include good-natured ribbing. However, it is up to Army leaders to ensure that any activity crossing the line and resulting in an abuse of power or deliberate humiliation is not allowed. Effective leaders must never participate in, allow or condone hazing. We expect every member of the Army – military and civilian – to vigilantly guard against any form of hazing and report any incident of hazing to the chain of command.

Secretary Panetta has directed that each service commander personally review their service policies and ensure strict compliance. The Army Leadership has reinforced the standard found in Army Regulation 600-20 and the Uniform Code of Military Justice. Individuals found participating in, allowing or condoning hazing may be subject to disciplinary action which may include court-martial or non-judicial punishment. We must ensure Soldiers know they will be held accountable for their actions should they choose to participate in or condone a hazing incident.

But just as importantly, we must permanently change the mindset of those who think that hazing is an accepted practice. Hazing Soldiers who are new to the unit, of different ethnicities or races, or recently promoted NCOs has no place in our Army. In our Warrior's Ethos, we have a line that says: "I will never leave a fallen comrade." In the NCO Creed, we say, "no one is more professional than I." Our Army Values include honor, integrity and loyalty. In order to be professionals, our Soldiers not only have to recite the values and ethics of our Army, they also have to live them in everything they do, which includes treating others, regardless of their ethnicity, religion, race or time with the unit, with respect and dignity.

The Army will continue to take a strong stance against hazing. Hazing violates our Army Values and will not be tolerated. Leaders will be held accountable for their actions. Every Soldier has a duty to prevent hazing and ensure all are treated with dignity and respect, professional courtesy and fairness. I appreciate your time and welcome any questions you may have.

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HOUSE ARMED SERVICES COMMITTEE
MILITARY PERSONNEL SUBCOMMITTEE

STATEMENT OF

RICK D. WEST

MASTER CHIEF PETTY OFFICER OF THE NAVY

(SUBMARINE WARFARE/SURFACE WARFARE)

BEFORE THE

HOUSE COMMITTEE ON ARMED SERVICES

MILITARY PERSONNEL SUBCOMMITTEE

ON

MARCH 22, 2012

NOT FOR PUBLICATION
UNTIL RELEASED BY THE
HOUSE ARMED SERVICES COMMITTEE
MILITARY PERSONNEL SUBCOMMITTEE

Master Chief Petty Officer of the Navy

MCPON (SS/SW) Rick D. West

Master Chief Rick West became the 12th Master Chief Petty Officer of the Navy on Dec. 12, 2008.

West was born in Rising Fawn, Ga. He graduated from Northwest Georgia High School in 1981 and immediately entered the U.S. Navy.

West received recruit training and Quartermaster training at Orlando, Fla., followed by Enlisted Submarine School at Groton, Conn. His first duty assignment was aboard *USS Ethan Allen* (SSN 608) where he completed Submarine Qualifications. Other assignments include *USS Thomas Edison* (SSN 610), *USS Sea Devil* (SSN 664), Commander Naval Activities United Kingdom (COMNAVACTUK), *USS Tecumseh* (SSBN 628)(Blue), and COMSUBPAC Staff (TRE Team).

West was assigned as Chief of the Boat aboard the San Diego based Fast Attack Submarine, *USS Portsmouth* (SSN 707), completing two Western Pacific deployments and earning two Battle Efficiency "E" awards.

West served as Command Master Chief in Submarine Squadron ELEVEN. Upon completion of his tour at COMSUBRON ELEVEN, he was selected as Force Master Chief (FORCM), attended the Senior Enlisted Academy in Newport, R.I., and served as Force Master Chief, Submarine Force U.S. Pacific Fleet (COMSUBPAC) from Jan. 2001 to Jan. 2004.

West then reported to *USS Preble* (DDG 88) in San Diego, Calif., where he completed a deployment to the Arabian Gulf and qualified as Enlisted Surface Warfare Specialist.

West was then selected to serve as Pacific Fleet, Fleet Master Chief from Feb. 2005 to June 2007.

Prior to being selected to be MCPON, he served as the 14th Fleet Master Chief for Commander, U.S. Fleet Forces Command from June 2007 to Dec. 2008.

West's personal awards include the Legion of Merit (two awards), Meritorious Service Medal (three awards), Navy Commendation Medal (four awards), Navy Achievement Medal (two awards), Enlisted Surface Warfare Insignia, Enlisted Submarine Insignia, and SSBN Deterrent Patrol Pin.

Chairman Wilson, Ranking Member Davis, and distinguished members of this subcommittee, as the Master Chief Petty Officer of the Navy, I am honored and humbled to have the privilege of representing more than 427,000 active and reserve Sailors who comprise the finest Total Force in the history of the United States Navy.

Our men and women are tremendously dedicated to our Nation and our Navy: They make many sacrifices. No matter where they are in the world, or what they do for our great Navy, their contributions to the country's Maritime Strategy are impressive. Today's Sailors are the best ever, performing their missions with distinction and integrity. I am very proud to be their shipmate. We owe them a positive environment that fosters equitable opportunity for success based on proven merit, professionalism, and mutual respect.

It is the responsibility of every Sailor, and leadership in particular, to ensure that we are creating a climate of inclusion, where every member of the team believes his or her views, skills and dedication are valued. Consequently, every man and woman serving in our Navy, from the most junior seaman to the most senior admiral, has an obligation to abide by regulations and to make the appropriate authorities aware of any conduct that runs counter to organizational excellence and the fair treatment of all: This unequivocally includes hazing. No commander, no Chief Petty Officer, no Sailor may condone or ignore hazing in his or her unit.

Navy takes a comprehensive approach to prevent and respond to hazing, utilizing the Secretary of the Navy's instruction, Department of the Navy Policy on Hazing, as the cornerstone of our approach to education, execution, enforcement and accountability. The instruction states, "Hazing degrades and diminishes the ability of victims to function within their unit. It destroys our members' confidence and trust in their shipmates." Therefore, hazing will not be tolerated under any circumstances.

The Navy takes immense pride in its myriad customs and traditions celebrating the unique achievements of individual Sailors, their units, and our service. We believe these practices, when conducted with diligent regard for their true origins and the professional welfare of Sailors, are valuable reminders of the celebrated history recorded by those who have gone before us. Because we feel so strongly about preserving the right traditions with positive messages, Navy has worked tirelessly to eradicate any and all practices that might be considered hazing regardless of their perceived heritage. Commanders along with our enlisted leaders are charged with ensuring all ceremonies and rites are conducted in accordance with Navy policies and formally reporting every suspected incident of hazing to the Chain of Command as soon as possible. Our commitment to the elimination of hazing is unwavering.

Navy and command leadership are vigilantly committed to the elimination of hazing. Deterrence and accountability stand as integral components in that process. If an incident of hazing is substantiated, appropriate accountability actions are taken to include, where warranted, disciplinary action under the Uniform Code of Military Justice. We are ever mindful of the safety and well-being of our Sailors.

The Navy takes every allegation of hazing very seriously, by expeditiously investigating reports of hazing and holding violators accountable. Hazing is contrary to the Navy Core Values of Honor, Courage, and Commitment, and is detrimental to unit cohesion and combat readiness.

The Navy continues to develop Fleet awareness by educating Sailors about the harmful effects hazing has on our well-being as an organization. Fleet awareness is our most effective tool in preventing the problem. We achieve this awareness through fundamental education that occurs initially at basic training, is reiterated at secondary schools, and reinforced through General Military Training and Professional Military Education at regular intervals during a Sailor's tenure in the Navy. It's not just a formal process, either - relegated to the classroom, but part of leadership's daily conversations with Sailors about readiness, respect and professionalism.

Additionally, hazing is addressed through interactive group case studies at the Navy's Command Leadership School courses for Commanding Officers, Executive Officers and Command Master Chiefs. Individual units also regularly review the hazing policy with all-hands in conjunction with events that include, but are not limited to, promotion ceremonies, shipboard Crossing-the-Equator rituals, and warfare designation events. This continual training further educates Sailors on the difference between acceptable acts that contribute to esprit de corps and those that violate regulations.

Maintaining a positive organizational posture that actively prevents, and decisively responds, to hazing incidents remains a top priority for the Chief of Naval Operations and for me. Our Sailors are the Navy's most precious asset. Their individual success and our collective mission accomplishment lie in our ability to provide the resources and environment that promote professional growth, inclusiveness and a validated sense of value to the team. Hazing indisputably destroys these elements and is systematically addressed as detrimental to the organization and our warriors. Adherence to our Navy core values by our Sailors is central to the Navy's ability to meet its global mission. These values are our guiding principles for treating every Sailor with dignity and respect, and as an esteemed member of the Navy team.

STATEMENT OF

SERGEANT MAJOR MICHEAL P. BARRETT, USMC

SERGEANT MAJOR OF THE MARINE CORPS

BEFORE THE

HOUSE ARMED SERVICES

SUBCOMMITTEE ON MILITARY PERSONNEL

MARCH 22, 2012

NOT PUBLIC UNTIL RELEASED
BY THE HOUSE ARMED SERVICES
COMMITTEE

The individual Marine is our greatest asset, and keeping faith with Marines, Sailors and their families remains one of the four institutional priorities of our Corps, both now and into the future. As such, and rightfully so, Marines will be treated with dignity and respect. Fidelity is at the heart of who we are as Marines and defines how we treat each other. In contrast, hazing is a societal problem which, though not unique to the Department of Defense, the Department of the Navy or the Marine Corps, nonetheless erodes the trust and confidence placed in the Armed Forces when it happens. Marine Corps Senior Leadership and our policy maintain the firm and unwavering position that a substantiated act of hazing is a crime that is inconsistent with our core values and organizational purpose of *making Marines, winning our nation's battles and returning quality citizens* upon completion of their service. Combating hazing has a four-fold approach: 1) **Engaged Leadership** 2) **Policies** 3) **Training** and 4) **Accountability**.

First and foremost, hazing is a leadership issue. The Commandant of the Marine Corps has charged all leaders, from the fire team level to commanding general, to ensure that all Marines are treated with dignity, care and respect. We further charge leaders, who are closest to the day-to-day actions of Marines, to be ever vigilant for signs and instances of hazing and to intervene, report and address them immediately when they occur. Hazing also is a war-fighting issue, destroying the confidence and trust Marines place in each other and in our leadership and undermining unit cohesion and combat readiness. It does not promote loyalty, does not build espirit de corps and does not prepare Marines for combat.

From a policy standpoint, the Marine Corps maintains a longstanding order governing matters of hazing. This policy, updated earlier this year, defines hazing and the many ways that it can manifest itself in the force. The most common example involves initiation or congratulatory acts. Hazing also includes any conduct whereby a military member or members,

regardless of service or rank, without proper authority causes another military member or members, regardless of service or rank, to suffer or be exposed to any activity which is cruel, abusive, humiliating, oppressive, demeaning or harmful. Regardless of the form it takes, hazing is always unacceptable. The Marine Corps is committed both to preventing hazing and to holding transgressors accountable for their actions so that Marines and Sailors are afforded an opportunity to excel and to leverage their diverse talents for the benefit of our Service.

Our primary tool to combat hazing is our Values-Based Leadership program. Values Based Leadership is the process by which we indoctrinate Marines with our core values—Honor, Courage and Commitment—and establish our institutional expectations for their moral and ethical behavior. The explicit purpose of Values-Based Leadership is to provide a framework to shape young American men and women by defining, refining, and etching Marine Corps values and ethics, forged over 236 years of existence, into their very character. Values-Based Leadership is a comprehensive approach that continues throughout a Marine's career, with the ultimate goal of enabling him or her to make correct choices, even in the midst of the most morally challenging of all human environments—combat.

Our Values-Based Leadership program specifically addresses the issue of hazing. It begins at boot camp and is sustained and reinforced throughout a Marine's career, linking values and ethical decision-making to every aspect of a Marine's life. All Marines, officer and enlisted, receive instruction on Marine Corps policy prohibiting hazing during their respective entry-level training courses. At boot camp, recruits receive over 31 hours of Values-Based Training, including instruction on anti-hazing policies. At Officer Candidates School, candidates receive over 48 hours of Values-Based Training, including instruction on the policy prohibiting hazing. Enlisted Marines continue their training at follow-on schools in the Infantry Training Battalion

with an additional 12 hours of Values-Based instruction. Officers receive an additional 16 hours of Values-Based instruction at The Basic School.

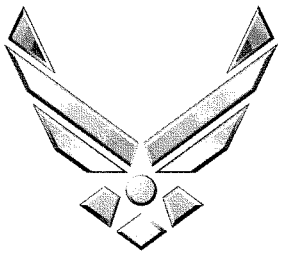
When Marines join the Operating Forces, they continue to receive instruction on the policy prohibiting hazing through an annual training requirement outlined in Marine Corps Bulletin 1500. Additionally, Marines attending professional military education courses receive rank-appropriate training on hazing with a focus on leadership and enforcement of policy. This continuum of instruction—all told some 10 or more instances during an average Marine's career—creates a comprehensive approach that ensures that hazing and all other Values-Based training subjects will be addressed with maximum frequency throughout a Marine's career.

Lastly, our force holds those suspected of hazing accountable. Through legal mechanisms inherent in the Uniform Code of Military Justice, commanders are directed pursuant to Rules for Court Martial to investigate and address substantiated cases where hazing occurs or is suspected. Over the decades, the Marine Corps has taken aggressive steps to discipline and remove those from our ranks who have been found guilty of mistreating their fellow Marines by acts of hazing. We continue to foster an environment where enforcement of all appropriate polices and regulations against hazing remains a readily-accessible tool for ensuring discipline in the force.

As stated earlier, hazing is contrary to our core values. We expect and demand that Marines epitomize all that is good about our nation and to personify the ideals upon which it was founded. Our storied emphasis on tradition in the Marine Corps has nothing whatsoever to do with hurting or humiliating another through cruel rites of passage or physical and verbal abuse. Yet, it has everything to do with Marines exhibiting mutual respect, a strength of character and a

willingness to sacrifice for one another. Honor, Courage, and Commitment are not just words; they frame the way Marines must live and act.

United States Air Force



Presentation

Before the House Armed Services Committee,
Subcommittee on Military Personnel

Hazing in the Military

Statement of
Chief Master Sergeant of the Air Force James A. Roy

March 22, 2012

NOT FOR PUBLICATION UNTIL RELEASED
BY THE COMMITTEE ON ARMED SERVICES
UNITED STATES SENATE

Chairman Wilson, Ranking Member Davis, and distinguished members of this subcommittee, I am honored and humbled to have the privilege to represent the more than 500,000 Airmen serving in active duty, Reserve, and Air National Guard capacities who comprise the finest Air Force in our great Nation's history.

Each year our Airmen become more educated and better qualified to conduct the complex missions our service demands of them. While many consistently leave family and friends behind to deploy in support of combatant commanders in remote locations, others directly affect the battlespace each day from their home station. Regardless of where they serve, none of our Airmen can complete the mission alone; each of us needs a Wingman to help make sure the job gets done.

The Air Force values each and every one of its Airmen. To create and promote a culture of respect and dignity, we expose Airmen to human relations training early and often, starting with accession and continuing through the many stages of career progression. This training defines and discourages inappropriate behavior and provides a clear path of recourse for those who may be victimized. It is my belief that this culture of respect discourages negative behaviors -- including those that could be classified as hazing -- and makes it known that they will not be tolerated.

An enlisted Airman's career-long immersion in this culture of respect begins at Basic Military Training (BMT). During the first week of training, BMT squadron commanders convey to trainees that maltreatment and hazing are not tolerated. Commanders define hazing as behavior that causes another person to suffer or be exposed to activity that is cruel, abusive, humiliating, oppressive, demeaning or harmful. Airmen are told that secret initiation rites are forbidden. They are informed that BMT is their only indoctrination into the Air Force and the profession of arms. Further, they are encouraged to immediately report any instances of maltreatment or inappropriate training to the military training instructor, section supervisor, training superintendent, first sergeant, operations officer, commander, chaplain or base inspector general.

Airmen are provided with a wide variety of human relations lessons over the course of their careers. Department of Defense, Department of the Air Force, Air Education and Training Command (AETC), and localized definitions, guidance and policy on subjects like sexual harassment, religious tolerance, and hazing are covered at regular intervals as well as at major career milestones. These include BMT, technical training, First Term Airman's Center, at installation newcomer's orientations at each permanent change of station move, monthly or quarterly commander's calls, and at each level of professional military education.

As they earn greater leadership roles, Airmen are held responsible for deeper levels of comprehension of the conditions they must set to create healthy working environments for those they supervise. We believe it is a leadership responsibility to ensure Airmen can come to work without fear of being mistreated, and to ensure that any violation of regulations is met with a swift, appropriate response.

One additional initiative we've started is Bystander Intervention Training. This course encourages situational awareness and peer conflict avoidance and resolution. Airmen who have this training know how to defuse situations before inappropriate behavior occurs.

As our workforce is a sample of individuals from our society, we expect to encounter some of the same issues that affect our society at large. However, as a military organization, and the world's greatest Air Force, we hold our Airmen and our leaders to a higher standard.

While we cannot declare the Air Force is exempt from hazing, all indications are that our current efforts to prevent and respond to incidents of hazing are effective. Our comprehensive approach to career-long human relations education is rooted in concern for the safety and prosperity of our most valuable resource -- our Airmen -- and we are committed to providing education and guidance to eliminate hazing by making clear that it will not be tolerated.

Thank you for your continued support and concern for our brave Airmen and their supportive families.

U. S. Department of Homeland Security

United States Coast Guard

Commandant
United States Coast Guard

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TESTIMONY OF
MASTER CHIEF PETTY OFFICER MICHAEL P. LEAVITT
MASTER CHIEF PETTY OFFICER OF THE COAST GUARD

ON "HAZING IN THE UNITED STATES MILITARY"

BEFORE THE
HOUSE ARMED SERVICES SUBCOMMITTEE ON MILITARY PERSONNEL

MARCH 22, 2012

Introduction
Good morning Mr. Chairman, Ranking Member Davis, and distinguished members of the Committee. Thank you for the opportunity to appear before you to discuss issues related to military hazing.

As the Master Chief Petty Officer of the Coast Guard ensuring our personnel are treated with dignity and respect is a responsibility I take very seriously.

The Coast Guard does not tolerate hazing. Hazing is contrary to our core values of honor, respect and devotion to duty and the nature of our missions.

