

DEOMI News Highlights

DEOMI News Highlights is a weekly compilation of published items and commentary with a focus on equal opportunity, equal employment opportunity, diversity, culture, and human relations issues. DEOMI News Highlights is also a management tool intended to serve the informational needs of equity professionals and senior DOD officials in the continuing assessment of defense policies, programs, and actions. Further reproduction or redistribution for private use or gain is subject to original copyright restrictions.

New measure would allow troops to sue for military malpractice mistakes [Leo Shane III, *Military Times*, 30 April 2019]

- After hearing [tearful testimony from the victims](#) of military medical negligence, a bipartisan group of House lawmakers announced new legislation to do away with the legal rules protecting the Defense Department from [medical malpractice lawsuits](#).
- The new legislation—named for Sgt. 1st Class Richard Stayskal, a Green Beret fighting stage four lung cancer because of Army doctors' errors—would allow malpractice lawsuits against the military by creating an exemption to the Feres Doctrine, a 69-year-old legal precedent barring that legal action.
- Critics have called the original decision flawed and unfair to military families, but Defense Department officials have said undoing the precedent would upset the current military compensation and benefits system.

[New measure would allow troops to sue for military malpractice mistakes](#)

Report: Violent anti-Semitic attacks in US doubled in 2018 [Michael Kunzelman, *The Associated Press*, 30 April 2019]

- Violent attacks against the Jewish community in the United States doubled last year, while overall attacks that also include vandalism and harassment remained near record-high levels, the Anti-Defamation League reported Tuesday.
- The New York-based group counted 1,879 anti-Semitic incidents—either harassment, vandalism, or physical assault—in 2018. That is a 5% decrease from the 1,986 incidents reported in 2017, but the third-highest total since ADL began tracking the data in the 1970s. The 2017 number marked a 57% increase over 2016 and was the highest tally ADL had counted in more than two decades.
- ADL counted 39 cases of physical assaults involving 59 victims in 2018, up from 19 assaults and 21 victims in 2017. The 2018 tally includes the 11 people who were killed and two congregants wounded when a gunman opened fire at the Tree of Life Synagogue in Pittsburgh in October. It was the [deadliest attack](#) on Jews in the nation's history.

[Report: Violent anti-Semitic attacks in US doubled in 2018](#)

Shanahan calls for reforms as military sexual assaults rise by 38%; highest for young women [Tom Vanden Brook, *USA TODAY*, 2 May 2019]

- Acting Defense Secretary Patrick M. Shanahan called for sweeping changes in the way the military handles sexual assaults and harassment following a reported 38% increase in assaults from 2016 to 2018.
- The report surveyed Army, Navy, Air Force and Marine personnel in 2018. Based on the survey, there were an estimated 20,500 instances of [unwanted sexual contact](#)—an increase over the 14,900 estimated in the last biennial survey in 2016. Unwanted sexual contact ranges from groping to rape.
- Shanahan said ways to address the problem include: seeking a stand-alone military crime of [sexual harassment](#), developing new tools to measure the problem, launching a program to catch serial offenders, improving assessments of the character of military applicants, training for junior officers and junior enlisted leaders, and focusing on prevention.

[Shanahan calls for reforms as military sexual assaults rise by 38%; highest for young women](#)

DEOMI News Highlights

Culture

[Israel preserves Holocaust survivors' memorabilia for future](#)

Discrimination

[War on Terror Vet Wins Back Postal Service Job After 14 Years](#)

Diversity

[Marines' Boot Camp Units Could Officially Be Going Coed, Next Commandant Says](#)
[Task force to highlight 'forgotten' and 'invisible' women veterans](#)

Miscellaneous

[Fearing an undercount, states prepare for 2020 census push](#)
[Frustrations mount over lack of progress on preventing veterans' suicide](#)
[Marine Commandant: You Can Have Purple Hair in Our New Cyber Force](#)
[A Navy audit says the Marine Corps' noncompliance with health surveys could hinder early detection of PTSD](#)
[Navy Launches Safety Review After 2 Navy Recruits Die at Boot Camp Within 8 Weeks](#)
[New measure would allow troops to sue for military malpractice mistakes](#)
[No new child care facilities in Navy budget as thousands are relegated to waitlist](#)
[Retired CENTCOM commander's lawsuit against privatized housing owners 'gives validation' to issue, advocate says](#)
[There's a new general in charge of the Army's efforts to revamp basic training and fitness](#)

