



**NATIONAL GUARD BUREAU**  
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ARLINGTON VA 22204-1373

ARNG-HRR

21 May 2020

MEMORANDUM FOR Army National Guard (ARNG) Recruiting and Retention Force (RRF)

SUBJECT: SMOM 20-041, Protecting Against Inappropriate Relations during Recruiting and Entry Level Training

1. References.

a. DoD Instruction 1304.33, Protecting Against Inappropriate Relations During Recruiting and Entry Level Training, January 28, 2015.

b. DoD Directive 5124.02, Under Secretary of Defense for Personnel and Readiness (USD(P&R)), June 23, 2008.

c. Secretary of Defense Memorandum to the Military Department Secretaries, Sexual Assault Prevention and Response, August 14, 2013.

d. DoD Directive 1322.18, Military Training, January 13, 2009.

e. DoD Instruction 6495.02, Sexual Assault Prevention and Response (SAPR) Program Procedures, March 28, 2013, as amended.

f. Section 1741 of Public Law 113-66, Enhanced Protections for Prospective Members and New Members of the Armed Forces During Entry-level Processing and Training, December 2013.

g. DoD Directive 6495.01, Sexual Assault Prevention and Response (SAPR) Program, January 23, 2012, as amended.

h. DoD Instruction 5505.18, Investigation of Adult Sexual Assault in the Department of Defense, January 25, 2013, as amended.

i. Section 815 of Title 10, United States Code.

2. Implemented 10 March 2015, Army National Guard (ARNG) Recruiting and Retention Battalions (RRBN) will continue to abide by the following policies in order to provide direction to recruiters, recruits, trainers, and trainees, in order to reduce and eliminate inappropriate relations between recruiters and recruits as well as trainers and recruits/trainees.

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### 3. Definitions:

a. Recruiters: Recruiting and Retention NCOs (RRNCOs) ,all supervisors of the RRNCOs in the Recruiting and Retention Battalion (RRBN) chain of command up to Recruiting and Retention Commander (RRC), MEPS Guidance Counselors (to include DAC GCs), and all other personnel assigned or attached to the RRBN.

b. Trainers: For the purpose of the SMOM trainers are defined as all Recruit Sustainment Program (RSP) Cadre including all T32 AGR, FTNGD-OS (ADOS), and MDAY personnel that work with RSP Soldiers during IDT weekend training or during pre-ship training periods.

c. Recruit: An individual who has joined the ARNG who is waiting to ship to basic training.

d. Trainee: A recruit who enlisted and is participating in the RSP. For purposes of this SMOM, a recruit participating in RSP will not be required to sign an additional DD Form 2983 for record.

e. Substantiated violation: A violation shall be treated as substantiated if there has been a court-martial conviction for a violation of this policy, but the sentence does not include discharge or dismissal; or if a non-judicial punishment authority under section 815 of Title 10, United States Code; or any other applicable state statutes and regulations; determined that a service member has committed an offense in violation of the policy and imposed non-judicial punishment upon that member.

### 4. Recruiting and Training Processes:

a. Prohibited Activities. Prohibited activities between a recruit and a recruiter or a trainer providing entry-level training and a trainee are listed on Enclosure A for recruiters/trainers and Enclosure B for recruits/trainees. These prohibitions apply from the first contact between a recruit and recruiter, through entry-level training, and for 6 months after the trainee completes entry-level training. This listing is not all-inclusive and the RRC may add to it. (See Enclosure A and Enclosure B)

b. Administrative Actions. At a minimum the following administrative actions will be completed by the recruit or recruiter, or trainer or trainee are:

(1) Recruiter/Recruit, Trainer/Trainee Administrative Requirements.

(a) Recruiters will sign a DD Form 2982 dated Jan 2015, "Recruiter/Trainer

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Prohibited Activities Acknowledgment," located at the DoD Forms Management Program website, acknowledging their understanding of the prohibitions listed on Enclosure A of this SMOM and their responsibilities regarding the policies prohibiting inappropriate behaviors and relations outlined in this instruction. At a minimum, this form will be retained.

(b) Trainers providing entry-level training, in particular at RSP sites, will also sign a DD Form 2982, "Recruiter/Trainer Prohibited Activities Acknowledgment," located at the DoD Forms Management Program website, acknowledging their understanding of the prohibitions listed on Enclosure A of this SMOM and their responsibilities regarding the policies prohibiting inappropriate behaviors and relations outlined in this instruction. At a minimum, this form will be retained locally by the RRBN while they are assigned to RSP or some other training task and will be certified annually. Once the trainer leaves RSP or other training duty, this document should be retained locally by the RRBN for at least one year, however, it is recommended to be placed in the trainer's permanent file, in the event a future allegation is made (Enclosure C).

(c) The RRC will designate an individual within their Battalion to address complaints. During the initial visit, recruiters will provide all prospects with contact information to include name, phone number, and email address of the RRC's designated personnel to notify if they believe their recruiter has acted improperly.

(d) A recruit/trainee must sign a current DD Form 2983, "Recruit/Trainee Prohibited Activities Acknowledgement, located at the DoD Forms Management Program website at the time of enlistment at MEPS acknowledging their understanding of the prohibitions listed on Enclosure B. The DD Form 2983 will be administered by the MEPS Guidance Counselor and will be scanned into ERM under REP 63 Admin "DD 2983". Trainees at RSP sites that do not currently have a DD Form 2983 in their hard copy shipper record should have the form completed by RSP Cadre at the next scheduled IADT drill (Enclosure D).

(2) Exceptions for recruits or trainees may be granted to accommodate relationship that existed before the recruit started processing or the trainee entered the RSP training site. Only the recruiter's commander, an O-4 or higher authority, may approve any such exception. Recruiters must request the exception in writing and note the exception on the DD Form 2982.

(3) The SMOM guidance provided is not intended to eliminate all trainer/trainee external classroom professional development and mentorship opportunities, as these opportunities are important to the learning process. Leaders are responsible for setting the right command climate and providing guidelines for outside the classroom mentoring, if applicable, and team building activities. DD Forms 2982 and 2983 can be found at: <http://www.dtic.mil/whs/directives/forms/dd/ddforms2500-2999.htm>.

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5. Accountability for Violators:

a. Substantiated violations, as defined on Enclosure A, paragraph 1(a-d), by any recruiter or trainer will require the recruiter or trainer to be processed for administrative separation from military service, unless the member is otherwise punitively discharged or dismissed from military service for the violation in accordance with paragraph 1(f); Section 1741 of Public Law 113-66, "Enhanced Protections for Prospective Members and New Members of the Armed Forces During Entry-level Processing and Training," December 2013.

b. Findings of wrongdoing for actions identified on Enclosure A, paragraph 1(e-o), by any recruiter or trainer will result in the recruiter or trainer being held accountable at the discretion of the RRBN Commander or for Department of the Army Civilian Employees, the Chief Strength Maintenance Division (ARNG-HRR).

6. This message rescinds SMOM# 15-023.

7. Point of contact for this message is LTC Scott Anderson at (703) 601-6830 or scott.w.anderson3.mil@mail.mil.

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Encls

1. Prohibited Acts for Recruiters, and Trainers (Encl A)
2. Prohibited Acts for Recruits, and Trainees (Encl B)
3. DD 2982, Jan 2015 (Encl C)
4. DD 2983, Jan 2015 (Encl D)

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