The Coast Guard has published a clear and unambiguous policy prohibiting hazing, including requirements for initial training of all military service members, as well as annual training thereafter. When hazing has occurred our policy requires that offenders are held accountable. All Commanding Officers are required to investigate any hazing incident and initiate appropriate action to hold those accountable for hazing misconduct, as well as to ensure accountability within the chain of command if hazing was condoned.

Policy
The Coast Guard defines hazing as any physical, verbal or psychological conduct in which a military member causes another military member to suffer or to be exposed to any cruel, abusive, humiliating, oppressive, demeaning, or harmful activity, regardless of the perpetrator's and recipient's Service or rank. Soliciting or coercing another to conduct such activity also constitutes hazing.

The Coast Guard's hazing policy is found in the Discipline and Conduct Manual. The policy defines hazing, outlines roles and responsibilities, mandates annual training, and lists consequences. Furthermore, the policy clearly states that consent by the hazing victim does not obviate accountability of either the persons doing the hazing or the Command that condones or facilitates a hazing incident. Hazing incidents can be adjudicated under the provisions of the Uniform Code of Military Justice. Depending on the severity of the hazing incident, and how it is disposed of, punishment may include confinement, fines, reduction in rank, and/or punitive discharge from the Coast Guard.

Similar to hazing, prohibited harassment policy is found in the Coast Guard's Civil Rights Manual. Prohibited harassment is defined as including, but not limited to, unwelcome conduct, whether verbal, nonverbal, or physical conduct that has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, offensive, or hostile environment on the basis of an individual's protected status, which includes: race, color, religion, sex, national origin, age, disability, genetic information, sexual orientation, marital status, parental status, political affiliation, or any other basis protected by law. While hazing and prohibited harassment are similar, each type of case is reported and acted upon in a different manner. In each case, perpetrators are subject to prompt disciplinary action, including discharge and other actions authorized under the Uniform Code of Military Justice. Incidents of prohibited harassment are processed in accordance with the Coast Guard's Anti-harassment and Hate Incident Procedures and as a complaint of employment discrimination pursuant to the Coast Guard's Civil Rights Manual.

Hazing typically occurs in connection with unofficial, unsupervised initiations or other informal "rites of passage" that are not authorized in the Coast Guard. Traditional ceremonies are permitted but must be conducted with proper command sanction and oversight to prevent harassment of any kind.

Assault and Sexual Assault are specific illegal acts defined in the Uniform Code of Military Justice and could potentially be committed during incidences of hazing. Incidences of assault or sexual assault occurring as part of hazing are aggravating factors, and therefore carry the potential for more severe consequences to offenders.

Recent Hazing Cases

In February 2010, the Coast Guard Investigative Service concluded a nearly year-long investigation into allegations that former crew members onboard Coast Guard Cutter VENTUROUS home ported in St. Petersburg, Florida, had engaged in hazing between the summer of 2007 and the spring of 2009.

As a result of the investigation, seven Coast Guardsmen were tried by courts-martial for the most serious misconduct related to hazing activities onboard the Coast Guard Cutter VENTUROUS between 2007 and 2009. Several other crew members received administrative action under the Uniform Code of Military Justice for less serious infractions. According to court records, the hazing took place in the berthing areas of the ship while underway and was done unbeknownst to senior leadership. The seven courts-martial resulted in five members receiving confinement or restrictions of up to five months, six members being reduced in pay grade, three members forfeiting pay, one member being discharged, and one member receiving a Bad Conduct Discharge.

In addition to the hazing on VENTUROUS, there have been three additional courts-martial stemming from hazing incidents since 2009. These included cases at Station Cape Disappointment, SECTOR Mobile and SECTOR San Francisco. Two of the cases are in final legal review. The third case is set for trial in April of this year.

Twenty-three Coast Guardsmen have been identified as the "targets," or victims of serious hazing misconduct. Eighteen, or 78 percent, of the victims are Caucasian. Other victims are distributed across many racial profiles to include one Asian-American, one African-American,

one Hispanic, one Hawaiian Islander and one Native American/Alaska Native. "Juniority" of rank appears to be the common characteristic of the victims of serious hazing misconduct.

Hazing Victim Racial Profiles

White	Asian	Black	Hispanic	Other	Total
78% (18)	4% (1)	4% (1)	4% (1)	8% (2)	23

Suicide
No data is available to determine if hazing was or was not a contributing factor in any suicide that has occurred in the Coast Guard. Throughout the past ten years, the number of suicides has remained fairly consistent, averaging six active duty and reservist suicides per year, which represents roughly 0.01 percent of our workforce.

Leadership
Preventing hazing can best be achieved by addressing two key elements: training and leadership.

Awareness and support of the hazing policies are emphasized by senior leadership through the use of all-hands messages and other formal and informal outreach efforts. The Coast Guard Commandant as well as the Pacific and Atlantic Area Commanders recently released official messages regarding the responsibility of all Coast Guardsmen to comply with the Coast Guard's zero tolerance hazing policy. The Commandant included a requirement in his message that all Commanding Officers and Officers in Charge read the message at the next quarters or appropriate muster to ensure his expectations and intent are clear. This sends a strong and clear leadership message from the top down.

Training courses held at the Leadership Development Center for Prospective Commanding Officers and Boat Forces Command Cadre include segments on hazing, ensuring our future leaders understand and enforce the policy.

Training
Hazing prevention cannot be achieved purely by the actions of our leaders. All personnel must understand that hazing will not be tolerated and no one may consent to being hazed. To ensure awareness throughout the military workforce, the Coast Guard provides initial training on hazing to all new accessions and requires annual unit training.

All Coast Guard Academy cadets receive annual training regarding hazing. The Leadership Development Center, co-located at the Coast Guard Academy, uses a formal curriculum (Officer Candidate School and Reserve Officer Candidate Indoctrination) to provide classroom based hazing training. All Cape May enlisted recruits receive formal training from a qualified instructor. The training provides the definition of hazing and proper actions to take if hazing occurs. During the lesson, recruits are given two scenarios to promote discussion. Upon completion the recruits take a test and must pass via a graded score.

Closing
As I close, let me emphasize that the Coast Guard places the highest priority on preventing hazing. We have a strong and clear policy, extensive training, and effective leadership. A healthy, positive, professional work environment is essential to eradicating hazing.

Thank you again for the opportunity to testify today. I will be pleased to answer any questions you may have.

DOCUMENTS SUBMITTED FOR THE RECORD

MARCH 22, 2012

Testimony to the House Armed Services Committee, Subcommittee on Military Personnel
Hearing scheduled for Thursday March 22, 2012, 1:00 pm
Submitted by Tom Hayashi, Executive Director, on behalf of OCA
thayashi@ocanational.org 202.223.5500

Ladies and Gentlemen of the Committee, my name is Tom Hayashi, Executive Director of OCA a national organization dedicated to advancing the social, economic, and political well-being of Asian Pacific Americans. We are honored to have been invited to provide testimony to express our grave concerns over harassment, mistreatment, and assault of Asian Pacific American military personnel.

Asian Pacific Americans (APAs) have had decades of presence in the United States military serving both in combat and in garrison since the War of 1812. Just as many people of color, APAs have demonstrated their commitment in spite of institutional racism in some of the most difficult times in the American history time and again, proving ourselves as patriots. As you are all aware of some of our most proud accomplishments include but not limited to the 100th Infantry Battalion, the 442nd Regimental Combat Team and the Nisei Military Intelligence Service,made up of Japanese Americans during War World II, one of the highest decorated military unit in the history of the United States military, known for their exceptional performance and valor. It was just a few months ago, that our Congress honored the contributions and sacrifices of the members of these units by authorizing the minting of a Congressional Gold Medal. These brave men and women clearly demonstrated that valor, courage and patriotism cannot be measured by the color of one's skin or one's ethnic or racial background.

In spite of the demonstrated commitment, contribution, and heroism of APA men and women in uniform, racism unfortunately continues to be a serious and often unreported problem in the military. Our concerns have been reinforced by the most recent cases involving the tragic and senseless deaths of Private Danny Chen in October of 2011 as well as Lance Corporal Harry Lew in April of 2011. While we acknowledge that these two cases are factually distinct, the perpetrators in these cases share too many common behavioral traits to be considered isolated, aberrational incidents. The behaviors, which include repeated racial slurs and epithets being used to demean and degrade coupled with what have been passed off as simply "hazing" are, in fact, intentional harassment and assault in a form of throwing of objects, kicking, punching, orders to perform physical exercise, and sleep deprivation which are eerily similar to methods used in torture. While we recognize that some level of corporal punishment is tolerated and even warranted in some circumstances within our military, we must stand together, as a nation, to ensure that reasonable efforts to impose discipline and order never cross into racially based disparate treatment. Whether taking place in the military or among the civilian population, hate crimes should never be excused or tolerated, and the assailants should be swiftly brought to justice.

The families of Private Danny Chen and Lance Corporal Harry Lew and the community members where these young men are from are motivated by grief, anger, and disappointment. Clearly, those of us who currently have loved ones serving are too concerned about their health and welfare. Moreover, we are compelled by our core values as concerned citizens that we seek

measures that will ensure realistic, effective, and comprehensive zero tolerance policy for harassment in the military. If however, our community does not see progress in reform, it will be very difficult to continue to make a strong case for military service as a personally beneficial opportunity while helping to maintain a strong national security.

It is our ardent hope that this committee is inspired by the simple yet significant query by the parents of the deceased young men: "why didn't anyone do anything?" We pose the same question when examining the issue of harassment and assault. We welcome this committee's efforts to investigate and provide oversight to our military institutions. In the course of your investigation, we encourage the committee to ascertain answers to the following questions:

1. What conditions contributed to these young men and other individuals who were aware of the abuses to fail to report the incidents to their leadership?
2. Why did such incidents occur in the first place?
3. What types of diversity and non-diversity related orientation and training are offered down to the unit level?
4. What enforcement measures are currently in place to avert these types of behaviors from occurring again?
5. What corrective measures must be undertaken to prevent similar incidences in the future?

All of the training and reporting in the world will not help if we do not have the measures to ensure that there is accountability and enforcement of the regulations to address harassment, mistreatment, and assaults of all types.

For the last four months, the API community has been passionately coalescing around this issue. OCA along with the members of our work group to include leadership of our chapter in New York, where Pvt. Danny Chen is from, our civil rights colleagues such as Japanese American Citizens League and Asian American Justice Center as well as concerned citizens such as former Marine Captain Bruce Yamashita and Retired General Antonio Taguba have been regularly meeting to address our concerns with the Department of Defense, Members of Congress as well as representatives from the Obama Administration. We have met with the Department of the Army at the Pentagon in December 2011 and after two rounds of correspondences which while helpful, was largely less than satisfactory due to the deflective nature of the dialogue by the Army rank and file which amounts to putting the onus of reporting for harassment and assault on the victim and others in the know as opposed to holding the leadership at all levels accountable for tone setting and command sensing.

Since we have also engaged with colleagues who have been involved in advocacy on a number of active duty and veterans issues including but not limited to reform measures to address sexual assaults and rape of women in uniform as well as the repeal of "Don't Ask, Don't Tell" to get their perspectives and advice on our strategies for advancing our work for zero tolerance of harassment in the military. The take away lesson from our most recent conversation with colleagues is that there is a strong culture of denial, resistance, and lack of accountability when it comes to serious reform measures.

This culture exists in part, to a belief within the military that such matters are internal and are best resolved from within the military. This belief is bolstered by a reticence on the part of our civilian authorities to micro-manage our military commanders. But make no mistake; our military is subject to Constitutional oversight by civilian authority. As members of Congress,

this committee is empowered with the authority and vested with the responsibility to provide some of that oversight. When the Department of Defense fails to undertake substantive measures to prevent the unnecessary loss of life from racial and ethnic harassment and assaults, it is the duty of the civilian oversight to impose upon the DoD clear policies to protect all who serve in uniform. It is the duty of the civilian oversight to demand accountability and reforms.

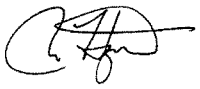
It is the belief of OCA along with our colleagues that we must pursue all avenues to bring this issue not only to the light-of-day but to achieve a "zero tolerance" policy in all branches of the military. To this end, we have begun to engage in the process of forming a broad national coalition on this issue of harassment whether they are racially or gender based, or instances of homophobia. An electronic petition has been started and in less than a month, we are pleased to report collecting 1,018 signatures which calls for "zero tolerance for harassment in the military." Another e-petition just on the Pvt. Danny Chen case has also drawn thousands from all over the country and internationally. The support for this issue is not only encouraging but is precisely the source of our mandate to address the following issues with all branches of the military:

- **Enforcement:** We ask that there be a clear and unequivocal "zero tolerance policy" for all forms of disparate treatment based upon race, ethnicity, gender or sexual orientation with enforcement and accountability at all levels of command.
- **Training:** We ask that there be integrated training on management of command milieu with emphasis on cultural competencies at all levels of command.
- **Whistle-Blower Protection:** That institutional protection for individuals who come forward to report harassment and assault including but not limited to transfer of the informant out of the unit and command in question.
- **Leadership:** Formal and strong messaging as well as hierarchical acknowledgement from all levels on the expectations for implementation of zero tolerance policy on harassment. We recommend reinforcement of command level accountability and making such practice as Command Climate Survey and "Command Level Sensing Session" not only mandatory but regularly implemented.
- **Transparency:** Improved communications with the community at-large and to make research data more widely and easily accessible without resistance to requests. Research and monitoring of the problematic issues should also be vetted through independent entities for their analysis. Recommendations for reform and continuous improvement strategies must be informed by sound research coupled with consideration for actionable processes and enforcement.

Harassment and assaults upon the brave men and women who serve our nation have no place within the military culture. It not only severely compromises unit cohesion but it creates a crisis of confidence in command leadership throughout the armed forces and among the civilian population. This serious weakness in command oversight has unfortunately produced dire consequences including not just harassment within the military personnel but also as evidenced by recent reports of irreversible conduct including mishandling of culturally sacred materials sparking a tidal wave of protest to what appears to be premeditated violent assaults against civilians in Afghanistan. One must wonder, what oversight measures were in place when these incidents occurred? These gaps in strict enforcement of management procedures and leadership accountability are not just about "hazing" practices. We us call hazing for what it is: harassment and assault. Harassment and assault are prohibited by the Uniform Code of Military Justice. These incidents are symptoms of a larger problem and pose a direct threat to our national security.

As representatives of the Asian Pacific American communities and other concerned citizens, we are here today to ask that this committee recommend substantive action to hold high ranking military leaders accountable. We are here today to ask that this committee take the first steps to restoring confidence in our military institutions among the Asian Pacific American communities as well as other concerned citizens. It is the hope of OCA to continue to be a valued partner to the collective effort in supporting the military to maintain the highest level of integrity. Integrity starts with accountability, and accountability starts with enforcement. I thank you for this privilege of addressing the members serving on this committee and look forward to continued effort to advance our common cause.

Sincerely,



Tom L. Hayashi
Executive Director

Written Testimony of the
Asian American Center for Advancing Justice
Submitted by Jacinta S. Ma, Deputy Director, Asian American Justice Center

Before the
Subcommittee on Military Personnel
Committee on Armed Services
United States House of Representatives

Hearing on "Hazing in the Military"

March 22, 2012

The Asian American Center for Advancing Justice (Advancing Justice) submits this statement about the need to prevent and address hazing and mistreatment in the military. The recent deaths and circumstances leading up to the deaths of Private Danny Chen and Lance Corporal Harry Lew raise serious concerns about the military's current approach to hazing, discrimination, and mistreatment.

Advancing Justice commends Chair Joe Wilson and Ranking Member Susan Davis for holding a hearing on this topic. We believe that our military will be at its strongest when those serving in the military are able to do so free from hazing, mistreatment, or discrimination. We also believe that individuals must be able to complain about concerns without facing retaliation. We urge the committee to ensure that the Department of Defense has a comprehensive plan for addressing training, enforcement, and command accountability to ensure that hazing and mistreatment in the military is prevented but that when incidents do occur, they are addressed swiftly and seriously.

Advancing Justice works to promote a fair and equitable society for all by working for civil and human rights and empowering Asian Americans and Pacific Islanders and other underserved communities. Advancing Justice is a national affiliation between the Asian American Justice Center in Washington, D.C., the Asian American Institute in Chicago, the Asian Law Caucus in San Francisco, and the Asian Pacific American Legal Center in Los Angeles. All members of Advancing Justice support equal opportunity for all and have worked to assist victims of violence or discrimination due to their race or national origin. Collectively, we work closely with well over 150 community based organizations serving their communities in over 30 states, and Washington, D.C.

The member organizations of Advancing Justice are nationally recognized experts on anti-Asian violence and race relations. Our work in this area has included providing technical

assistance to law enforcement and communities to ensure justice for victims of racially-motivated attacks, monitoring federal hate crimes legislation, publishing a resource handbook on responding to hate crimes, and in the past, publishing an annual compilation and analysis of anti-Asian violence in the United States.

Unfortunately, there is a long history of documented violence against Asian Americans due to their race dating back to the first Chinese immigrants who settled in the United States in the mid-1800s. That violence continues today. The FBI's 2010 hate crimes statistics show that of the 3,949 victims of racially-motivated hate crimes, 5.1 percent were victims due to anti-Asian/Pacific Islander bias.

In December of last year, a Sri Lankan University of Illinois professor was stabbed in the neck at a train station as the attacker allegedly yelled "This is my country."[i] A recent report found that a higher percentage of Asian American high-school aged youth in California reported experiencing harassment or bullying due to race, ethnicity or national origin than high school students of any other race.[ii]

Anti-Asian bias is not only experienced by students and civilians, it occurs in the military as well as shown by the experience of Marine Captain Bruce Yamashita, who successfully filed a racial discrimination lawsuit against the U.S. Marine Corps in 1994, as well as the more recent experience of Private Chen. The Army's own investigation into Private Chen's death found that he had been subjected to mistreatment by his superiors for nearly six weeks prior to his death. Similar to victims of anti-Asian violence, the mistreatment included racial taunting with racial slurs and name calling such as "Dragon Lady." The taunts also included making Private Chen seem "foreign" by ordering him to shout in Chinese to his fellow English-speaking soldiers.