Misconduct

[Air Force Academy removes commandant of cadets amid investigation](#)
[Crackdown at Lejeune: Inside the 2nd Marine Division commander's controversial call for discipline](#)
[FBI informant helped nab Army veteran accused of bomb plot](#)
[Kansas shootings add to concerns over ex-military and extremism in U.S., experts say](#)
[Release approved for Coast Guard officer accused of terror](#)
[What happens to SEALs who testify about war crimes?](#)

Religion

[14 Sikh High Schoolers Get Waivers to Enter Army Basic With Beard, Turban](#)
[Accused California gunman pleads not guilty in synagogue murder, mosque arson](#)
[Feds to have less preparation for religious time off](#)
[Report: Violent anti-Semitic attacks in US doubled in 2018](#)

Sexual Assault/Harassment

[Defense Department to make sexual harassment a crime](#)
[Shanahan calls for reforms as military sexual assaults rise by 38%; highest for young women](#)

Culture

Israel preserves Holocaust survivors' memorabilia for future

By Aron Heller

The Associated Press, May 1, 2019



In this Tuesday, April 23, 2019 photo, Israeli Holocaust survivors Rachel Zeiger 91, center, and her brother Moshe Akerman 84, left, speak with Orit Noiman, head of Yad Vashem's collection and registration center, at their home at the city of Ramat Gan, Israel. With the world's community of aging Holocaust survivors rapidly shrinking, and their live testimonies soon to be a thing of the past, Israel's Yad Vashem Holocaust memorial is preparing for a world without them. (AP Photo/Tsafir Abayov)

RAMAT GAN, Israel (AP) — Under a fluorescent light, an archivist from Israel's Yad Vashem Holocaust memorial snaps photos and scans into her mobile database the last remnant that a pair of elderly siblings have of their long-lost father — a 1943 postcard Samuel Akerman tossed in desperation out of the deportation train hurtling him toward his demise in the Majdanek death camp.

“It’s what we have left from him,” said Rachel Zeiger, his now 91-year-old daughter. “But this is not for the family. It is for the next generations.”

With the world’s community of aging Holocaust survivors rapidly shrinking, and their live testimonies soon to be a thing of the past, efforts such as these have become the forefront of preparing for a world without them.

Through its “Gathering the Fragments” program, Yad Vashem has collected some 250,000 items from survivors and their families in recent years to be stored for posterity and displayed online in hopes of preserving the memory of the 6 million Jews killed by the Nazis, even after the last of the survivors has passed away.

Copious video testimonies have been filmed and even holograms have been produced to try to recreate the powerful impact of a survivor’s recollection, which has been the staple of Holocaust commemoration for decades. This year, an Instagram [account](#) was created based on the real-life journal of a teenage Jewish victim to make her story more accessible to a younger generation.

With the passing of time, any physical links to the Holocaust and its victims have become valuable means of remembrance and evidence against the growing tide of denial and minimization of the genocide around the world.

As Israel starts marking its annual Holocaust Remembrance Day at sundown Wednesday, Yad Vashem will be laying the cornerstone of its new campus for the Shoah Heritage Collections Center — the future permanent home for its 210 million documents, 500,000 photographs, 131,000 survivor testimonies, 32,400 artifacts and 11,500 works of art related to the Holocaust. On Thursday, it will offer the public a rare behind-the-scenes look of its preservation work, with tours of its collection, archive and digitizing labs.

“The German Nazis were determined not only to annihilate the Jewish people, but also to obliterate their identity, memory, culture and heritage,” said Yad Vashem Chairman Avner Shalev. “By preserving these precious items ... and revealing them to the public they will act as the voice of the victims and the survivors and serve as an everlasting memory.”

Discrimination

War on Terror Vet Wins Back Postal Service Job After 14 Years

By Charles S. Clark

Government Executive, April 29, 2019

A letter carrier from Auburn, Maine, last week won a legal victory when the U.S. Postal Service was forced to reinstate him in a job after he was absent for 14 years while deployed in the “Global War on Terrorism.”

John Patrie, who was called up by the Maine National Guard soon after the Sept. 11, 2001, terrorists attacks, served almost continuously in U.S. military campaigns that included combat in Afghanistan and Iraq, before his honorable discharge in December 2015, the OSC reported in an April 25 release. During those years, Patrie regularly provided copies of his orders to his Postal Service managers, maintained his job benefits and expressed a desire to return to mail carrying, the special counsel said.