Racially motivated violence, including hazing, is especially harmful because it is not only a physical attack, but also an attack on one's identity. It has a severe psychological impact, not only on the victim, but on the entire community. Young men, such as Lance Corporal Harry Lew, should not be hazed, mistreated, and attacked to the point where they feel completely isolated and that they have no other option but to take their own lives. When hazing and mistreatment occur in the armed forces, it diminishes the effectiveness of efforts to build trust and cohesion among service members and public confidence in those leading the military.

As all Americans, we greatly appreciate the courageous service that the members of the military and those who lead and support them provide to keep our country safe. We believe that a strong and effective military must also be one that can fully appreciate and embrace diversity. Individuals who serve in the military should not have to face bigotry, discrimination, or mistreatment from fellow service members.

We make the following recommendations:

- Ensure the Department of Defense's strong enforcement of anti-discrimination laws and rules prohibiting hazing and physical mistreatment. Vigorous enforcement of these laws will send a strong message that mistreatment will not be tolerated.

- Request a climate survey to better understand the experience of soldiers' experiences of harassment, hazing, and physical mistreatment, similar to the survey the

Government Accountability Office conducted regarding sexual harassment (see GAO, Prevent Sexual Harassment: DOD Needs Greater Leadership Commitment and an Oversight Framework, September 2011.)

- Ensure that those reporting harassment, hazing, physical mistreatment, or other misconduct are fully protected from retaliation and encourage a climate in which reporting misconduct is encouraged. For example, after a complaint is made, there should be immediate transfer(s) from the unit(s) in which the victim and/or complainant are serving to protect both from potential retaliation.

- Implement a 360-degree or top down review of commanding officers at least once a year to ensure that commanding officers are effectively addressing issues of harassment, mistreatment, and hazing.

- Ensure that Department of Defense programs which provide diversity or cultural sensitivity training are fully funded. Determine which training programs have been most effective and ensure those programs are fully implemented.

On behalf of Advancing Justice, thank you for the opportunity to submit this written testimony regarding the need to prevent and address hazing in the military and the importance of this issue to the Asian American community. This year marks the 30th anniversary since the death of Vincent Chin, a Chinese victim of a hate crime in Detroit, Michigan who was beaten to death while celebrating his upcoming wedding by two white autoworkers at the height of anti-Japanese car manufacturing sentiment. We urge that lawmakers, policymakers, and Department of Defense officials remember this anniversary by redoubling their efforts to prevent any type of hazing or mistreatment based on race and/or national origin.

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[i] Man Charged with Stabbing U of I Faculty Member in Hate Crime, December 8, 2011 available at http://chicago.cbslocal.com/2011/12/08/man-charged-with-stabbing-u-of-i-faculty-member-in-hate-crime/.

[ii] Los Angeles Unified School District, California Healthy Kids Survey 2009-2010: Main Report, San Francisco: WestEd Health and Human Development Program for the California Department of Education available at http://chks.wested.org/resources/lausd_sec0910_main.pdf.

JUDY CHU, Ph.D.
32ND DISTRICT, CALIFORNIA

COMMITTEE ON
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SUBCOMMITTEE ON
INTELLECTUAL PROPERTY, COMPETITION
AND THE INTERNET
SUBCOMMITTEE ON
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SUBCOMMITTEE ON
ECONOMIC GROWTH, TAX, AND CAPITAL ACCESS

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March 22, 2012

Chairman Joe Wilson
Armed Services Subcommittee
on Military Personnel
2120 Rayburn House Office Building
Washington, DC 20515

Ranking Member Susan Davis
Armed Services Subcommittee
on Military Personnel
2120 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Wilson, Ranking Member Davis and Members of the Armed Services Subcommittee on Military Personnel:

Thank you for allowing me to attend this hearing today entitled "Hazing in the Military." Since the death of my nephew Harry Lew in April, 2011, I have heard from many family members of hazing victims, service members themselves, and hundreds and hundreds of concerned citizens from across the nation expressing their horror at that the military tolerates, if not encourages, hazing.

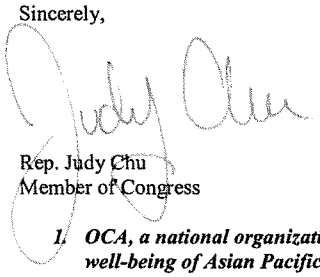
In response to Harry's death, and the shocking case of severe hazing Danny Chen endured last year before he took his own life, and the other horrific stories that have surfaced over the last year, several organizations began to gather petitions urging the Department of Defense to implement a zero-tolerance harassment and hazing policy and to develop policies to change the culture and acceptability of hazing and harassment in our Armed Services.

Americans from around the country signed the petitions organized by OCA, LA 80-20 Political Action Committee, the Joint Chinese University Alumni Association (JCUAA), the Asian Pacific Islander American Public Affairs Association (APAPA), the Asian Pacific American Legal Center (APALC), Indo-Chinese American Political Action Committee (IAPAC) and the Center for Asian Americans United for Self Empowerment (CAUSE). Together, in just a short time, 2,097 individuals from these organizations signed petitions calling for the Department of Defense to act to change military culture to stop hazing and harassment.

Hundreds of concerned citizens around the country are standing up to say that hazing and harassment in our military is wrong. As elected officials in Congress, we should heed their call and act to ensure the military has the right policies in place to stop hazing and that it is no longer an acceptable or expected part of military culture.

Below, I have included sample text from some of the 2,097 petitions and hope that each of the military services here today will provide a reply to these advocates.

Sincerely,



Rep. Judy Chu
Member of Congress

1. ***OCA, a national organization dedicated to advancing the social, political and economic well-being of Asian Pacific Americans (APAs), is deeply concerned with the culture of harassment in the military.***

   While harassment can take many forms, our concerns have been heightened in recent months by a number of disturbing incidents in the military, i.e. Private Danny Chen and Lance Corporal Harry Lew. We seek to end such events from happening again through a thoughtful and constructive dialogue on the larger issue of influencing military reform while seeking justice for the cases that are being tried. Our advocacy mandate is based on zero tolerance for all forms of harassment including but not limited to bias based on race, ethnicity, gender and sexual orientation.

   If you support our current efforts to bring expedient accountability from the Department of Defense to have a zero-tolerance harassment policy in place, please sign this e-petition.

2. ***Policy Development to Banish Harassment/Hazing in the Military***

   As a law abiding American citizen and a member of the Asian Pacific American community, I am writing you to express my deep concern with the culture of harassment and hazing in the military.

   While this harassment and hazing may have existed for a long time and can take place in many different forms, this issue has caught our community's attention recently by two very high profile cases of hazing and harassment aimed at Asian American service members, namely Private Danny Chen and Lance Corporal Harry Lew, both of whom committed suicide after experiencing physical and verbal abuse and harassment at the hands of their fellow soldiers and Marines. There is also Private Hamson Daniels McPherson, who called home regularly to complain of hazing treatment he and other black Marines endured and eventually set himself on fire due to those abuses. Data and reports show there are many more other incidents such as these.

   We urge you to take steps to ensure that these types of tragic events do not happen again by developing policies to change the culture and acceptability of violent hazing in our Armed Services. We ask that you initiate a constructive and active dialogue within the

Department of Defense to develop detailed policy guidelines to reform our military system, so that harassment of any kind, whether it is based on race, ethnicity, gender, sexual orientation or any other factor, may be banished from our military.

Only then will we be able to ensure that every American can safely serve his or her country without fear of harassment or persecution from their fellow service members.

Thank you in advance for your consideration and prompt attention to this letter.

WITNESS RESPONSES TO QUESTIONS ASKED DURING THE HEARING

MARCH 22, 2012

RESPONSE TO QUESTION SUBMITTED BY MS. VELÁZQUEZ

Sergeant Major CHANDLER. Yes. The Army has relationships with several organizations from across the Nation's diverse communities. These engagements allow the Army to communicate directly with community leaders, gain a better understanding of their culture, and more adequately address human relations challenges including, but not limited to hazing. The Army currently works with eight key Asian-American and Pacific Islander organizations. Similarly, the Army is also engaged in dialog with the American-Islamic community which has provided useful culture based training packages. The overall objective of the Army's Diversity Outreach Strategy is to build stronger relationships with our Nation's diverse communities while increasing awareness. [See page 19.]

QUESTIONS SUBMITTED BY MEMBERS POST HEARING

MARCH 22, 2012

QUESTION SUBMITTED BY MR. COFFMAN

Mr. COFFMAN. 1) What was the disciplinary record for the eight sailors discharged for hazing on board the USS *Bonhomme Richard*? Was this the decision to discharge them made on the hazing charge alone? What article(s) of the UCMJ were they charged with? Were they taken to a court martial or were they a subject of a nonjudicial punishment?

Master Chief Petty Officer WEST. 1) • What was the disciplinary record for the eight sailors discharged for hazing on board the USS BONHOMME RICHARD? Of the eight Sailors discharged for hazing, one had previous documentation for non-judicial punishment.

- Was the decision to discharge them made on the hazing charge alone? The Sailors were processed for administrative discharge on the basis of the hazing misconduct alone. Commanding Officer of BONHOMME RICHARD determined that the hazing misconduct met the requirements for mandatory administrative processing in accordance with Navy regulations (MILPERSMAN 1910–142, Separation by reason of misconduct—commission of a serious offense.)
- What article(s) of the UCMJ were they charged with? Seven of the eight Sailors were charged with violations of UCMJ Article 128 (Assault) and Article 92 (Failure to Obey a Lawful General Order). The eighth sailor was charged only with Article 93 (Cruelty and Maltreatment) because the extent of his involvement was to lure subordinate victims into the berthing in order to be assaulted by others.
- Were they taken to a court martial or were they a subject of a nonjudicial punishment? The Commanding Officer of BONHOMME RICHARD held nonjudicial punishment for the Sailors involved. They were not taken to a court-martial. After imposing nonjudicial punishment, the Commanding Officer began immediate administrative separation processing for all eight sailors. All were processed using Notification Procedures with General (Under Honorable Conditions) being the least favorable characterization of service. All had less than six years of service and therefore were not entitled to administrative separation boards. All eight were given the opportunity to meet with an attorney prior to signing their administrative separation notifications and all eight met with attorneys. All were ultimately discharged with a characterization of service of General (Under Honorable Conditions).

QUESTIONS SUBMITTED BY MS. CHU AND MR. HONDA

Ms. CHU and Mr. HONDA. 2) Just by listening to the testimonies, we would think that this hearing is almost unnecessary. Each Service appears to denounce hazing and has safeguards to prevent it. Yet, hazing occurs, as evident by the recent incidents of Private Danny Chen, Lance Corporal Harry Lew, and aboard the Navy vessel, *Bonhomme Richard*. In fact, Secretary Panetta issued an anti-hazing directive during his holiday message in December.

What I find extremely troubling is the lack of actual statistics on hazing. How can anyone be convinced that a problem doesn't exist or current policies are working if there is no method to monitor and evaluate it? Do any of the Services have a database or other monitoring system to record the incidences of hazing and harassment? If so, how do you use the data you collect?

Sergeant Major CHANDLER. 2) The Army does not have a central database dedicated to incidences of hazing and harassment. Commander's administrative actions are tracked at the local level; while criminal investigations are tracked in centralized law enforcement databases. The Army holds its commanders accountable for maintaining good order and discipline in their units. This includes investigating all allegations of misconduct upon notification to the chain of command. Depending upon the seriousness of the misconduct, Army law Enforcement conducts a criminal investigation or a commander at any level orders an administrative investigation pursuant to Army Regulation (AR) 15–6. Hazing is not an enumerated offense under the Uniform Code of Military Justice (UCMJ); therefore, misconduct that would violate the hazing prohibitions in AR 600–20 could be charged under Article 92 (viola-

tion of a lawful general regulation), Article 93 (cruelty and maltreatment), Article 128 (assault), Article 133 (conduct unbecoming an officer) or Article 134 (servicing discrediting conduct/conduct prejudicial to good order and discipline).

Ms. CHU and Mr. HONDA. 3) How does each Service evaluate that their current policies are working? Waiting to review policies after a slew of tragic cases is not effective prevention.

Sergeant Major CHANDLER. 3) Our Hazing policy clearly states that Hazing is fundamentally in opposition to Army Values and is prohibited. AR 600–20 was comprehensively reviewed in March 2008. The Army's Hazing policy is currently under review by the Hazing Policy Assessment Team (HPAT). Part of the assessment is to review the training conduct in the Army and how well it supports the Army policy on Hazing.

Ms. CHU and Mr. HONDA. 4) The hazing of service members in a National Guard company assigned in Kosovo surfaced only last month after a private in the company lodged a formal complaint. Lieutenant General Mark Hertling, Commander of U.S. Army Europe, commented that the private reporting the incident was courageous. In fact, the General said, "For this guy to say what you guys are doing is wrong, courageous is an understatement." We definitely agree. However, it also speaks to the difficulties for subordinate service members to report inappropriate behavior of their senior officers. This must be nearly impossible during extended forward deployments when only the unit's immediate senior officers are present. What can be done to create an environment that ensures both accessibility to higher level of command for reporting of incidents and the safety of the victims and whistleblowers? What type of support system is in place for victims of hazing and whistleblowers who report hazing?

Sergeant Major CHANDLER. 4) Commanders are responsible for ensuring an environment free from reprisal and commanders are required to establish and implement a plan to protect complainants and others involved in the complaint from acts or threats of reprisal. At a minimum, a commander's plan for protecting complainants and others involved from reprisal must include specified meetings and discussions with the complainant, subject, named witnesses and selected members of the chain of command and co-workers. Retaliation or reprisals against Soldiers who file informal or formal complaints are prohibited (AR 600–20, paragraph 5–12).

In a deployed environment, commanders use town-hall type meetings and battlefield rotations with members of his staff, such as the Equal Opportunity Representative, Inspector General, and Chaplain. These teams talk to Soldiers and provide their assessment to the command on issues of concern.

The support system for Soldiers who have reported incidents will vary, and include the Chain of command, Chaplain, Equal Opportunity, behavioral health, medical system, and Army Staff Judge Advocate.

Ms. CHU and Mr. HONDA. 5) What have you done to address cultural sensitivity and to adopt a more intentional diversity and inclusion effort? Have you outreached to communities for resources and guidance? If not, what plans do you have to do so?

Sergeant Major CHANDLER. 5) The Army's "Consideration of Others" program currently provides foundational cultural sensitivity training. The Army Diversity Roadmap, issued in December 2010, addresses diversity training and education that will support inclusiveness throughout the Army. Preliminary diversity and inclusion competencies have been developed, along with corresponding knowledge, skills, and abilities. Training and education planning are in progress. The Army's Hazing Policy Assessment Team, which consists of members from HQDA, TRADOC and FORSCOM, is working closely with the Defense Equal Opportunity Management Institute (DEOMI) to develop diversity and inclusion specific training, both at the intuitional and tactical levels. The training is scheduled to be implemented during the 4th quarter of FY12.

In January 2012, the Army implemented a new strategy for execution of diversity outreach on an Army-wide basis (including Reserve Components). Coordination efforts are through the Army Diversity Outreach Strategy Working Group, which facilitates a comprehensive approach that synchronizes efforts, including senior leader participation. The Army is emphasizing strong relationships with Asian American and Pacific Islander organizations. From those organizations, we have learned much about cultural considerations and community priorities. The Army is also significantly increasing participation in events and activities that support relationships and understanding. Similar outreach efforts are in place for other communities, including Hispanics, African Americans, and Native Americans. We also have a dialog with organizations that support American-Islamic relations. A number of organizations have offered support for improved cultural understanding.

Ms. CHU and Mr. HONDA. 6) Do hazing and harassment training, monitoring, and enforcement policies need to be uniform across the Services?

Sergeant Major CHANDLER. 6) The definition of Hazing should be uniform across the Services. The training of these topic must be relevant to culture, force composition and specific to each Service. If we created a statutory definition of hazing under the Uniform Code of Military Justice, then enforcement of the policy would be uniform across the all Services. It is important to incorporate the cultural differences of each Service exhibits into training to make it effective.

Ms. CHU and Mr. HONDA. 7) Army Sergeant Major Chandler and USMC Sergeant Major Barrett testified their interest in creating a statutory definition of hazing in the Uniform Code of Military Justice (UCMJ). They implied that this would make it easier for them to track these incidents. Currently 44 States have anti-hazing laws and 31 States define hazing as a crime in their criminal code. We believe that defining hazing in the UCMJ would provide a strong disincentive against hazing and yet another tool for prosecutors to go after the perpetrators of hazing. What are the Services' assessments regarding a statutory definition for the Defense Department? What should a definition look like?

Sergeant Major CHANDLER. 7) The Army Hazing Policy Assessment Team is considering whether to recommend that Army leadership support the creation of a statutory definition of hazing under the UCMJ. If that course of action is followed, the recommendation will be forwarded to the Joint Service Committee (JSC), which is comprised of subject matter experts in military justice from all Services. The JSC is charged with researching and drafting proposed revisions to the UCMJ

Ms. CHU and Mr. HONDA. 8) Representative Coffman expressed a failure of leadership in the unit level as the primary cause for these recent hazing cases. We understand that annual drop-down reviews of command are required by the Services. Do these reviews actually occur annually? Do they include reviews of commands within smallest units? What specifically are they reviewing? Do they include hazing incidents and hazing culture as part of the review? Do they include reviews to ensure that each command level has adequate hazing and harassment prevention training?

Sergeant Major CHANDLER. 8) In accordance with AR 600–20, Paragraph 6-i(13 and Appendix E3i(13) and Appendix E, the Army requires company level commanders to conduct Command Climate Assessments within 90 days of assuming command and then annually thereafter to gauge "climate" factors such as leadership, cohesion, morale, ease of ability to approach the command about issues, and the human relations environment. Surveys are important as provide a baseline that allows the command to develop action plans and implement program initiatives. The Army is modifying the frequency for the command climate survey so there would be an initial survey, then one at the six month point, and annually thereafter, allowing commanders to evaluate the effectiveness of their plans and adjust them necessary.

The Defense Equal Opportunity Management Institute (DEOMI) provides a Command Climate Survey (DEOCCS) and it does not currently have hazing specific questions. DEOMI plans to release DEOCCS 4.0 in September 2012 to include hazing, bullying, and toxic leadership questions.

Ms. CHU and Mr. HONDA. 9) Some of the Services stated that they require their personnel to report incidents of hazing and harassment. Where are these reporting requirements defined or documented? Also, what are the penalties for failure to report these incidents?

Sergeant Major CHANDLER. 9) The Army does not have a specific reporting requirement for hazing allegations. The Hazing Policy Assessment Team is considering the adoption of such a reporting requirement.

Ms. CHU and Mr. HONDA. 10) During the hearing, each of the Services shared their latest statistics about hazing. However, the timeline for these numbers were inconsistent across all the branches and only included cases that went to a Courts Martial. How many cases of hazing occurred within each of the Services over the last 5 years, including both Courts Martial and Non-Judicial Punishment? How do these numbers break down by race and gender? What were the respective punishments for each instance?

Sergeant Major CHANDLER. 10) In the last 5 calendar years, Army law enforcement investigated 37 hazing cases, which involved 128 subjects and 103 victims. Of the 128 subjects, 124 were male and 4 were female; 103 were Caucasian; 18 were African-American; 4 were Asian; and 3 were of other/unknown origin. Of the 103 victims, 95 were male, 7 were female and 1 was unknown; 81 were Caucasian; 11 were African-American; 3 were Hispanic; 3 were Asian; and 5 were of other/unknown origin. This number does not include allegations of hazing investigated through administrative investigations or commanders' inquiries.

In the last 5 calendar years, the Army prosecuted 12 Soldiers at courts-martial for hazing-related offenses. Of the 12 accused, all were males; 5 were African-American; 5 were Caucasian; and 2 were Hispanic. One accused was acquitted. Of those convicted, the sentences ranged from a formal reprimand to reduction in rank, loss of pay and allowances, confinement and a punitive discharge.

The Army does not maintain statistics of hazing-related offenses that resulted in non-judicial punishment.

Ms. CHU and Mr. HONDA. 11) Please provide the Committee with the relevant anti-hazing material and documents you use to train your service members.

Sergeant Major CHANDLER. 11) Currently, the Army has no hazing specific training in our schools or in our units. Our Hazing Policy Assessment Team (HPAT) noted this as a gap during the analysis of our policy and training. Recommendations developed by the HPAT will be briefed to senior Army leadership for decision/and or approval.

Ms. CHU and Mr. HONDA. 12) Please describe the difference under regulation and in practice, for each Service, between appropriate "corrective training" and hazing.

Sergeant Major CHANDLER. 12) In the Army, corrective training is addressed in Army Regulation (AR) 600–20, paragraphs 2–18(c)(3) and 4–6 and in AR 27–10, paragraph 3–3(c). It is defined as extra training or instruction used by commanders and noncommissioned officers in leadership roles to correct deficiencies. It must be directly related to the deficiency and must be oriented to improve the Soldier's performance in the problem area. Examples of corrective training include a squad leader ordering a Soldier to assemble and disassemble an M16 rifle repeatedly to ensure proficiency and speed, or to perform additional physical training to ensure the minimum standards for running endurance are achieved.

Hazing is prohibited by Army Regulation 600–20, paragraph 4–20 and is defined as conduct whereby one military member unnecessarily causes another to be exposed to an activity that is cruel, abusive, oppressive or harmful.

Ms. CHU and Mr. HONDA. 13) When did your Service last update its hazing policy? Do you have any plans to review and update it if necessary? If your Service does not currently have an anti-hazing policy, are you considering instituting one?

Sergeant Major CHANDLER. 13) Our policy on hazing clearly states that hazing is fundamentally in opposition with the Army Values and is prohibited. AR 600–20 was comprehensively reviewed in March 2008. The Hazing Policy Assessment Team is reviewing the current policy and will propose recommended changes that better define harassment and hazing.

Ms. CHU and Mr. HONDA. 14) Please provide data broken up according to race/ethnic heritage and gender, regarding the following: How many service members have died from non-combat injuries in the last 10 years? Of these incidents, how many were classified as suicide, homicide, accident, etc. Also, please include data on deaths resulted from friendly fire. How many equal opportunity complaints have been received from service members within the last 10 years? Of these claims, how many were substantiated? What are the total numbers of members in each Service of the last 10 years?

Sergeant Major CHANDLER. 14) In the last 10 years Casualty and Mortuary Affairs reports a total of 5,551 non-combat deaths. The Army considers any death of a Soldier due to a non-combat injury a significant loss, all efforts are made to investigate and put in place policies and procedures to avoid future losses. As part of that process, non-combat deaths of Soldiers are separated into 5 categories: 1) accidents, 2) homicides, 3) illness, 4) self-inflicted (suicide) and 5) undetermined.

Of the total non-combat deaths, 2,614 were classified as accidents and are comprised of the following: 54 Asian/Pacific Islander (A/PI) males, 4 A/PI females, 24 American Indian/Alaska Native (AI/AN) males, 5 AI/AN females, 379 Black males, 32 Black females, 1,787 White males, 73 White females, 182 Hispanic males, 16 Hispanic females, 32 Other males, and 6 Other females.

Homicides accounted for 286 of the total non-combat deaths and are comprised of the following: 4 A/PI males, 1 A/PI female, 3 AI/AN males, 1 AI/AN female, 82 Black males, 21 Black females, 128 White males, 20 White females, 18 Hispanic males, 6 Hispanic females, 1 Other male, and 1 Other female.

Illnesses accounted for 1,250 of the total non-combat deaths and are comprised of the following: 28 A/PI males, 7 A/PI females, 4 AI/AN males, 2 AI/AN females, 267 Black males, 73 Black females, 719 White males, 59 White females, 66 Hispanic males, 9 Hispanic females, and 76 Other males.

Self-inflicted deaths accounted for 1,193 of the total non-combat deaths and are comprised of the following: 46 A/PI males, 3 A/PI females, 17 AI/AN males, 3 AI/AN females, 139 Black males, 14 Black females, 839 White males, 37 White females, 78 Hispanic males, 2 Hispanic females, 13 Other males, and 2 Other females.

Of the total non-combat deaths, 135 were classified as undetermined and are comprised of the following: 3 A/PI males, 1 AI/AN male, 18 Black males, 3 Black females, 92 White males, 14, White females, 2 Hispanic males, and 2 Other males.

Currently 34 of the total non-combat deaths are pending determination and are comprised of the following: 1 A/PI male, 5 Black males, 1 Black female, and 27 White males.

As friendly fire deaths take place in combat, they are not included in the categories of non-combat deaths. There were 27 deaths in the Army that resulted from friendly fire since 2002. Of those deaths one (1) was identified as A/PI male; one (1) AI/AN male; and 25 White males.

There were a total of 1,641 Equal Opportunity complaints from FY02 through FY11. The complaints were comprised of the following: 24 A/PI males (four substantiated), 51 A/PI females (17 substantiated), 4 AI/AN males (three substantiated), 15 AI/AN females (nine substantiated), 277 Black males (54 substantiated), 479 Black females (143 substantiated), 113 White males (40 substantiated), 426 White females (207 substantiated), 61 Hispanic males (16 substantiated), 124 Hispanic females (44 substantiated), 23 Other males (six substantiated), 28 other females (12 substantiated), three Unknown males (one substantiated), and 13 Unknown females (six substantiated).

Ms. CHU and Mr. HONDA. 15) The Army's Hazing Task Force was recently created to review its hazing policies. What is it directed to review and produce? Is it authorized to make any recommended changes to policies? If not, then what are the follow-up procedures to act on any recommendations? Does it outreach to the public for comment or advice? Also, please provide periodic updates on the Task Force's progress and findings.

Sergeant Major CHANDLER. 15) The Hazing Policy Assessment Team (HPAT) was directed to employ a multi-disciplinary team from across the Army that will conduct a gap analysis of Army Regulation (AR) 600–20, Army Command Policy, paragraph 4–20 that prohibits hazing. The team will review the definition of hazing and the policy, collect and review pertinent data, evaluate training and training execution, and then present written assessments and recommendations regarding policies and training to Army Senior Leadership. To date, the HPAT has not sought public comment or advice for its recommendations.

Members of the team are from Assistant Secretary of the Army (Manpower & Reserve Affairs); G–1, Human Resource Policy Directorate (HRPD); Sexual Harassment/Assault Response and Prevention (SHARP); G–3/5/7 Training; Office Provost Marshal General; Office of The Judge Advocate General (OTJAG); Office of the Chief of Chaplains (OCCH); The Inspector General (IG); Office of Congressional Legislative Liaison (OCLL); Forces Command (FORSCOM); Training and Doctrine Command (TRADOC); The National Guard; The Army Reserves; and, the Army Research Institute (ARI). The Defense Equal Opportunity Management Institute (DEOMI) volunteered to participate.

Ms. CHU and Mr. HONDA. 16) Just by listening to the testimonies, we would think that this hearing is almost unnecessary. Each Service appears to denounce hazing and has safeguards to prevent it. Yet, hazing occurs, as evident by the recent incidents of Private Danny Chen, Lance Corporal Harry Lew, and aboard the Navy vessel, *Bonhomme Richard*. In fact, Secretary Panetta issued an anti-hazing directive during his holiday message in December.

What I find extremely troubling is the lack of actual statistics on hazing. How can anyone be convinced that a problem doesn't exist or current policies are working if there is no method to monitor and evaluate it? Do any of the Services have a database or other monitoring system to record the incidences of hazing and harassment? If so, how do you use the data you collect?

Master Chief Petty Officer WEST. 16) The Navy has not historically maintained statistics on hazing. However, hazing has been added as a new category in our Quarterly Criminal Activity, Disciplinary Infractions and Courts-Martial Report (QCAR), requiring subordinate authorities to report hazing statistics to the General Court-Martial Convening Authority for consolidation and further forwarding to Office of the Judge Advocate General, where the statistics will be kept.

Navy is developing a database called Military Equal Opportunity Network (MEONet), which will be an online, web-based program and database that will be used to assist Navy Leadership in recording the number of harassment and hazing incidents. It will provide leadership with an additional means to identify trends and implement corrective actions.

Ms. CHU and Mr. HONDA. 17) How does each Service evaluate that their current policies are working? Waiting to review policies after a slew of tragic cases is not effective prevention.

Master Chief Petty Officer WEST. 17) Navy evaluates the hazing policy by reviewing trends of reported hazing incidents. We also review results from command climate assessments, feedback from Equal Opportunity Advisors, and reports from Navy Inspector General visits. Additionally, senior Navy leadership (officer and enlisted) conducts continuous proactive engagement with command teams and Sailors at units and installations around the world to discuss policies pertaining to command readiness/climate. Through observation and interactive two-way dialogue, we gather timely feedback on the effectiveness of policies and determine if changes are required. Hazing will continue to be a part of those discussions and a focus of our training.

Ms. CHU and Mr. HONDA. 18) The hazing of service members in a National Guard company assigned in Kosovo surfaced only last month after a private in the company lodged a formal complaint. Lieutenant General Mark Hertling, Commander of U.S. Army Europe, commented that the private reporting the incident was courageous. In fact, the General said, "For this guy to say what you guys are doing is wrong, courageous is an understatement." We definitely agree. However, it also speaks to the difficulties for subordinate service members to report inappropriate behavior of their senior officers. This must be nearly impossible during extended forward deployments when only the unit's immediate senior officers are present. What can be done to create an environment that ensures both accessibility to higher level of command for reporting of incidents and the safety of the victims and whistleblowers? What type of support system is in place for victims of hazing and whistleblowers who report hazing?

Master Chief Petty Officer WEST. 18) By Department of the Navy policy, any allegation of hazing must be reported to the Commanding Officer, who must in turn report any substantiated incident to the Chief of Naval Operations. Navy leaders are also responsible for ensuring that victims, witnesses, and whistleblowers (whether military or civilian) are afforded their rights under applicable regulations. Victims and witnesses of hazing also qualify for services under the Victim/Witness Assistance Program (VWAP). VWAP is designed to ensure victims and witnesses are afforded their rights throughout the criminal justice process—from initial contact by investigators through final disposition. Additionally, service providers (e.g., Family Service Center personnel, family advocacy counselors, health care personnel, chaplains, and legal assistance attorneys) provide services to victims and witnesses, to include referrals, as necessary.

Ms. CHU and Mr. HONDA. 19) What have you done to address cultural sensitivity and to adopt a more intentional diversity and inclusion effort? Have you outreached to communities for resources and guidance? If not, what plans do you have to do so?

Master Chief Petty Officer WEST. 19) The Navy has taken steps via our Equal Opportunity (EO) program and command climate program to ensure everyone respects each other and feels they are valued in a more inclusive workplace. Through changes to EO policy, Navy reinforces its commitment to ensuring a safe, professional environment for our Sailors.

Additionally, the Navy continues to demonstrate its commitment to respecting cultural sensitivities through training events like our Diversity Leadership Symposium, where we directly engage and educate our deckplate leaders on current best practices. The health and welfare our Sailors will always remain at the forefront, and we continue to develop new and innovative training methods to ensure our Sailors feel they are valued and respected at all times.

The Navy also conducts heritage month activities and observances of nine specific diversity-related groups, events, and individuals honoring the many contributions made and those that continue to be made in our Navy. Reflecting on these contributions honors the diversity of thoughts, ideas, and competencies in our Navy today. Current communication partnerships with organizations such as the Defense Equal Opportunity Management Institute (DEOMI) continue to provide resources and guidance for our Sailors, in addition to our own internal efforts.

The Navy has an ongoing effort to identify and leverage talent and is working to develop enduring relationships with over 60 nationally recognized affinity groups. The Navy commits time and resources by attending various conferences to gain insight and understanding into the issues facing underrepresented/minority groups.

Ms. CHU and Mr. HONDA. 20) Do hazing and harassment training, monitoring, and enforcement policies need to be uniform across the Services?

Master Chief Petty Officer WEST. 20) I don't believe they do. While the policy that prohibits hazing is uniform across the Department of Defense, the inherent differences between the individual Services warrant specific and tailored approaches to training, monitoring, and enforcement within each branch. The Navy has its own unique organizational structures, service culture, and traditions, and we adjust our

response based upon these factors. We are always seeking to improve our ability to prevent, identify, and take immediate action to address hazing.

Ms. CHU and Mr. HONDA. 21) Army Sergeant Major Chandler and USMC Sergeant Major Barrett testified their interest in creating a statutory definition of hazing in the Uniform Code of Military Justice (UCMJ). They implied that this would make it easier for them to track these incidents. Currently 44 States have anti-hazing laws and 31 States define hazing as a crime in their criminal code. We believe that defining hazing in the UCMJ would provide a strong disincentive against hazing and yet another tool for prosecutors to go after the perpetrators of hazing. What are the Services' assessments regarding a statutory definition for the Defense Department? What should a definition look like?

Master Chief Petty Officer WEST. 21) The Department of the Navy uses a standard definition of hazing which we believe allows sufficient flexibility and autonomy for commanders to act based upon their assessment of the circumstances and their interpretation as to whether a given act constitutes hazing under that definition.

Secretary of the Navy Instruction 1610.2a defines hazing as any conduct whereby a military member or members, regardless of Service or rank, without proper authority causes another military member or members, regardless of Service or rank, to suffer or be exposed to any activity which is cruel, abusive, humiliating, oppressive, demeaning, or harmful. Soliciting or coercing another to perpetrate any such activity is also considered hazing. Hazing need not involve physical contact among or between military members; it can be verbal or psychological in nature. Actual or implied consent to acts of hazing does not eliminate the culpability of the perpetrator. Hazing can include, but is not limited to, the following: playing abusive or ridiculous tricks; threatening or offering violence or bodily harm to another; striking; branding; taping; tattooing; shaving; greasing; painting; requiring excessive physical exercise beyond what is required to meet standards; "pinning"; "tacking on"; "blood wings"; or forcing or requiring the consumption of food, alcohol, drugs, or any other substance. Currently, hazing can be charged in a variety of ways and prosecuted at general, special, or summary court-martial. Possible charges include Uniform Code of Military Justice Article 92 (violation of a lawful general order), Article 93 (cruelty and maltreatment), and Article 128 (assault).

Navy policy further provides our leaders and service members guidance on what is not considered hazing. Under Department of the Navy policy, hazing does not include command-authorized or operational activities; the requisite training to prepare for such missions or operations; administrative corrective measures; extra military instruction; athletics events, command-authorized physical training, contests or competitions and other similar activities that are authorized by the chain of command.

Ms. CHU and Mr. HONDA. 22) Representative Coffman expressed a failure of leadership in the unit level as the primary cause for these recent hazing cases. We understand that annual drop-down reviews of command are required by the Services. Do these reviews actually occur annually? Do they include reviews of commands within smallest units? What specifically are they reviewing? Do they include hazing incidents and hazing culture as part of the review? Do they include reviews to ensure that each command level has adequate hazing and harassment prevention training?

Master Chief Petty Officer WEST. 22) Department of the Navy is unfamiliar with the term "drop-down reviews." However, the Navy utilizes Command Climate Assessments which are administered via the Defense Equal Opportunity Management Institute. The questions in the Command Climate Assessment survey are Service specific and each command may tailor up to ten additional, locally-prepared and focused questions to the survey for their command. The information provided by command members is retained in an anonymous format and their verbatim comments are provided to the Commanding Officer and the Command Assessment Team who will work together to resolve command climate concerns. Also, an executive summary of the Command Climate Assessment is provided to the Commanding Officer's Immediate Superior In Command. This allows the senior officer to maintain awareness of the climates in the units under his/her command.

Command Climate Assessments are required to be performed annually. Specifically, they are conducted within 90 days of assumption of command of the new Commanding Officer and annually thereafter. Our 2011 annual review showed a 98% completion rate of required Command Climate Assessments in CY2011.

Every command, regardless of size, is required to conduct Command Climate Assessments.

A Command Climate Assessment seeks to determine the "health" and functional effectiveness of an organization by examining such factors as morale, teamwork, and communication and is accomplished using an anonymous survey of command mem-

bers and a minimum of two of the following assessment methodologies; review of records and reports, individual interviews, observations, focus groups, and other methods deemed appropriate by the commander. The survey focuses on four primary areas: Military Equal Opportunity, Civilian Equal Employment Opportunity, Sexual Assault Prevention and Response, and Organizational Effectiveness.

The survey does not contain specific questions on hazing incidents and hazing culture. However, Commanders have the capability to select up to an additional 10 locally-developed questions and five short-answer questions and these elements can include inquiries about hazing, command culture, etc. Additionally, service members can write their own comments on any personal concern and these responses are provided verbatim to the Commander and the Command Assessment Team.