But the Postal Service informed him in January 2016 that it would not reinstate him because he had “abandoned” his civilian post. His attorneys saw that as a violation of the 1994 Uniformed Services Employment and Reemployment Rights Act, which is enforced for federal employees by OSC.

At first, Patrie filed a complaint with the Labor Department, whose investigation concluded that USPS violated the veterans protection law, for which Patrie had met the criteria. But after USPS again refused to reinstate him, the department referred his case to OSC, which took it to the Merit Systems Protection Board. That board’s judges held an evidentiary hearing and ruled for Patrie.

“Patrie did everything he could under the law, and he had no idea how long he would be away,” OSC attorney Patrick Boulay told *Government Executive*. The veteran even kept his locker and union membership. “The whole idea of USERRA is to maintain the employment as an ‘unburned bridge.’ It is the service member’s choice whether to cross that bridge, but the Postal Service decided at the last moment to burn the bridge.”

The Postal Service, Boulay added, has been applying its own standards in such cases similarly for years, and is the only agency that doesn’t follow the exceptions to the law’s [five-year limit on employment eligibility](#).

“We are very pleased to have won this victory not just for Mr. Patrie but for service members everywhere,” said Special Counsel Henry Kerner. “Our country must honor its commitments to those who serve in uniform and defend our freedoms.”

In its initial decision, the merit board ordered the Postal Service to reinstate Patrie to his position retroactive to January 2016 and provide back pay and benefits.

USPS spokesman David Coleman said in a statement: “The Postal Service does not comment on litigation matters; this includes decisions or findings issued for litigation matters.”

SEE ALSO:

[Having trouble finding a job? Check out this ‘Match.com for veteran employment’](#) [*Military Times*, 2019-05-02]

Diversity

Marines' Boot Camp Units Could Officially Be Going Coed, Next Commandant Says

By Gina Harkins

Military.com, April 30, 2019



Pfc. Marie Metellus conducts kettle bell swings during a Force Fitness program event at Marine Corps Recruit Depot Parris Island, South Carolina, on March 26, 2019. Marines like Metellus, from West Palm Beach Florida, go through the Force Fitness program to improve physical fitness. (U.S. Marine Corps Photo by Cpl. Daniel O'Sullivan)

Male and female Marine recruits could begin training together in companies permanently as early as next year, the general nominated to lead the Marine Corps said Tuesday.

Marine leaders could soon take steps to end the service's long-held tradition of separating men and women into separate small units at boot camp, Lt. Gen. David Berger said in his Senate confirmation hearing to [become the next commandant](#).

"I talked to the commandant this morning about it and ... I said, 'We have to look at this for perhaps next year,' and he said, 'Absolutely,'" Berger said. "I think it's a discussion that he and I will have -- and the Marine Corps will have."

The [first-ever coed training company graduated](#) from Marine Corps Recruit Depot Parris Island in South Carolina late last month. They were assigned to the typically all-male 3rd Recruit Training Battalion.

Berger said officials measured the same statistics they track for every company that goes through the depot, including how well they performed physically and how many injuries they suffered.

Overall, the recruits performed "very well," he said.

"The statistics ... for this company were the same as every other company -- a few areas higher, a few areas lower -- but it went great," Berger said.

None of the training was altered because the women were added to the company, he said. The program of instruction remained the same. Depot leaders simply changed where the women -- who are usually exclusively assigned to 4th Training Battalion -- were billeted.

"And it all worked out," Berger said.

While male and female Marine officer candidates train together, the service remains the only branch to train its female and male enlistees in separate units.

Some have stressed that the practice is necessary so recruits aren't distracted as they form deep bonds with their same-sex drill instructors during boot camp, who often set the example for future Marines to follow their entire careers.

Others have argued that the policy creates an instant division between men and women at the most formative points in their careers, and has contributed to the rampant disrespect some male Marines have shown toward women in recent years.

<https://www.military.com/daily-news/2019/04/30/marines-boot-camp-units-could-officially-be-going-coed-next-commandant-says.html>

A spokeswoman for Marine Corps Training and Education Command, which oversees the recruit depots, told Military.com that there aren't any opportunities for coed training in 2019, but it could happen again in the future. Having a coed company gave officials at Parris Island a chance to "assess some opportunities, challenges, outcomes and achievements in training, logistics and resources," Jessica Hanley said.