Department of Navy policies direct that service members receive training on hazing both on an annual basis and each time a service member reports to a new duty station. Training materials are developed by the Navy's Center for Personal and Professional Development and are available to commands and individuals alike via the Navy Knowledge Online website.

The annual requirement for commands to conduct hazing training is driven by Secretary of the Navy Instruction 1610.2A. Additionally, in the e-Learning course "Navy Policy on Hazing" the service member learns the definition of hazing; identifies examples of hazing; identifies components of the Navy Policy on Hazing; identifies consequences of violating the Navy Policy on Hazing; and identifies resulting actions when hazing is reported.

Additionally, Navy requires that within the first 30 days of reporting to a new command, or within 3 drill weekends for reservists, commands provide service members Navy Pride and Professionalism training which includes the Navy policy on hazing.

All general Navy training is monitored and managed within each command.

Ms. CHU and Mr. HONDA. 23) Some of the Services stated that they require their personnel to report incidents of hazing and harassment. Where are these reporting requirements defined or documented? Also, what are the penalties for failure to report these incidents?

Master Chief Petty Officer WEST. 23) The requirement to report acts of hazing is outlined in the Department of the Navy's hazing instruction. Failure by witnesses to report a hazing incident is punishable under appropriate articles of the Uniform Code of Military Justice (UCMJ), including Article 92 (Failure to obey an order or regulation), and Service regulations which mandate the reporting of crimes.

Ms. CHU and Mr. HONDA. 24) During the hearing, each of the Services shared their latest statistics about hazing. However, the timeline for these numbers were inconsistent across all the branches and only included cases that went to a Courts Martial. How many cases of hazing occurred within each of the Services over the last 5 years, including both Courts Martial and Non-Judicial Punishment? How do these numbers break down by race and gender? What were the respective punishments for each instance?

Master Chief Petty Officer WEST. 24) The DON does not have the specific information Congresswoman Chu seeks.

Hazing is not a stand-alone offense that can be charged under the Uniform Code of Military Justice (UCMJ). Under Navy regulations, hazing is defined as any conduct whereby a military member or members, regardless of Service or rank, without proper authority causes another military member or members, regardless of Service or rank, to suffer or be exposed to any activity which is cruel, abusive, humiliating, oppressive, demeaning, or harmful.

Under the UCMJ hazing can be charged as follows:

- Article 92, UCMJ, Violation of a Lawful General Order. Maximum punishment: punitive discharge, two years of confinement, total forfeitures of pay and allowances, and reduction to paygrade E–1.
- Article 93, UCMJ, Cruelty and Maltreatment. This article may apply when the accused is in a position of authority over another person (such that the accused can issue orders to that person), and the accused is cruel toward, or oppresses, or maltreats that person. Maximum punishment: punitive discharge, one year confinement, total forfeitures of pay and allowances, and reduction to paygrade E–1.
- Article 128, UCMJ, Assault. Depending on the circumstances and method of assault, the crime may be prosecuted as simple assault; assault consummated by a battery, or aggravated assault. Maximum punishment for aggravated assault (most serious): punitive discharge, eight years confinement, total forfeitures of pay and allowances, and reduction to paygrade E–1.

Hazing-related offenses can be prosecuted at general, special or summary courts-martial or service members can receive nonjudicial punishment for conduct amount-

ing to hazing. While Navy commanders have been required to report incidents of hazing for years, our statistics have focused on the tracking cases by Article number and have not specifically tracked the disposition of hazing allegations. Beginning this year, however, the Navy and Marine Corps have begun tracking the disposition of hazing offenses. Our databases do not presently capture offender race demographics.

Ms. CHU and Mr. HONDA. 25) Please provide the Committee with the relevant anti-hazing material and documents you use to train your service members.

Master Chief Petty Officer WEST. 25) The requested material was forwarded to the House Armed Services Committee on, or about, February 13, 2012, in response to an earlier committee request for information.

Ms. CHU and Mr. HONDA. 26) Please describe the difference under regulation and in practice, for each Service, between appropriate "corrective training" and hazing.

Master Chief Petty Officer WEST. 26) Secretary of the Navy Instruction 1610.2a defines hazing as any conduct whereby a military member or members, regardless of Service or rank, without proper authority causes another military member or members, regardless of Service or rank, to suffer or be exposed to any activity which is cruel, abusive, humiliating, oppressive, demeaning, or harmful.

Soliciting or coercing another to perpetrate any such activity is also considered hazing. Hazing need not involve physical contact among or between military members; it can be verbal or psychological in nature. Actual or implied consent to acts of hazing does not eliminate the culpability of the perpetrator. Hazing can include, but is not limited to, the following: playing abusive or ridiculous tricks; threatening or offering violence or bodily harm to another; striking; branding; taping; tattooing; shaving; greasing; painting; requiring excessive physical exercise beyond what is required to meet standards; "pinning"; "tacking on"; "blood wings"; or forcing or requiring the consumption of food, alcohol, drugs, or any other substance.

While the specific term "corrective training" is not included in the lexicon of Navy hazing policy, hazing does not include command-authorized or operational activities; the requisite training to prepare for such missions or operations; administrative corrective measures; extra military instruction; athletics events, command-authorized physical training, contests or competitions and other similar activities that are authorized by the chain of command.

Ms. CHU and Mr. HONDA. 27) When did your Service last update its hazing policy? Do you have any plans to review and update it if necessary? If your Service does not currently have an anti-hazing policy, are you considering instituting one?

Master Chief Petty Officer WEST. 27) Our current policy on hazing was written in 2005. We completed a review of this policy in 2012 and found the policy to be clear and unambiguous.

Ms. CHU and Mr. HONDA. 28) Please provide data broken up according to race/ethnic heritage and gender, regarding the following: How many service members have died from non-combat injuries in the last 10 years? Of these incidents, how many were classified as suicide, homicide, accident, etc. Also, please include data on deaths resulted from friendly fire. How many equal opportunity complaints have been received from service members within the last 10 years? Of these claims, how many were substantiated? What are the total numbers of members in each Service of the last 10 years?

Master Chief Petty Officer WEST. 28) The accompanying table provides requested data on the number of Navy non-hostile fatalities over the past 10 years, broken out by casualty category as well as race and ethnicity. I am unable to offer data on friendly fire incidents since that information is not centrally captured as a sortable data field in the personnel casualty reporting process under Department of Defense Instruction 1300.18.

Since 2002, the Navy Equal Opportunity (EO) office has received 1,317 complaints, 563 of which were substantiated.

During the last 10 years there have been 829,206 individuals in the Navy.

[The information referred to is retained in the committee files and can be viewed upon request.]

Ms. CHU and Mr. HONDA. 29) Just by listening to the testimonies, we would think that this hearing is almost unnecessary. Each Service appears to denounce hazing and has safeguards to prevent it. Yet, hazing occurs, as evident by the recent incidents of Private Danny Chen, Lance Corporal Harry Lew, and aboard the Navy vessel, Bonhomme Richard. In fact, Secretary Panetta issued an anti-hazing directive during his holiday message in December.

What I find extremely troubling is the lack of actual statistics on hazing. How can anyone be convinced that a problem doesn't exist or current policies are working if there is no method to monitor and evaluate it? Do any of the Services have a data-

base or other monitoring system to record the incidences of hazing and harassment? If so, how do you use the data you collect?

Master Chief Petty Officer WEST. 29) The Discrimination and Sexual Harassment (DASH) database will serve as the model for reporting ALL hazing incidents. This database will capture substantiated and unsubstantiated incidents of hazing. The Equal Opportunity and Diversity Management Branch, Headquarters Marine Corps will use this information to modify training and education requirements as necessary across the Marine Corps. This reporting/tracking process will be the tool the unit commander will use to report all incidents of hazing.

Ms. CHU and Mr. HONDA. 30) How does each Service evaluate that their current policies are working? Waiting to review policies after a slew of tragic cases is not effective prevention.

Sergeant Major BARRETT. 30) The Marine Corps has numerous tools available to evaluate the effectiveness of policies, and keep the finger on the pulse of the command climate. For example, Marines are given the opportunity to provide additional comments during Command Climate, Retention, and Exit Surveys, which are conducted at different intervals throughout a Marine's service. Alleged criminal offenses are reviewed and investigated. Marines also have the right to "Request Mast", to directly communicate grievances to, or seek assistance from, their commanding officers or Officer in Charge. Additionally, Marines can contact the Inspector General's (IG) office through the IG hotline, which receives and handles allegations regarding fraud, waste, abuse, mismanagement or misconduct. The Marine Corps Order on Hazing was recently updated (1 Feb 2012) to ensure all Marines understand the definition of hazing and it deteriorating effects. The Marine Corps is taking a comprehensive approach with the establishment of a hazing incident tracking system (DASH) along with a 24 hour Sexual Harassment and Hazing Advice Line which will provide available resources and information to victims. All Marine units undergo regular inspections per Marine Corp Order 5430.1, Inspector General Program (IGP). The Inspector General of the Marine Corps oversees the program to ensure inspections are conducted throughout the Service, that all units are in compliance with Marine Corps policy and that the policies are current and relevant. There are 122 functional areas with checklist which help assess compliance and mission readiness. However, there are currently 33 "core" functional areas that all units are assessed regardless of their mission. The fundamental mission of inspectors is to teach, train and enhance the operational readiness of the unit and Marine Corps.

Currently, the new Marine Corps Order 1700.28A, 1 Feb 2012. Hazing does not have a functional area checklist developed. Vetting a new functional area checklist for hazing is currently underway. Once a functional area checklist is developed, hazing will be added to the "core" (or mandatory) list of areas to be inspected across the Marine Corps.

Ms. CHU and Mr. HONDA. 31) The hazing of service members in a National Guard company assigned in Kosovo surfaced only last month after a private in the company lodged a formal complaint. Lieutenant General Mark Hertling, Commander of U.S. Army Europe, commented that the private reporting the incident was courageous. In fact, the General said, "For this guy to say what you guys are doing is wrong, courageous is an understatement." We definitely agree. However, it also speaks to the difficulties for subordinate service members to report inappropriate behavior of their senior officers. This must be nearly impossible during extended forward deployments when only the unit's immediate senior officers are present. What can be done to create an environment that ensures both accessibility to higher level of command for reporting of incidents and the safety of the victims and whistleblowers? What type of support system is in place for victims of hazing and whistleblowers who report hazing?

Sergeant Major BARRETT. 31) The Marine Corps has numerous tools available to create an environment to ensure accessibility to the chain of command. For example, Marines are given the opportunity to provide additional comments during Command Climate, Retention, and Exit Surveys, which are conducted at different intervals throughout a Marine's service. Alleged criminal offenses are reviewed and investigated. Marines also have the right to "Request Mast", to directly communicate grievances to, or seek assistance from; their commanding officers or Officer in Charge. Additionally, Marines can contact the Inspector General's (IG) office through the IG hotline, which receives and handles allegations regarding fraud, waste, abuse, mismanagement or misconduct. The Marine Corps is going to implement a 24 hour Sexual Harassment and Hazing Advice Line which will provide available resources and information to victims. Furthermore, the Marine Corps has 37 Equal Opportunity Advisors (EOA) assigned to Major Subordinate Commands

(MSC), Marines can use to seek guidance and information. The EOA is a special staff member for the commanding general/commander. The EOA is trained on all Department of Defense Equal Opportunity policies, information related to cultural and ethnic diversity, contemporary issues, and discrimination to include sexual harassment prevention training. The Marine Corps has added "hazing" to the EOAs list of responsibilities and will be managed by the Equal Opportunity and Diversity Management Branch, Headquarters Marine Corps.

The Commandant of the Marine Corps (CMC), through ALMAR 05/12, reminded all Marines that Hazing is contrary to our Core Values of Honor, Courage, and Commitment. With the focus on leadership, the CMC issued a direct and personal message to commanders to ensure all Marines are treated with dignity, care, and respect, and to be ever vigilant for signs of hazing within our ranks and that there is no environment to condone hazing. Marines have available resources to report incidents without fear of reprisal. The Marine Corps is currently in the process establishing additional resources to provide victim assistance services to victims of hazing consistent with the victim assistance standards. A sexual harassment/hazing advice line and the Prevention of Sexual Harassment (POSH) are currently being established in conjunction with the Marine Corps Hazing Reporting Process.

Ms. CHU and Mr. HONDA. 32) What have you done to address cultural sensitivity and to adopt a more intentional diversity and inclusion effort? Have you outreached to communities for resources and guidance? If not, what plans do you have to do so?

Sergeant Major BARRETT. 32) The Commandant of the Marine Corps (CMC) has directed a comprehensive review of the Marine Corps' current diversity posture and issues in his Commandant's Planning Guidance of 2010. A draft Diversity Campaign Plan is currently in staffing. The mission and intent is to improve diversity across the Marine Corps while maintaining the Corps' dedication to developing and maximizing the potential of every Marine and strengthening our connectedness to the American public. The following goals will assist in the successful achievement of the mission:

(1) Improve diversity across the Marine Corps. (2) Ensure each Marine is provided equitable opportunities for professional development and career progression. (3) Ensure every Marine understands the importance of having a diverse force. (4) Institutionalize diversity and inclusive policies and practices across the Marine Corps.

In addition, the Marine Corps participates in affinity group conferences annually, i.e. Black Engineer of the Year Awards (BEYA), Women of Color in STEM (WOC–STEM), Association of Naval Services Officers (ANSO), and National Naval Officer Association (NNOA). These conferences foster positive relationships between the Marine Corps and the American people. The conferences also provide opportunities to increase awareness of the diversity within our Corps and the career opportunities offered.

Ms. CHU and Mr. HONDA. 33) Do hazing and harassment training, monitoring, and enforcement policies need to be uniform across the Services?

Sergeant Major BARRETT. 33) The policy and definition for hazing and harassment should be standardized across the Services to ensure the message is consistent. The training, monitoring, and enforcement of those policies need to be maintained by the individual Service.

The Marine Corps provides rank appropriate training and education on Marine Corps Values and Values Based Training (VBT) subjects that directly influence the conduct and ethical behavior of Marines. All courses stress VBT and Leadership as a leadership imperative and emphasize the establishment of proper command climate toward VBT the key to success for an effective VBT/L program. Hazing, Sexual Assault Prevention and Response, Substance Abuse, Fraternization, and Sexual Harassment are the VBT subjects that must be continually emphasized in the Operating Force and Supporting Establishment. Marine Corps Bulletin (MCBUL) 1500, Annual and Ancillary Training and Marine Corps Common skills requires the annual sustainment of all of those VBT subjects. These requirements ensure there is no gap between the schoolhouse and Operating Force.

Marine Corps recruits in the Delayed Entry Program begin receiving instructions on Ethics and Core Values training. Students in the Entry Level Training pipeline receive training on the Marine Corps policy for each one of the VBT subjects at the MCRDs and then receive reinforcement training at MCT and the MOS producing school. Students in career progression courses at MOS schools and students in PME schools, both officer and enlisted, receive rank appropriate training and education on the VBT subjects, how to conduct a VBT guided discussion and, ethical leadership training.

Ms. CHU and Mr. HONDA. 34) Army Sergeant Major Chandler and USMC Sergeant Major Barrett testified their interest in creating a statutory definition of haz-

ing in the Uniform Code of Military Justice (UCMJ). They implied that this would make it easier for them to track these incidents. Currently 44 States have anti-hazing laws and 31 States define hazing as a crime in their criminal code. We believe that defining hazing in the UCMJ would provide a strong disincentive against hazing and yet another tool for prosecutors to go after the perpetrators of hazing. What are the Services' assessments regarding a statutory definition for the Defense Department? What should a definition look like?

Sergeant Major BARRETT. 34) Hazing is defined in the Marine Corps in Marine Corps Order 1700.28A. This definition ["any conduct whereby a military member or members, regardless of Service or rank, without proper authority causes another military member or members, regardless of Service or rank, to suffer or be exposed to any activity which is cruel, abusive, humiliating, oppressive, demeaning, or harmful."] is identical to that prescribed for the Department of the Navy in SECNAVINST 1610.2A.

Violations of the Marine Corps policy prohibiting hazing subject those involved to potential disciplinary action under Article 92 (Failure to obey order or regulation) of the Uniform Code of Military Justice (UCMJ). Article 92, UCMJ carries with it a maximum punishment (at General Court-Martial) of two years of confinement, total forfeitures, and a dishonorable discharge. "Hazing," however, may include conduct proscribed by other Articles under the UCMJ. Therefore, those who have engaged in acts of hazing may also be charged under other applicable Articles to include, but not limited to, Article 93 (Cruelty and maltreatment) or Article 128 (Assault).

One potential benefit of creating a statutory definition of hazing would be consistency across the Services. While the Navy and Marine Corps definitions are identical, the Army definition does differ slightly ["any conduct whereby one military member or employee, regardless of Service or rank, unnecessarily causes another military member or employee, regardless of Service or rank, to suffer or be exposed to an activity that is cruel, abusive, oppressive, or harmful."].

Ms. CHU and Mr. HONDA. 35) Representative Coffman expressed a failure of leadership in the unit level as the primary cause for these recent hazing cases. We understand that annual drop-down reviews of command are required by the Services. Do these reviews actually occur annually? Do they include reviews of commands within smallest units? What specifically are they reviewing? Do they include hazing incidents and hazing culture as part of the review? Do they include reviews to ensure that each command level has adequate hazing and harassment prevention training?

Sergeant Major BARRETT. 35) All questions will be addressed individually.

Question: We understand that annual drop-down reviews of command are required by the Services. Do these reviews actually occur annually? Answer: While Marine Corp Order 5430.1, Inspector General Program (IGP) prescribes how annual inspections are to be conducted, Marine Corps Order 5040.6I Marine Corps Inspections and Readiness Assessments further details administration of the process. Furthermore, there are two kinds of inspections conducted annually, first is the Commanding General Inspection Program where all units under the cognizance of a General Officer are systematically inspected, second are all units not commanded by a General Officer participate in the Unit Inspection Program which is also assess under the Inspector General of the Marine Corps.