"As we assess India Company's training cycle, we will examine future opportunities that may permit this company training model," she said.

The concept has already overcome perhaps its biggest hurdle with this public endorsement from the next commandant of the Marine Corps.

-- *Gina Harkins can be reached at gina.harkins@military.com. Follow her on Twitter [@ginaaharkins](https://twitter.com/ginaaharkins).*

.....

SEE ALSO:

[Incoming commandant open to another gender-integrated boot camp class in 2020](#) [*Marine Corps Times*, 2019-05-03]

[Marines nominee: Gender-integrated battalion at boot camp 'went great'](#) [*The Hill*, 2019-04-30]

Task force to highlight ‘forgotten’ and ‘invisible’ women veterans

By Leo Shane III

Military Times, May 2, 2019



Marine Sgt. Bree-Anna Perez stands at attention during the national anthem at the National Collegiate Athletic Association Women's Final Four Basketball Tournament Championship in Tampa, Fla., on April 7, 2019. (Cpl. Naomi May/Marine Corps)

The United States has nearly 2 million [women veterans](#) today, but Rep. Julia Brownley thinks many Americans never really see them.

“Women veterans are too often overlooked, forgotten or feel invisible,” said Brownley, D-Calif. “We are here today to change that. Women have served in uniform since this country’s earliest days ... but for far too long their issues have been unnoticed or ignored.”

On Thursday, the Brownley formally launched the [House Veterans’ Affairs Committee’s](#) new task force on women veterans, with the goal of “advancing equity in access to resources, benefits and healthcare” for the group.

Women make up about 10 percent of the nation’s veterans population, 17 percent of current military personnel and 30 percent of military service academy students. The number of women using VA health services has more than tripled over the last two decades.

But Brownley, the head of the bipartisan panel, and women from several veterans groups spoke Thursday about common, persistent problems they face within VA and from society at large.

Past studies have shown one in four women veterans have faced harassment when visiting VA facilities, from both other patients and staff. Despite investment in more women-specific health care at the department, those veterans continue to face problems accessing care. Women who testified at the hearing said many of their peers have walked away from VA because they find it too unwelcoming.

“We need action,” said Ginger Miller, CEO of Women Veterans Interactive. “We don’t need another national portrait campaign. We need national outreach and engagement. We don’t need another male-dominated VSO to represent us at the table. We need to have a seat at the table, and if we can’t, we will continue to build our own.”

Dr. Patricia Hayes, chief consultant for women’s health services at the Veterans Health Administration, said her department has made significant strides in recent years in improving services for women. That includes better gynecological and maternity services, and new training programs to monitor and curb harassment that women veterans may face.

Brownley acknowledged some improvements but told Hayes that “we need to have more tools that replicate urgency ... Women continue to face sexism and inequity in a system that was originally built for men.”

Both Democrats and Republicans on the committee expressed support for the new task force, lauding it as a way to elevate and highlight the challenges facing women veterans.

Committee staff they expect to see a similar effort in the Senate in coming weeks, and to begin advocating for specific legislative fixes to some of the inequities by this summer.

Miscellaneous

Fearing an undercount, states prepare for 2020 census push

By Michael R. Blood and Geoff Mulvihill

The Associated Press, May 2, 2019

LOS ANGELES (AP) — In a squat office building not far from downtown, Esperanza Guevara is getting ready to look for people who might not want to be found. And her job could get a lot harder.

The immigrant-rights activist is leading a drive to reach tens of thousands of people who entered the U.S. illegally and persuade them to participate in the 2020 census, the government's once-a-decade count of the population.

The Trump administration's plan to use the census to inquire about each person's citizenship has sent a chill through immigrant communities. Guevara and others fear the question could discourage participation and, by some estimates, leave millions uncounted across the country.

Such concerns are concentrated in Democratic-led states with large immigrant populations. An inaccurate count could have real-world consequences, since billions in federal dollars and seats in Congress are allocated according to population.

In immigrant communities often wary of government, a question about citizenship status will make people "less likely to fill out the census form or even answer the door when someone comes knocking," said Guevara, who works for the Coalition for Humane Immigrant Rights of Los Angeles.