Question: What specifically are they reviewing? Answer: Unit Inspectors assess Marine Corps policy compliance by using functional area checklist. Functional area checklists contain the requirements to assess whether a unit is Mission Capable or Non-Mission Capable. For example, there are 122 functional area checklists for the Marine Corps to include Safety, Physical Security, Training, Medical, Dental, Equal Opportunity and Sexual Assault. If a unit is assessing to be Non-Mission Capable, the Unit Commander has 30 days to bring his command up to standard. Commanders can ask for HQMC assistance, request for extensions or refer an issue they can't fix (Manpower, Funding, etc.) up the chain of command for resolution

Question: Do they include reviews of commands within smallest units? Answer: The Marine Corps inspection program applies to all units regardless of mission, size or location. The subject of Hazing is address through annual Ethics and Core Values training.

Question: Do they include hazing incidents and hazing culture as part of the review? Answer: Hazing is addressed as part of Ethics and Core Values required training at all levels of command to include:

1) Entry level training, MCRD Paris Island, MCRD San Diego, Officer Candidate School, Quantico
2) Career Level Schools, Expeditionary Warfare School, Command and Staff College, Marine Corps War College, Corporals Course, NCO School, Staff NCO

Academy Professional Development, General Officers Symposium, SgtMajs Symposium, Commanders Course

Ms. CHU and Mr. HONDA. 36) Some of the Services stated that they require their personnel to report incidents of hazing and harassment. Where are these reporting requirements defined or documented? Also, what are the penalties for failure to report these incidents?

Sergeant Major BARRETT. 36) The updated MCO on Hazing (MCO 1700.28A) directs Commanding Officers and Officers in Charge to report all substantiated incidents of hazing. The Marine Corps is implementing a reporting process to capture all substantiated and unsubstantiated incidents of hazing through the DASH reporting system. Incidents of hazing are documented and reported with the Operations Event/Incident Report (OPREP–3) Serious Incident Report as directed in MCO 3504.2. This Order articulates the reporting policies and instructions for reportable events or incidents. The report provides information to the Commandant of the Marine Corps and Senior Marine Corps Leadership for reportable events. A Hazing event or incident that results in death, injury requiring hospitalization or significant property damage, is included as a reportable event.

Failure to comply with Marine Corps orders is punishable under the Uniform Code of Military Justice. Art. 92., Failure to obey any lawful order or regulation. Art. 134. Conduct prejudicial to good order and discipline.

Ms. CHU and Mr. HONDA. 37) During the hearing, each of the Services shared their latest statistics about hazing. However, the timeline for these numbers were inconsistent across all the branches and only included cases that went to a Courts Martial. How many cases of hazing occurred within each of the Services over the last 5 years, including both Courts Martial and Non-Judicial Punishment? How do these numbers break down by race and gender? What were the respective punishments for each instance?

Sergeant Major BARRETT. 37) The Marine Corps has court-martial statistics for hazing cases dating back to the implementation of the Marine Corps Case Management System (CMS) in February 2010.

In calendar year 2011, there were no general court-martial (GCM) cases involving hazing. There were 43 special court-martial (SPCM) cases that involved hazing.

Of the 43 SPCMs, 11 resulted in convictions, 5 resulted in acquittals, and 27 were ultimately withdrawn from SPCM and adjudicated at lower forums. Of the 11 convictions, the following punishments were adjudged:—Restriction for 60 Days, Reduction to E–3, Reprimand;—Reduction to E–6, Reprimand;—Bad Conduct Discharge, 9 Months Confinement, Reduction to E–1, Forfeiture of $900 pay for 9 Months;—90 Days Confinement, Reduction to E–1, Forfeiture of $500.00 pay for 3 Months;—Bad Conduct Discharge, 12 Months Confinement, Reduction to E–1, Forfeiture of $978.00 pay for 12 Months;—Bad Conduct Discharge, 150 Days Confinement, Reduction to E–1, Forfeiture of $500.00 pay for 3 Months;—Bad Conduct Discharge, 6 Months Confinement, Reduction to E–1;—4 Months Confinement, Reduction to E–1, Forfeiture of $900.00 pay for 5 Months;—Bad Conduct Discharge, 8 Months Confinement, Reduction to E–1, Forfeiture of $970.00 pay for 8 Months;—Bad Conduct Discharge, 4 Months Confinement, Reduction to E–1, Forfeiture of $978.00 pay for 4 Months;—Restriction and Hard Labor w/o Confinement for 60 Days, Reduction to E–1, Forfeiture of $978.00 pay for 6 Months.

In calendar year 2010, there were three GCM and 26 SPCM cases that involved hazing.

Of the three GCMs, two resulted in convictions and one resulted in an acquittal. The two convictions resulted in the following punishments:—Bad Conduct Discharge, 13 Months Confinement, Reduction to E–1, and Total Forfeitures;—Bad Conduct Discharge, 36 Months Confinement, Reduction to E–1, and Total Forfeitures.

Of the 26 SPCMs, 10 resulted in convictions, 5 resulted in acquittals, and 11 were withdrawn from SPCM and ultimately adjudicated at lower forums. The 10 convictions adjudged the following punishments:—Bad Conduct Discharge, 8 Months Confinement, Reduction to E–1, Forfeiture of $964.00 pay for 8 Months;—Bad Conduct Discharge, 4 Months Confinement, Reduction to E–1, Forfeiture of $964.00 pay for 4 Months;—Bad Conduct Discharge, 10 Months Confinement, Reduction to E–1, Forfeiture of $964.00 pay for 10 Months;—45 Days Confinement, Reduction to E–1, Forfeiture of $964.00 pay for 2 Months;—Reduction to E–4, Forfeiture of $833.00 pay for 1 Month;—Confinement for 85 Days, Reduction to E–2;—Confinement for 240 Days, Reduction to E–1, Forfeiture of $200.00 pay for 10 Months;—Confinement for 150 Days, Reduction to E–1, Forfeiture of $500.00 pay for 10 Months;—Confinement for 180 Days, Reduction to E–1, Forfeiture of $400.00 pay for 10 Months;—Confinement for 3 Months, Reduction to E–1, Forfeiture of 2/3 pay for 3 Months.

JAGINST 5800.9C, the Department of the Navy's Quarterly Criminal Activity Report (QCAR), was revised on 23 March 2012 and now includes a sub-category, "Disposition of Hazing Offenses." This report will now track the disposition of hazing offenses, as defined by MCO 1700.28A, including non-judicial punishment, summary court-martial, special court-martial, and general court-martial. The report will include "total adjudicated," "total guilty," and "total not guilty." Prior to this revision of the JAGINST, hazing offenses that were disposed of below the special court-martial level were not separately reported.

Neither the Marine Corps Case Management System nor the QCAR identifies the race or gender of victims or accused in any disciplinary action.

Ms. CHU and Mr. HONDA. 38) Please provide the Committee with the relevant anti-hazing material and documents you use to train your service members.

Sergeant Major BARRETT. 38) Lesson materials are within enclosures (2) through (5). The training schools are updating/pen changing their lesson plans and material, with the new Marine Corps Order number and new policy on Hazing, while their periods of instructions are being taught. The current lesson materials are in the process of being updated by the Marine Corps Recruiting Depots (MCRDs), Marine Combat Training, School of Infantry (SOIs), Officer Candidates School, and The Basic School.

Ms. CHU and Mr. HONDA. 39) Please describe the difference under regulation and in practice, for each Service, between appropriate "corrective training" and hazing.

Sergeant Major BARRETT. 39) There are two forms of corrective training. Incentive Training is only authorized at Marine Corps Recruit Depots (MCRD). Extra Military Instruction is authorized beyond recruit training. Both are designed to correct minor deficiencies and instill discipline. Neither is intended to be used in an abusive nature with no relation to the infraction committed.

(1) "Incentive Training" (IT) is "an aid in instilling discipline and motivation . . . " IT consists of physical exercises administered in a controlled and deliberate manner as a consequence for minor disciplinary infractions." It is ONLY used at the MCRDs and may ONLY be administered by a Drill Instructor, per MCRDPI Depot Order P1513.6A.

(2) "Extra Military Instruction" (EMI) is a non-punitive measure defined in JAGMAN paragraph 0103, as "instruction in a phase of military duty in which an individual is deficient, and is intended for and directed towards the correction of that deficiency . . . It may be assigned only if genuinely intended to accomplish that result. It is not to be used as a substitute for judicial (court-martial) action or non-judicial punishment (NJP), and must be logically related to the deficiency in performance for which it was assigned."

Authority to assign EMI that is to be performed during normal working hours is not limited to any particular grade or rate, but is an inherent part of that authority over their subordinates that are vested in officers and noncommissioned/petty officers in connection with duties and responsibilities assigned to them. This authority to assign EMI that is to be performed during normal working hours may be withdrawn by any superior if warranted.

Authority to assign EMI to be performed after normal working hours is vested in the Commanding Officer or Officer In Charge. Such authority may be delegated, as appropriate, to officers and noncommissioned/petty officers, in connection with duties and responsibilities assigned to them.

Hazing is defined as any conduct whereby a military member or members, regardless of Service or rank, without proper authority causes another military member or members, regardless of Service or rank, to suffer or be exposed to any activity which is cruel, abusive, humiliating, oppressive, demeaning, or harmful. It is prohibited at all times pursuant to MCO 1700.28A.

Ms. CHU and Mr. HONDA. 40) When did your Service last update its hazing policy? Do you have any plans to review and update it if necessary? If your Service does not currently have an anti-hazing policy, are you considering instituting one?

Sergeant Major BARRETT. 40) The Marine Corps policy on Hazing was last updated on 1 February, 2012 (MCO 1700.28A). We are reviewing and updating the Hazing reporting process with the establishment of additional reporting and tracking procedures.

Ms. CHU and Mr. HONDA. 41) Please provide data broken up according to race/ethnic heritage and gender, regarding the following: How many service members have died from non-combat injuries in the last 10 years? Of these incidents, how many were classified as suicide, homicide, accident, etc. Also, please include data on deaths resulted from friendly fire. How many equal opportunity complaints have been received from service members within the last 10 years? Of these claims, how many were substantiated? What are the total numbers of members in each Service of the last 10 years?

Sergeant Major BARRETT. 41) During 2002–2012, the Marine Corps had 1,293 non-combatant deaths. Accidents were the number one cause of non-combatant deaths (941). There were nine cases of "Friendly Fire Deaths" with white males having the majority of the incidents (6). White males also had the greatest number of suicides among all races (263) during the 10 year span. A complete breakdown of data is documented within enclosures (6) through (9).

(PART 2): How many equal opportunity complaints have been received from service members within the last 10 years? Of these claims, how many were substantiated? What are the total numbers of members in each Service of the last 10 years?

Answer: A consolidation of the total number of equal opportunity complaints, over the past 10 years, is listed in the following table and includes the total Active Component population. A breakdown of all equal opportunity complaints per year (2002–2012) are within enclosure (10).

Type of Complaint Total Cases Substantiated Cases Cases of Sexual Discrimination 325 197 Cases of Race Discrimination 142 66 Cases of Gender Discrimination 60 13 Cases of Age Discrimination 1 1 Cases of Religion Discrimination 6 4

Total Force Numbers (AC) Year Qty Year Qty 2002—173,749 2008—198,505 2003—177,756 2009—202,786 2004—177,159 2010—202,441 2005—180,025 2011—201,157 2006—180,414 2012—198,427 2007—186,471

Ms. CHU and Mr. HONDA. 42) Just by listening to the testimonies, we would think that this hearing is almost unnecessary. Each Service appears to denounce hazing and has safeguards to prevent it. Yet, hazing occurs, as evident by the recent incidents of Private Danny Chen, Lance Corporal Harry Lew, and aboard the Navy vessel, *Bonhomme Richard*. In fact, Secretary Panetta issued an anti-hazing directive during his holiday message in December.

What I find extremely troubling is the lack of actual statistics on hazing. How can anyone be convinced that a problem doesn't exist or current policies are working if there is no method to monitor and evaluate it? Do any of the Services have a database or other monitoring system to record the incidences of hazing and harassment? If so, how do you use the data you collect?

Chief Master Sergeant ROY. 42) The Air Force does not specifically track incidents of misconduct as hazing. However, the Air Force carefully monitors the disciplinary response to many incidents of misconduct through a computer-based tracking system known as AMJAMS (Automated Military Justice Analysis and Management System). The purpose of AMJAMS is to collect data pertaining to investigations, nonjudicial punishment imposed pursuant to Article 15, Uniform Code of Military Justice (UCMJ), trials by court-martial, and related military justice activity; it does not always contain information related to a case handled purely administratively (no UCMJ action).

As hazing usually consists of behaviors otherwise punishable under the UCMJ (i.e., assault in violation of Article 128, or cruelty and maltreatment of a subordinate under Article 93), AMJAMS tracks the disciplinary response to underlying misconduct. For example, if two airmen were accused of hazing another airman by assaulting him in violation of Article 128, AMJAMS would identify the allegations for those two airmen as "assault," not hazing. Since hazing does not have an objective definition, AMJAMS would only recognize an incident as "hazing" if UCMJ specifications used the word "hazing" in the specification. After a thorough search of AMJAMS, only two incidents were identified in the past three years where charging authorities used "hazing" in the specification to describe the incident; both airmen were punished via Article 15.

Ms. CHU and Mr. HONDA. 43) How does each Service evaluate that their current policies are working? Waiting to review policies after a slew of tragic cases is not effective prevention.

Chief Master Sergeant ROY. 43) Air Force training is constantly evaluated for overall effectiveness and improvements via course critiques, end-of-course surveys, climate surveys, and measurement devices (e.g. written tests, progress checks, etc) and can be immediately updated by Air Education and Training Command (AETC) and United States Air Force Academy (USAFA). Furthermore, all Air Force training encourages Airmen to anonymously complete critique forms at any time to report unauthorized behavior. Airmen complete End of Course Surveys which includes questions covering their treatment during training and the opportunity to provide written comments regarding any aspect. Basic Military Training also uses systematic trend data to retool their education and training programs and policies.

Additionally, the Air Force utilizes the Chief of Staff's Climate Survey to evaluate the climate at the unit and institutional levels. This is an opportunity for Airmen to provide anonymous feedback on issues such as hazing, maltreatment, favoritism, harassment, etc.

At the local level, each unit is also required to have a Unit Climate Assessment when a new commander takes command, or every two years. These climate assessments are another opportunity for Airmen to provide feedback on the overall climate in the unit and inform leadership of any issues with hazing, maltreatment, harassment, favoritism, etc.

Ms. CHU and Mr. HONDA. 44) The hazing of service members in a National Guard company assigned in Kosovo surfaced only last month after a private in the company lodged a formal complaint. Lieutenant General Mark Hertling, Commander of U.S. Army Europe, commented that the private reporting the incident was courageous. In fact, the General said, "For this guy to say what you guys are doing is wrong, courageous is an understatement." We definitely agree. However, it also speaks to the difficulties for subordinate service members to report inappropriate behavior of their senior officers. This must be nearly impossible during extended forward deployments when only the unit's immediate senior officers are present. What can be done to create an environment that ensures both accessibility to higher level of command for reporting of incidents and the safety of the victims and whistleblowers? What type of support system is in place for victims of hazing and whistleblowers who report hazing?

Chief Master Sergeant ROY. 44) Air Force whistleblowers are protected under IAW 10 USC 1034. Violations are investigated and personnel who violate the whistleblower law are dealt with by command. Air Force personnel have avenues to complain about hazing that includes their chain of command and the Inspectors General (IG). Air Force IGs are assigned at nearly every wing/installation within the Air Force, to include active duty, Air Force Reserves, and Air National Guard. Personnel are briefed whenever they PCS at Newcomers' Briefings on how to contact the IG. The IGs are also required by Air Force Instruction (AFI) 90–301 to brief all newly assigned wing, group, and/or squadron commanders within 30 days of assumption of command on the roles of the IG and what whistleblower protection is. Also, the role of the IG and the IG process are outlined within the Professional Development Guide (PDG) that every enlisted member of the Air Force has to study prior to taking tests for promotion.

Ms. CHU and Mr. HONDA. 45) What have you done to address cultural sensitivity and to adopt a more intentional diversity and inclusion effort? Have you outreached to communities for resources and guidance? If not, what plans do you have to do so?

Chief Master Sergeant ROY. 45) Diversity and inclusion are vital to the successful accomplishment of the Air Force mission. In fact, the Air Force characterizes diversity as a military necessity. The Secretary, Chief of Staff, and Chief Master Sergeant of the Air Force signed the Air Force Declaration on Diversity reinforcing their commitment to the principles of diversity and inclusion. Additionally, the Air Force promotes a culture that embraces diversity and provides the opportunity for all Airmen to reach their full potential. The Air Force Policy Directive on Diversity, Strategic Roadmap on Diversity, and Air Force Instruction on Diversity (in coordination now) all provide guidance and direction for Air Force members on promoting diversity and inclusion throughout the force.

In response to Executive Order 13583 Establishing a Coordinated Government-wide Initiative to Promote Diversity and Inclusion in the Federal Workforce, our diversity office is conducting a thorough review of the Air Force's Diversity Strategic Roadmap to ensure that it is consistent with the President's guidance, federal jurisprudence, the Office of Personnel Management's Government-wide Diversity and Inclusion Strategic Plan and the Department of Defense Diversity and Inclusion Strategic Plan. Ensuring Air Force strategic level guidance is consistent with these higher level documents will allow us to further institutionalize diversity and inclusion throughout the Air Force.

To ensure the Air Force is tied in with communities across the country, we developed a Calendar of National-level Diversity Outreach Events. For example, the Scientist and Engineer Career Field recruitment team at the Air Force Personnel Center annually sponsors and participates in the Hispanic Engineers National Achievement Awards Conference (HENAAC). Their participation at HENAAC and similar events not only helps to inform prospective Hispanic employees about Air Force civilian career opportunities but also provides a national-level venue to recognize the notable accomplishments of outstanding Air Force civilian members who have excelled in science and other technical careers. To plant the seeds of the benefits of service, good citizenship and a healthy lifestyle early on, the Air Force participates in other outreach programs focused on our youth. Heroes and Heritage is a program that brings high school students with high grade point averages together with military professionals to showcase opportunities in the Air Force and encourage young people to maintain their grades in order to widen their opportunities. Air Force in

the Community (AFiC) is an Air Force sponsored program in which we brought a science, technology, engineering and math (STEM) program to middle school students, parents, and key educators and influencers for a two day event featuring a STEM related project competition, student physical fitness challenges, and Air Force guest speakers. Our messaging stressed the importance of leadership, physical fitness, education, and good citizenship.

Air Force bases across the country are also collaborating with their local communities and reaching out to young students. For example, Tinker AFB, Oklahoma, recently partnered with Viva Technology and a local middle school involving over 100 students, local high schools, and Tinker AFB employees during a special technology program at the Mid-Del Technology Center. Additionally, Air Force members participate in approximately 350 regional fairs in the United States and Puerto Rico along with the International Science and Engineering Fair to encourage the achievements of America's youth in STEM.

Our deliberate civilian force development programs are intended to develop and sustain our world-class and diverse civilian force and meet mission requirements by training civilians to perform essential technical and occupational skills, serve in institutional leadership roles in multiple environments, and produce a competitive cadre of candidates prepared to fill key positions. The Air Force is committed to building diversity within our military and civilian ranks; we actively recruit, develop and retain highly qualified people who bring tremendous talent and ability to our team.

Ms. CHU and Mr. HONDA. 46) Do hazing and harassment training, monitoring, and enforcement policies need to be uniform across the Services?

Chief Master Sergeant ROY. 46) Yes, we believe these policies should be standardized across the Services to the maximum extent possible. In a fiscally constrained environment where aircraft and other weapon systems will be cut from the Air Force inventory along with corresponding personnel, standardized programs that can be used as a baseline would be optimal provided the Services are afforded the flexibility to supplement and tailor based on mission needs.

Ms. CHU and Mr. HONDA. 47) Army Sergeant Major Chandler and USMC Sergeant Major Barrett testified their interest in creating a statutory definition of hazing in the Uniform Code of Military Justice (UCMJ). They implied that this would make it easier for them to track these incidents. Currently 44 States have anti-hazing laws and 31 States define hazing as a crime in their criminal code. We believe that defining hazing in the UCMJ would provide a strong disincentive against hazing and yet another tool for prosecutors to go after the perpetrators of hazing. What are the Services' assessments regarding a statutory definition for the Defense Department? What should a definition look like?

Chief Master Sergeant ROY. 47) In the past, perpetrators of hazing have been prosecuted under the UCMJ for associated behaviors in connection with the incident (i.e., assault consummated by battery, cruelty and maltreatment of a subordinate, failure to obey lawful general order, etc.). While the behaviors associated with hazing usually constitute offenses under Articles 128, 92, 93, 133, and/or 134, the maximum punishment for each offense depends on the specific UCMJ article under which it is charged. A UCMJ offense specifically criminalizing "hazing" could be helpful if drafted correctly. A statutory definition for hazing would have to be broad enough to cover behaviors commonly connected with hazing, delineated enough to distinguish hazing offenses from similar crimes not constituting hazing, and narrow enough to not criminalize appropriate activities customarily associated with military training. Such a definition could look similar to the following draft, though any definition should be carefully studied and reviewed by the Joint Service Committee on Military Justice.

"17a. Article 93a—Hazing

Any person subject to this chapter who, as a form of initiation, congratulatory action, unauthorized training, or unlawful punishment, wrongfully causes another person subject to this chapter to suffer or be exposed to any activity which is cruel, abusive, humiliating, oppressive, demeaning, or harmful, or encourages another to engage in such activities or other illegal activities under this code, shall be guilty of hazing and shall be punished as a court-martial may direct."

Ms. CHU and Mr. HONDA. 48) Representative Coffman expressed a failure of leadership in the unit level as the primary cause for these recent hazing cases. We understand that annual drop-down reviews of command are required by the Services. Do these reviews actually occur annually? Do they include reviews of commands within smallest units? What specifically are they reviewing? Do they include hazing incidents and hazing culture as part of the review? Do they include reviews to ensure that each command level has adequate hazing and harassment prevention training?

Chief Master Sergeant ROY. 48) Within the United States Air force Inspector General channels, the Air Force Inspection Agency conducts Compliance Inspections that review both the functional requirements of entire units' mission, and the leadership and management elements of the unit. However, there is no specific checklist item that addresses hazing incidents within the unit. The Compliance Inspections are targeted to occur every 24 months to ensure they capture the current commander's performance in that position.

Additionally, the Air Force utilizes the Chief of Staff's Climate Survey to evaluate the climate at the unit and institutional levels. This is an opportunity for Airmen to provide anonymous feedback on issues such as hazing, maltreatment, favoritism, harassment, etc.

At the local level, each unit is also required to have a Unit Climate Assessment (UCA) when a new commander takes command, or every two years. These climate assessments are another opportunity for Airmen to provide feedback on the overall climate in the unit and inform leadership of any issues with hazing, maltreatment, harassment, favoritism, etc. The installation commander has visibility of all completed UCAs through the semi-annual Human Relations Climate Assessment (HRCA). During the HRCA the installation commander receives an analysis of the installation equal opportunity (EO) and human relations climate (HRC). Senior leadership discusses EO complaints and UCA trends affecting the installation work environment from a total force perspective and makes actionable strategic/tactical recommendations to address areas of concern. Another assessment tool conducted by the EO office is the Out and About Program. During this assessment, EO staff members visit various work centers and base facilities to gather additional EO/human relations information that may impact installation personnel. The EO director schedules out and about assessments with the unit commander, staff agency chief or first sergeant. The EO director will ensure unit leadership receives a summary of observations following the assessment.

Ms. CHU and Mr. HONDA. 49) Some of the Services stated that they require their personnel to report incidents of hazing and harassment. Where are these reporting requirements defined or documented? Also, what are the penalties for failure to report these incidents?

Chief Master Sergeant ROY. 49) The Air Force does not have a formal policy specifically regarding the reporting of hazing. However, Air Force training courses are required to brief trainees on the Air Force policy prohibiting hazing. Air Education and Training Command Instruction (AETCI) 36–2203, Technical and Basic Military Training Development, requires all training venues, i.e. Basic Military Training and technical training, to address sexual harassment/assault, unprofessional relationships, and hazing within their orientation programs. The AETCI further requires commanders to ensure AETCVA 36–6, Points of Contact for Students and Trainees, is displayed on Airmen bulletin boards in military training flights (MTF) and dormitory areas. This visual aid reinforces the reporting proceedure and encourages Airmen to follow the chain of command, inspector general channels or other means (i.e. students are encouraged to anonymously complete critique forms and end of course surveys) to resolve issues.

All Airmen are entitled to an environment free from personal, social, or institutional barriers that prevent Airmen from rising to the highest level of responsibility possible. Hazing is contrary to good order and discipline, is not acceptable behavior, and is not tolerated in the Air Force. Compliance with the policy against hazing is the responsibility of every Airman, and Airmen who engage in, condone, or ignore it face administrative actions. A commander's options include, but are not limited to, counseling, reprimand, creation of an unfavorable information file (UIF), removal from position, reassignment, demotion, delay of or removal from a promotion list, adverse or referral comments in performance reports and administrative separation. More serious cases that involve assault, aggravated assault, maltreatment of subordinates, etc, may warrant court-martial or non-judicial punishment for the offender. Moreover, if an Airman is uncomfortable with reporting suspected hazing incidents through his or her chain of command, they are encouraged to use the base Inspector General.

Ms. CHU and Mr. HONDA. 50) During the hearing, each of the Services shared their latest statistics about hazing. However, the timeline for these numbers were inconsistent across all the branches and only included cases that went to a Courts Martial. How many cases of hazing occurred within each of the Services over the last 5 years, including both Courts Martial and Non-Judicial Punishment? How do these numbers break down by race and gender? What were the respective punishments for each instance?

Chief Master Sergeant ROY. 50) The Air Force does not specifically categorize cases under a "hazing" designation and does not routinely see incidents of hazing.

However, there were two cases within the past 3 years where "hazing" was used in the language of the specification. Those cases were Article 15s:

1) An airman's violation of Article 92 (dereliction of duty) at Basic Military Training (BMT) for hazing another BMT student, resulting in forfeiture of $699 per month for two months (one month suspended) and a reprimand; and,

2) A Staff Sergeant's violation of Article 93 (cruelty and maltreatment of subordinate) for striking and threatening an airman with a poor Enlisted Performance Report for failing to submit to hazing, resulting in a reduction to Senior Airman.

Although hazing in the Air Force appears to be limited and isolated, the Air Force is confident that if hazing incidents arise in the future that are localized to a unit or part of a unit, commanders would be aware of them, address the misconduct under the Uniform Code of Military Justice and deal with the hazing aspect appropriately through administrative or other command actions.

Ms. CHU and Mr. HONDA. 51) Please provide the Committee with the relevant anti-hazing material and documents you use to train your service members.

Chief Master Sergeant ROY. 51) The requested relevant anti-hazing material and documents were provided on a CD to PSM Craig Greene of the HASC Mil Pers on 16 Feb 12.

Ms. CHU and Mr. HONDA. 52) Please describe the difference under regulation and in practice, for each Service, between appropriate "corrective training" and hazing.

Chief Master Sergeant ROY. 52) The Military Commander and the Law defines hazing as any conduct whereby a military member without proper authority causes another military member, regardless of Service or rank, to suffer or be exposed to any activity which is cruel, abusive, humiliating, oppressive, demeaning, or harmful. It further states that physical contact is not necessary—verbal or psychological abuse will suffice. In addition, soliciting or encouraging another to engage in such activity is also considered hazing. Hazing is typically associated with "rites of passage" or initiations. Some examples include hitting or striking, tattooing, branding, shaving, "blood pinning," and forcing alcohol consumption. Actual or implied consent to hazing does not eliminate the perpetrator's culpability.

Conversely, alternative corrective measures (verbal counseling, training sessions, remedial transition period (RTP), and mandatory curfew), when authorized by the chain of command and not unnecessarily cruel, abusive, oppressive, or harmful falls outside the punitive definition of hazing. Therefore, in accordance with (IAW) Air Education and Training Command Instruction (AETCI) 36–2216, Administration of Military Standards and Discipline Training, such measures are used during Basic Military Training (BMT) and technical training to correct disciplinary infractions and substandard behavior with a specific focus on the following areas: room and uniform inspections, Air Force Core Values, Enlisted Force Structure, drill and ceremonies, fitness, combat skills, and tasks. The AETI further states, if and when required, Military Training Leaders (MTLs), Military Training Instructors (MTIs), and Commanders will use a "flexible leadership style that employs mutual respect, support, genuine concern, and targeted doses of discipline, as needed." For example, an Airman who consistently fails room inspections may be tasked with building clean up duty until the behavior is learned. These temporary measures will not exceed 10–12 duty hours over 15 calendar days unless additional time is warranted, properly documented, and approved by the military training flight chief not to exceed 30 consecutive days. Should additional corrective measures be warranted to reinforce attention to detail, motivate students, and/or build teamwork to accomplish a specific goal or training objective to promote student success, it will only be authorized as reflected in approved and certified training plans. These procedures are reviewed/approved annually by the applicable group, wing, and numbered air force director of operations.

Ms. CHU and Mr. HONDA. 53) When did your Service last update its hazing policy? Do you have any plans to review and update it if necessary? If your Service does not currently have an anti-hazing policy, are you considering instituting one?

Chief Master Sergeant ROY. 53) The Chief of Staff of the Air Force issued an Air Force Policy on Hazing on 30 Oct 97. The Air Force has not issued any subsequent policy specifically addressing hazing.

Ms. CHU and Mr. HONDA. 54) Please provide data broken up according to race/ethnic heritage and gender, regarding the following: How many service members have died from non-combat injuries in the last 10 years? Of these incidents, how many were classified as suicide, homicide, accident, etc. Also, please include data on deaths resulted from friendly fire. How many equal opportunity complaints have been received from service members within the last 10 years? Of these claims, how many were substantiated? What are the total numbers of members in each Service of the last 10 years?

Chief Master Sergeant ROY. 54) Attached.

Non-combat Active Duty Service Member Deaths

Gender:

CASUALTY TYPE BREAKDOWN	MALE	FEMALE	TOTALS
Accident	731	92	823
Homicide	53	14	67
Illness	411	82	493
Pending	5	2	7
Self-Inflicted	420	27	447
Undetermined	16	6	22
TOTAL NON HOSTILE DEATHS FROM 1 JAN 02 TO 31 DEC 11	**1636**	**223**	**1859**

Ethnicity:

ETHNICITY BREAKDOWN	MALE	FEMALE	TOTALS
Chinese	4	0	4
Filipino	14	4	18
Guamanian	4	1	5
Hispanic or Spanish descent other than Latin American	18	6	24
Indian	6	1	7
Japanese	3	0	3
Korean	2	0	2
Latin American with Hispanic descent	8	2	10
Melanesian	1	0	1
Mexican	26	4	30
None	1426	187	1613
Other	70	7	77
Other Asian descent	11	2	13
Other Pacific Island descent	2	0	2
Polynesian	3	0	3
Puerto Rican	14	3	17
U.S./Canadian Indian	10	3	13
Unknown	13	3	16
Vietnamese	1	0	1
TOTAL NON HOSTILE DEATHS FROM 1 JAN 02 TO 31 DEC 11	**1636**	**223**	**1859**

Race:

RACE BREAKDOWN	MALE	FEMALE	TOTALS
American Indian/Alaska Native	9	2	11
American Indian/Alaska Native, Asian, Black or African American	1	0	1
American Indian/Alaska Native, Asian, Black or African American, Native Hawaiian or other Pacific Islander, White	1	0	1
American Indian/Alaska Native, Black or African American	1	0	1
American Indian/Alaska Native, White	1	0	1
Asian	24	2	26
Asian, Black or African American	1	3	4
Asian, Native Hawaiian or other Pacific Islander, White	1	0	1
Asian, White	3	0	3
Black or African American	235	54	289
Black or African American, White	2	1	3
Declined to Respond	73	13	86
Native Hawaiian or other Pacific Islander	22	1	23
Native Hawaiian or other Pacific Islander, White	2	0	2
White	1260	147	1407
TOTAL NON HOSTILE DEATHS FROM 1 JAN 02 TO 31 DEC 11	**1636**	**223**	**1859**

Friendly Fire deaths from 1 Jan 02 to 31 Dec 11: 0

EO Formal Complaints 2008-2012:

Military Equal Opportunity Complaints

	Formal Complaints Active	Formal Complaints Active Confirmed	Formal Complaints Reserve	Formal Complaints Reserve Confirmed	Confirmed Basis: Race	Color	National Origin	Sex	Religion	Sex Harassment	Total Bases Confirmed (see Note below)	Total Offenders Confirmed (see Note below)
FY2008	61	23	0	0	4	0	1	6	0	16	27	25
FY2009	99	27	0	0	11	2	3	5	0	14	35	29
FY2010	96	24	5	2	5	0	2	2	2	27	38	35
FY2011	78	15	0	0	3	1	1	0	7	9	21	18
FY2012*	26	5	2	0	1	0	1	1	0	5	8	5
Total	360	94	7	2	24	3	8	14	9	71	129	112

*From 1 Oct 2011 through 31 Mar 2012

Note: There can be multiple bases and multiple offenders for each complaint. Therefore "Total Bases Confirmed" and "Total Offenders Confirmed" can total more than the numbers of complaints.

Note: EO formal complaint information is not available for the 10 yr period requested. By regulation, data are only required to be stored for 2 yrs prior to disposition.

Air Force Active Duty Strength (Total Officers and Enlisted) for the Last 10 Years:

FY11 – 329,029
FY10 – 329,638
FY09 – 328,847
FY08 – 322,897
FY07 – 329,094
FY06 – 344,529
FY05 – 349,369
FY04 – 372,424
FY03 – 370,747
FY02 – 364,059

Ms. CHU and Mr. HONDA. 55) Just by listening to the testimonies, we would think that this hearing is almost unnecessary. Each Service appears to denounce hazing and has safeguards to prevent it. Yet, hazing occurs, as evident by the recent incidents of Private Danny Chen, Lance Corporal Harry Lew, and aboard the Navy vessel, *Bonhomme Richard*. In fact, Secretary Panetta issued an anti-hazing directive during his holiday message in December.

What I find extremely troubling is the lack of actual statistics on hazing. How can anyone be convinced that a problem doesn't exist or current policies are working if there is no method to monitor and evaluate it? Do any of the Services have a database or other monitoring system to record the incidences of hazing and harassment? If so, how do you use the data you collect?

Master Chief LEAVITT. 55) Hazing may be investigated at the Command level or by the Coast Guard Investigative Service, and may be punishable under provisions of the Uniform Code of Military Justice. Substantiated cases may result in court-martial, confinement (jail time,) and punitive discharge.

Courts-martial involving hazing misconduct are tracked by the Judge Advocate General in the Office of Military justice at Coast Guard Headquarters. The Coast Guard does not have a mechanism to track hazing cases that are adjudicated outside courts-martial.

Harassment based on a protected status is reported to the unit chain of command or to a Civil Rights Service Provider. When a Harassment Incident is reported, Commanders of Coast Guard Units have an affirmative duty to ensure the safety of the victim, conduct an investigation, and report findings to the Civil Rights Directorate. In addition to these steps, the victims may choose to initiate the Equal Employment Opportunity discrimination complaint process as outlined in COMDTINST M5350.4C, 4–A.1. The Coast Guard offers a complaint process for military members patterned after the process for civilian members, based on the Equal Employment Opportunity Commission (EEOC) Federal Sector Regulations at 29 Code of Federal Regulations (C.F.R.) Part 1614. Data regarding Civil Rights complaints is tracked by CG–00H, the Coast Guard Civil Rights Directorate.

Ms. CHU and Mr. HONDA. 56) How does each Service evaluate that their current policies are working? Waiting to review policies after a slew of tragic cases is not effective prevention.

Master Chief LEAVITT. 56) The Coast Guard uses proactive monitoring based on organizational and climate surveys as well as input from the field and multiple leadership/diversity councils to review and update policies.

Additionally, these inputs are used to monitor and evolve Coast Guard culture via revised policies, training, or leadership emphasis.

Every other year beginning in 2002, Coast Guard members and employees have confidentially participated in the Coast Guard's 154-question Organizational Assessment Survey (OAS) about employee satisfaction. The survey does not include specific questions about hazing, but does indicate the overall unit climate. The results are provided via reports generated by the U.S. Office of Personnel Management OPM web based tool. Data is kept at OPM to insure confidentially and to prevent suppression of honest responses during future administrations of the OAS and other surveys.

The Defense Equal Opportunity Management Institute (DEOMI) manages another command assessment tool, the DEOMI Organizational Climate Survey (DEOCS). This survey is used as a Commander's management tool that allows the Coast Guard to proactively assess critical organizational climate dimensions that can impact the organization's effectiveness. Additional information is available at their website, http://www.deocs.net/public/index.cfm .