Those concerns have been heightened by Trump's slashing rhetoric toward immigrants and by fears that census information could be used to find and deport people.

"Their first thought is, 'Is this information going to be used against me?'" Guevara said, standing near rows of computers that will be staffed by volunteers trying to connect with prospective census participants.

Census Bureau chief Ron Jarmin said the agency is legally barred from sharing its information with law enforcement agencies, adding: "We are committed to ensuring that the data we collect are always protected."

The U.S. Supreme Court is weighing a legal challenge seeking to strike the citizenship question from the census form. During oral arguments last week, the court's conservative majority appeared ready to allow the question.

The Trump administration has argued that it has wide discretion in designing the questionnaire and that the citizenship question is clearly constitutional because it has been asked before — most recently, 1950 — and continues to be used on smaller, annual population surveys.

The Public Policy Institute of California has said that failure to accurately tally immigrants and other hard-to-reach groups could lead to an undercount of 1.6 million people, or roughly 4 percent of the state's population. That would be enough to cost California one of its 53 House seats.

So California and other states are spending millions to persuade residents, legal and not, to fill out census forms, employing such means as public service messages, mailings, visits to people's homes and informational gatherings.

"States are doing this because of the number of threats to a fair and accurate count," said Vanita Gupta, president and CEO of the Leadership Conference on Civil and Human Rights.

<https://www.apnews.com/cb7e9facf0754d79a3f8fdf9aec7d6e0>

Colorado's House recently endorsed spending \$12 million to encourage participation in the census. The governors of Kansas and Nevada have moved to create committees devoted to making sure everyone takes part.

In New Mexico, where the state has launched a multimillion-dollar effort to ensure an accurate tally, Gov. Michelle Lujan Grisham has warned that a 1% undercount could translate into more than \$700 million in lost federal revenue over a decade.

Perhaps no state has more at risk than California, where no racial or ethnic group constitutes a majority and Hispanics outnumber whites. More than a quarter of its residents are foreign-born.

Nearly 3 in 4 Californians belong to groups the census has historically undercounted, including Hispanics, blacks, renters, immigrants, children and members of multiple families that share a single home. The state also has an above-average poverty rate, and the poor — especially the homeless — are difficult to count.

With online surveys being widely used next year, people with shaky access to the internet also could disappear from the count.

The state has budgeted about \$100 million for education and media campaigns to reach people, a figure likely to jump to \$150 million later this year. Most of the money is going to hire field workers and to advertise the importance of participating, a message that will be printed even on lottery tickets.

The Trump administration's "citizenship question has one purpose: to undercount our diverse communities," Democratic Gov. Gavin Newsom said. "Our state won't be intimidated by the White House's actions, and we aren't going to back down from fighting for a fair count."

The Census Bureau's own plans call for hiring 450,000 to 475,000 temporary workers. Most of them will knock on the doors of people who do not fill out the questionnaires. That number is lower than it was 10 years ago because the bureau is counting on technological changes to make the job more efficient.

With a \$400,000 contract from the state, Asian Americans Advancing Justice in Los Angeles is working to reach into immigrant communities where more than a dozen languages are spoken, including Korean, Vietnamese and Chinese. Southern California is home to the largest Asian population in the U.S.

An Le, the group's statewide census manager, said census research has found that Asians who speak little or no English and were born outside the U.S. are fearful of repercussions from the government if they submit the information. The group is stressing the importance of the census to health and education funding.

Le said more money is needed to produce census materials in a greater range of languages. She worries, too, about the citizenship question.

Even for legal permanent residents, that would serve as "a deterrent and a barrier," she said.

Mulvihill reported from Cherry Hill, New Jersey.

SEE ALSO:

[Is the Census Bureau financially ready for 2020?](#) [*Federal Times*, 2019-05-01]

[Most Americans support citizenship question on census form, poll finds](#) [*The Hill*, 2019-04-30]

[Immigrant-heavy GOP states OK with census citizen question](#) [*The Associated Press*, 2019-04-28]

Frustrations mount over lack of progress on preventing veterans' suicide

By Leo Shane III

Military Times, April 30, 2019



Veterans Affairs officials launched the "Be There" campaign to help prevent veterans' suicide in September 2016. (Courtesy of VA)

Just hours before a [Capitol Hill hearing Monday](#) on how to address the problem of veterans dying by suicide, a veteran took his own life outside the Louis Stokes Cleveland VA Medical Center.