Within the DEOCS tool:

—Respondents answer questions that characterize their unit's readiness, formal and informal policies, practices, and procedures that occur or are likely to occur within the organization.

—The survey assesses 13 climate factors by posing questions answered by survey takers using a five-point scale.

—The questionnaire focuses on three primary areas: Military Equal Opportunity (EO), Civilian Equal Employment Opportunity (EEO), and Organizational Effectiveness (OE).

—Respondents' anonymity is protected when completing the online survey by using a computer-generated, untraceable, single use password. Also, no personally identifying information is collected.

Commanding Officers (COs) can add up to 10 locally-developed questions (LDQs) and five short answer questions (SAQs) to their unit surveys, helping them target specific areas of concern. The program allows COs to select from among hundreds of LDQs and SAQs already written, or to create their own.

Ms. CHU and Mr. HONDA. 57) The hazing of service members in a National Guard company assigned in Kosovo surfaced only last month after a private in the company lodged a formal complaint. Lieutenant General Mark Hertling, Commander of U.S. Army Europe, commented that the private reporting the incident was courageous. In fact, the General said, "For this guy to say what you guys are doing is wrong, courageous is an understatement." We definitely agree. However, it also speaks to the difficulties for subordinate service members to report inappropriate behavior of their senior officers. This must be nearly impossible during extended forward deployments when only the unit's immediate senior officers are present. What can be done to create an environment that ensures both accessibility to higher level of command for reporting of incidents and the safety of the victims and whistleblowers? What type of support system is in place for victims of hazing and whistleblowers who report hazing?

Master Chief LEAVITT. 57) Lieutenant General Hertling's visible leadership stance in this regard is often the most effective factor in changing a culture or creating an environment that supports and reinforces the policy of reporting incidents. Similarly, the leadership of the Coast Guard has taken steps to unequivocally denounce hazing, to reinforce policy and to foster an environment that does not tolerate hazing and promotes reporting incidents when they occur. This leadership emphasis, coupled with robust training for all new members, and annually thereafter, reinforces the requirement to report incidents.

There are multiple venues for reporting incidents, including the chain of command and the Civil Rights program (via regional Civil Rights Service Providers). Access to the chain of command is codified in the Uniform Code of Military Justice (Article 138).

The Coast Guard has both organic resources and administrative policies and procedures available to ensure the protection of victims and/or whistleblowers. Organic resources include: the Critical Incident Stress Management program, the Employee Assistance Program and Chaplains to assist with the mental welfare of the workforce; Family and Sexual Violence Investigators from Coast Guard Investigative Service (CGIS), trained to handle incidents of rape and sexual assault and provide recommendations regarding the safety of the victims, and Sexual Assault Response Coordinators (SARC) and Victim Advocates (VA) from the Work-Life program to provide victim advocacy services. Administrative policies and procedures include: temporary or permanent reassignment to another unit during or after an investigation for the safety and best interests of the member; the Personnel Records Review Board and the Board for Corrections of Military Records to appeal retaliatory eval-

uations; the Civil Rights program for Equal Opportunity and Equal Employment Opportunity complaints; and Military Protective Orders issued by the command when warranted to ensure the safety of personnel. In addition, the Military Whistleblower Protection Act of 1988, 10 U.S.C. Section 1034, provides protection for a military service member who makes a protected communication regarding a violation of law or regulation. The superiors of these service members are prohibited from retaliating against the service member making the protected statements.

Ms. CHU and Mr. HONDA. 58) What have you done to address cultural sensitivity and to adopt a more intentional diversity and inclusion effort? Have you outreached to communities for resources and guidance? If not, what plans do you have to do so?

Master Chief LEAVITT. 58) Culture and diversity sensitivity are emphasized throughout the Coast Guard. The Coast Guard is very proud of its strategic approach to diversity management and strives to be recognized as the "Service of Choice" in the federal government for recruiting, retaining, and sustaining a ready, diverse, and highly-skilled Total Workforce. The Commandant's Diversity Policy Statement is published on the Coast Guard Website and is circulated to all personnel. In 2011, the Coast Guard published its revised Diversity Strategic Plan that set clear and concise direction to better position Coast Guard leaders to define a pathway for change in our efforts to make the Coast Guard workforce reflective of American society. To implement our Plan, we are executing a deliberate and focused campaign plan, OPTASK DIVERSITY, which captures performance assessments quarterly to identify, address and remove barriers.

To acknowledge and better utilize the link between leadership and diversity, the Coast Guard combined the Leadership Advisory Council and the Diversity Advisory Council into the Commandant's Leadership, Excellence, and Diversity (LEAD) Council. This council meets semi-annually and is comprised of representatives from every facet of our workforce. The LEAD Council's findings and recommendations are briefed directly to the Commandant. To work in conjunction with the Commandant level LEAD Council, a Coast Guard wide Leadership and Diversity Advisory Council network was established. This network established a pathway for field leadership and diversity issues to be discussed throughout the Coast Guard and be brought to the highest levels of Coast Guard leadership via the LEAD Council when appropriate.

Recruiting and retaining a high quality diverse workforce is an important mission for the Coast Guard. The Office of Diversity partners with many communities, as well as national level organizations and affinity groups. Specifically, an extensive collaboration exists between the Coast Guard Academy, the Coast Guard Human Resources Directorate and the National Society of Black Engineers (NSBE) to increase awareness of Coast Guard career opportunities to underrepresented populations. Coast Guard members also participate in a variety of affinity groups such as the National Naval Officer Association (NNOA), the Sea Service Leadership Association (SSLA) and the Association of Naval Service Officers (ANSO). These groups provide a venue at local, regional and national levels for mentoring, professional development and an open discussion on diversity and inclusion.

Ms. CHU and Mr. HONDA. 59) Do hazing and harassment training, monitoring, and enforcement policies need to be uniform across the Services?

Master Chief LEAVITT. 59) Anti-hazing and harassment policies, training, and monitoring should be similar for all the Services. However, each service chief must retain the authorities necessary to promote and enforce good order and discipline within their Service.

Ms. CHU and Mr. HONDA. 60) Army Sergeant Major Chandler and USMC Sergeant Major Barrett testified their interest in creating a statutory definition of hazing in the Uniform Code of Military Justice (UCMJ). They implied that this would make it easier for them to track these incidents. Currently 44 States have anti-hazing laws and 31 States define hazing as a crime in their criminal code. We believe that defining hazing in the UCMJ would provide a strong disincentive against hazing and yet another tool for prosecutors to go after the perpetrators of hazing. What are the Services' assessments regarding a statutory definition for the Defense Department? What should a definition look like?

Master Chief LEAVITT. 60) "It is the Coast Guard's opinion that it is unnecessary to create a new punitive article under the Uniform Code of Military Justice (UCMJ) to hold active duty service members accountable for hazing misconduct, nor would it make "tracking" hazing courts-martial easier. The Coast Guard has a robust and clear anti-hazing policy (and associated training requirements). That policy is outlined in Chapter 2 of the Discipline and Conduct Manual, COMDTINST M1600.2. As recognized by COMDTINST M1600.2, there is a wide variety of misconduct that can be associated with and manifest during hazing activity. The variety of hazing

misconduct can and has been addressed by Commanders through disciplinary action under the UCMJ to include trial by court-martial. Hazing misconduct has successfully been charged under Articles 90, 92, 93, 120, 128, and 134 of the UCMJ. Thus, the UCMJ provides great flexibility for Commanders and the Service in disciplining and prosecuting hazing activity. Charging decisions are informed by the facts unique to the particular hazing case(s). If an enumerated offense of hazing is developed, there would be the unintended consequence of narrowing the type of conduct labeled and charged as "hazing". Essentially, this could lead to the underreporting of hazing incidents throughout the Services. The Coast Guard is unable to draft a clear "hazing" definition that can fully capture the vast range of misconduct that is currently punitive under the existing UCMJ.

During preparation for MCPOCG Leavitt's recent congressional testimony on hazing, the Coast Guard JAG Office of Military Service (CG–0946) was able to quickly abstract metrics for all Coast Guard courts-martial held over the past 4 years that involved hazing. Non-judicial punishment remains an area of weakness for tracking due to the inherent limitations of the Direct Access data base. The value of an enumerated "hazing" definition in statute has been a recent topic of discussion at the Joint Service Committee. Response from all Services has initially been unfavorable for many of the reasons outlined above."

Ms. CHU and Mr. HONDA. 61) Representative Coffman expressed a failure of leadership in the unit level as the primary cause for these recent hazing cases. We understand that annual drop-down reviews of command are required by the Services. Do these reviews actually occur annually? Do they include reviews of commands within smallest units? What specifically are they reviewing? Do they include hazing incidents and hazing culture as part of the review? Do they include reviews to ensure that each command level has adequate hazing and harassment prevention training?

Master Chief LEAVITT. 61) The Coast Guard uses a number of surveys in a systemic manner to monitor Coast Guard culture, and the impact of policy and other changes intended to improve the culture of the organization.

Every other year beginning in 2002, Coast Guard members and employees have confidentially participated in the Coast Guard's 154-question Organizational Assessment Survey (OAS) about employee satisfaction. The survey does not include specific questions about hazing, but does indicate the overall unit climate. The results are provided via reports generated by the U.S. Office of Personnel Management (OPM). Data is kept at OPM to insure confidentially and to prevent suppression of honest responses during future administrations of the OAS and other surveys.

The Defense Equal Opportunity Management Institute (DEOMI) manages another command assessment tool, the Defense Equal Opportunity Climate Survey (DEOCS). This survey is used as a Commander's management tool that allows the Coast Guard to proactively assess critical organizational climate dimensions that can impact the organization's effectiveness. Additional information is available at their website: http://www.deocs.net/public/index.cfm . Specific hazing related questions in the DEOCS survey would be beneficial. Within the DEOCS tool:

—Respondents answer questions that characterize their unit's readiness, formal and informal policies, practices, and procedures that occur or are likely to occur within the organization.

—The survey assesses 13 climate factors by posing questions answered by survey takers using a five-point scale.

—The questionnaire focuses on three primary areas: Military Equal Opportunity (EO), Civilian Equal Employment Opportunity (EEO), and Organizational Effectiveness (OE).

—Respondents' anonymity is protected when completing the online survey by using a computer-generated, untraceable, single use password. Also, no personally identifying information is collected.

Commanding Officers (COs) can add up to ten locally-developed questions (LDQs) and five-short answer questions (SAQs) to their unit surveys, helping them target specific areas of concern. The program allows COs to select from among hundreds of LDQs and SAQs already written, or to create their own.

Ms. CHU and Mr. HONDA. 62) Some of the Services stated that they require their personnel to report incidents of hazing and harassment. Where are these reporting requirements defined or documented? Also, what are the penalties for failure to report these incidents?

Master Chief LEAVITT. 62) The Coast Guard's hazing policy is found in the Discipline and Conduct Manual, Commandant Instruction Manual M1600.2. The policy includes the following language: "Every military member must inform the appropriate authorities of each suspected violation of this policy" and "Victims of actual

or attempted hazing and witnesses to these activities must report it to the appropriate level of the chain of command." Additionally, the hazing policy mandates that commands must investigate hazing incidents, including those who "tacitly condoned such practices, either by inaction or neglecting to investigate reported incidents."

Commands have a wide variety of tools available to hold individuals accountable for failing to report hazing. The appropriate action is dependent upon incident-specific circumstances. Available remedies range from counseling to discharge proceedings, and/or adjudication under the Uniform Code of Military Justice.

Ms. CHU and Mr. HONDA. 63) During the hearing, each of the Services shared their latest statistics about hazing. However, the timeline for these numbers were inconsistent across all the branches and only included cases that went to a Courts Martial. How many cases of hazing occurred within each of the Services over the last 5 years, including both Courts Martial and Non-Judicial Punishment? How do these numbers break down by race and gender? What were the respective punishments for each instance?

Master Chief LEAVITT. 63) Since CY 2009, nine courts-martial have convened and one case is pending for serious misconduct arising out of hazing activity throughout the Coast Guard. Seven of the cases related to hazing took place aboard Coast Guard Cutter VENTUROUS between 2007 and 2009, and were referred to courts-martial. Several other crew members received administrative action under the Uniform Code of Military Justice for less egregious infractions. Punishments from the seven courts-martial resulted in five members receiving confinement or restrictions of up to five months, six members being reduced in pay grade, three members forfeiting pay, one member being discharged, and one member receiving a bad conduct discharge.

In addition to the incidents on VENTUROUS, two other courts-martial have convened for hazing incidents, at Station Cape Disappointment and Sector Mobile since 2009; both of these cases are in final legal review. There is also a case pending at Sector San Francisco set for trial in late April 2012.

Twenty-three Coast Guard personnel, all male, have been identified as the "targets," or victims of serious hazing misconduct. Seventy-eight percent of the victims are Caucasian (white). Other victims are evenly distributed across other racial profiles to include Asian, African-American/Black, Hispanic, Hawaiian Islander and Native American/Alaska Native. "Juniority" of rank appears to be the primary motivating factor for the offender to target a victim.

Hazing Victim Racial Profiles

White—78%—(18) Asian—4%—(1) Black—4%—(1) Hispanic—4%—(1) Other—8%—(2) Total—23

Ms. CHU and Mr. HONDA. 64) Please provide the Committee with the relevant anti-hazing material and documents you use to train your service members.

Master Chief LEAVITT. 64) [The information referred to is retained in the committee files and can be viewed upon request.]

Ms. CHU and Mr. HONDA. 65) Please describe the difference under regulation and in practice, for each Service, between appropriate "corrective training" and hazing.

Master Chief LEAVITT. 65) Corrective training, called Extra Military Instruction (EMI) in the Coast Guard, has specific requirements and structure, which is outlined by the Military Justice Manual. The tasks and/or training ordered to be performed as EMI must relate to and have the logical purpose of correcting an identified deficiency related to the performance of assigned duties.

The Conduct and Discipline Manual defines hazing as any conduct in which a military member without proper authority causes another military member(s) to suffer or be exposed to any cruel, abusive, humiliating, oppressive, demeaning or harmful activity regardless of the perpetrator's and recipient's Service or rank. Soliciting or coercing another to conduct such activity also constitutes hazing. Specific examples are listed in the policy.

Extra Military Instruction is outlined in section 1.G.1.b of the Military Justice Manual, COMDTINST M5810.1, available at: http://www.uscg.mil/directives/cim/5000–5999/CIM_5810_1E.pdf.

Ms. CHU and Mr. HONDA. 66) When did your Service last update its hazing policy? Do you have any plans to review and update it if necessary? If your Service does not currently have an anti-hazing policy, are you considering instituting one?

Master Chief LEAVITT. 66) The Coast Guard's hazing policy is found in the Discipline and Conduct Manual, Commandant Instruction Manual M1600.2. The Manual was updated in September, 2011, and is reviewed frequently and updated whenever appropriate.

Ms. CHU and Mr. HONDA. 67) Please provide data broken up according to race/ethnic heritage and gender, regarding the following: How many service members

have died from non-combat injuries in the last 10 years? Of these incidents, how many were classified as suicide, homicide, accident, etc. Also, please include data on deaths resulted from friendly fire. How many equal opportunity complaints have been received from service members within the last 10 years? Of these claims, how many were substantiated? What are the total numbers of members in each Service of the last 10 years?

Master Chief LEAVITT. 67) See attached.

For the ten-year period from 1 January 2002 through 31 December 2011, 261 Coast Guard non-combat deaths have been recorded. The Coast Guard had no incidents recognized as friendly fire in CY 2002-2011, (the most recent friendly fire incident was during Vietnam).

All Coast Guard deaths, 2002-2012

	Total	Active Duty	Reserve
Accident/Motor vehicle	44	33	11
Accident/motorcycle	29	22	7
Accident/other	34	26	8
Accident/operational	18	17	1
Homicide	6	5	1
Illness	69	46	23
Self-inflicted	58	44	14
Pending	2	1	1
Undetermined	0	0	0
	261		

Report of Deaths by Race, 2002-2012

	African American	Asian/ Pacific Islander	Caucasian	Hispanic	Native American/ Alaskan Native	Not recorded
Accident/ Motor vehicle	6	1	27	0	0	10
Accident/ motorcycle	3	0	20	0	1	5
Accident/ other	2	1	19	1	1	10
Accident/ operational	0	1	16	0	1	0
Homicide	1	0	4	0	0	1
Illness	7	1	44	2	0	15
Self-inflicted	3	3	39	4	0	9
Pending	0	0	1	0	0	1
Undetermined	0	0	0	0	0	0

Report of Deaths by Gender, 2002-2012

	Male	Female
Accident/Motor vehicle	38	6
Accident/motorcycle	29	0
Accident/other	34	0
Accident/operational	17	1
Homicide	5	1
Illness	67	2
Self-inflicted	55	3
Pending	2	0
Undetermined	0	0

Since 2004, a total of 142 equal opportunity complaints have been received from Coast Guard members. One of the complaints was found to be substantiated. The table below provided the data available

FY	Total # military complaints	Complaint Bases				Substantiated
		National Origin	Race	Sex F	Sex M	
FY 2004	17	1	9	5	1	0
FY 2005	16	5	3	8	2	0
FY 2006	14	2	8	3	0	0
FY 2007	18	4	7	4	6	0
FY 2008	26	5	10	9	4	1 *
FY 2009	15	5	2	4	1	0
FY 2010	15	4	8	5	2	0
FY 2011	15	2	3	4	3	0
FY 2012	6	0	4	4	0	0
Total	142	28	54	46	19	1

Summary:

1) 142 Military Formal Complaints Filed from FY 2004 - to the present (9 April 2012)
2) Note: Each complaint can have multiple bases
3) 28 Formal Complaints included National Origin as a basis of the complaint.
4) 54 Formal Complaints included Race as the basis of the complaint
5) 65 Formal Complaints included Sex as the basis of the complaint

5) * There was one finding of discrimination in FY 10, for a case that initiated in FY 2008. While sex was one of the basis raised in the complaint, it was not substantiated. The basis of reprisal was substantiated.

The total number in the Coast Guard over the past ten years is:

Year	Active
2002	37,112
2003	39,219
2004	40,230
2005	40,710
2006	41,005
2007	41,431
2008	42,368
2009	42,939
2010	43,262
2011	42,819
2012	43,121

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