Lawmakers said that the incident was a painful reminder for all the effort and funding put into suicide prevention in recent years, progress on the issue [has been frustratingly inconsistent](#).

“Two weeks ago, three other veterans committed suicide at VA facilities in five days,” [House Veterans' Affairs Committee Chairman Mark Takano](#), D-Calif., said. “So far, we have seen seven this year.

“It's clear we are not doing enough to support veterans in crisis.”

Both Democrats and Republicans in the House are pledging to try and fix that in coming months, launching a series of hearings and legislative pushes to address the lingering problem of veterans suicide.

Takano and committee ranking member Rep. Phil Roe, R-Tenn., said they are optimistic they can advance bipartisan legislation on the issue, to include more research and monitoring within VA facilities.

House Speaker Nancy Pelosi, in a press conference ahead of the hearing to highlight the new congressional focus, called the issue an “uncomfortable, urgent crisis” and promised to work closely with Republican Party leaders on finding answers.

Preventing suicides has been VA's top clinical priority for the past two years, and lawmakers noting that spending on support programs have more than doubled since 2005. Despite that, the rate of suicide among veterans has remained steady over the last 10 years, with about 20 a day across the country.

Veterans Affairs officials have noted the uptick in veterans who have died by suicide in public spaces at department facilities — 25 in the last 18 months — does not reflect a statistically significant increase in the overall suicide problem.

“But all of us feel these losses,” said Dr. Richard Stone, acting head of the Veterans Health Administration.

Lawmakers and veterans groups expressed frustration at the department, not for their effort, but for their results.

“We must confront an uncomfortable and deeply troubling truth: VA's current efforts and approaches to suicide prevention and mental health are not working,” said Joe Chennelly, executive director at AMVETS. “How do we know this? In the simplest of terms, the suicide numbers aren't decreasing.”

Officials at Iraq and Afghanistan Veterans of America lamented that “we are far from a long-term sustainable solution to address veterans suicide.”

Earlier this year, President Donald Trump announced a year-long task force review of the veterans suicide issue, engaging experts across multiple departments to find new ideas. The House effort echoes that move, but lawmakers hope to bring legislative force along with that.

<https://www.militarytimes.com/news/pentagon-congress/2019/04/30/frustrations-mount-over-lack-of-progress-on-preventing-veterans-suicide/>



The Veteran's Crisis Line -- available to veterans, troops and their families -- operates 24 hours a day, seven days a week. (Zachary Hada/Air Force)

Among the ideas being discussed at other committee hearings later this week: expanding eligibility for health care services, expanding research on suicides, mandating more reporting by VA on suicides on campuses and increased monitoring of prescriptions by VA doctors.

Shelli Avenevoli, deputy director at the National Institutes of Mental Health, said in recent years officials have seen successes with a host of new approaches, such as universal mental health screening for all patients and detailed follow-up plans for suicidal patients. Those ideas may also be included in coming House plans.

Takano, whose uncle — a Vietnam veteran — died by suicide decades ago, said lawmakers are open to any innovations that could help with the issue.

VA officials said they are open to the conversation, calling challenge a national problem, not just one shouldered by their staff.

They did not disclose any additional details about the Cleveland suicide, which occurred early Monday morning outside of the campus' emergency room. Stone noted that more than 240 suicides have been prevented on the grounds of VA facilities since the start of 2017, but the idea that 25 other deaths happened “with help just a few feet away is deeply troubling.”

Veterans experiencing a mental health emergency can contact the Veteran Crisis Line at 1-800-273-8255 and select option 1 for a VA staffer. Veterans, troops or their families members can also text 838255 or visit VeteransCrisisLine.net for assistance.

SEE ALSO:

[Veteran dies by suicide outside Cleveland VA hospital Monday, lawmakers demand action](#) [USA TODAY, 2019-04-29]

[Lawmakers to Grill VA for Answers on Suicide 'Epidemic'](#) [Military.com, 2019-04-29]

Marine Commandant: You Can Have Purple Hair in Our New Cyber Force

By Gina Harkins

Military.com, April 29, 2019

The Marine Corps is creating a new cyber unit, the top officer said Monday, and you won't need to meet those strict Devil Dog hair regulations to join.

The service will stand up a new cyber auxiliary, Commandant Gen. Robert Neller said at the Future Security Forum 2019 in Washington.

"If anybody wants to join, you can sign up. You can have purple hair, too, but no EGA," he said, referring to the Marines' famous eagle, globe and anchor insignia.

Since Neller said the members of the Marine Corps' new Cyber Auxiliary division won't earn the coveted symbol new Marines get after completing boot camp or earning their commission, this program is likely to be strictly for civilians or veterans.

The military services have struggled to retain cyber uniformed personnel. Young enlisted troops are often attracted to lucrative six-figure salaries they can earn in the private sector.

Now, civilians could help fill the gap. It's an idea that experts with the New America think tank, which hosted Monday's event, have pushed.

"Today, we face the modern version of hidden attackers, who seek to undermine our security and economy; now they just use malware instead of torpedoes," Natasha Cohen and Peter W. Singer [wrote in a Defense One op-ed](#) last year. "And so too are the U.S. active and reserve military and government resources stretched too thin to meet the need."

The answer, they argued, is a civilian cybersecurity corps.

"It would create a place to recruit and identify youth into a field with a major looming talent crunch," they wrote.

Military leaders have looked for new ways to attract cyber experts. The Army has a direct accession program in cyber warfare, and the Marine Corps and other services have consistently offered cyber warriors [steep bonuses to re-enlist](#).

The Pentagon is facing more sophisticated cyber threats from potential adversaries such as Russia and China. Having a reliable, resistant and recoverable network is the No. 1 issue for the Defense Department, Neller said.

"It's not going to be there 100 percent like it has been there the last 17 years because there has been nobody to contest it," he said. "There will be in the future."

Marines must be able to operate without high-tech equipment and gear to fire weapons or find their way around a new location because hitting your enemy's network is likely to be a first line of attack in future warfare.

"To me, that's going to be the first salvo of whatever competition there is," Neller said. "... [But] that fight is going on every day, every second right now."

And hopefully, he added, "we've done the same thing to the other guy."

A Navy audit says the Marine Corps' noncompliance with health surveys could hinder early detection of PTSD

By Shawn Snow

Marine Corps Times, May 1, 2019



A U.S. Marine moves through a village during a patrol near Bost Kalay, Afghanistan. (Sgt. Sean J. Berry/U.S. Marine Corps)

A [Navy audit](#) published in October 2018 found that the Corps largely failed to comply with the 90- to 180-day deadline to complete and certify post-deployment health reassessment surveys, or PDHRA.

Specifically, the audit showed that the rate at which the Corps failed to comply with the requirement to complete and certify PDHRAs in the mandated time frame increased from 46 percent in fiscal year 2008 to 64 percent in 2016.

According to the audit, obtained by Marine Corps Times via a Freedom of Information Act request, the Corps has shown a general upward trend in noncompliance with the health reassessment survey.

The post deployment surveys are an important gauge of a Marine's health that may show signs and early detection of [mental and physical health](#) problems, allowing for early treatment.

The Marine Corps contends, however, that while the compliance deadlines are important, the Marine Corps has been focused on completion rates of the survey to ensure all Marines have an opportunity to complete the survey, according to Maj. Craig Thomas, a Marine spokesman.

That completion rate has hovered around 75 percent for the past nine years, Thomas told Marine Corps Times.

The health reassessment surveys are important because "evidence suggests that Marines may be more likely to develop health conditions and concerns (such as post-traumatic stress disorder) 3 to 6 months after return from deployment," the audit reads.

The DoD mandated the PDHRA program screens health issues following a deployment with a "specific emphasis on screening for [mental health](#)," the audit reads.

Marines take a variety of health surveys such as a predeployment screening; a post-deployment health assessment, which must be completed within 30 days of returning from deployment; and the PDHRA, which has a 90 to 180-day deadline for completion and certification.

Those three surveys together provide ample evidence of the importance of these screenings for early detection of emerging health issues or post traumatic stress, signs that may not develop till several months after a deployment.

For example, according to the audit, in fiscal year 2017, about 68 percent of Marines who took the PDHA said their health was worse than when they deployed. That number jumped to 77.4 percent following taking the PDHRA.

Moreover, 2.7 percent of Marines in fiscal 2017 said they experienced symptoms of PTSD in the PDHA, that figure jumped to 5.5 percent following the PDHRA.

<https://www.marinecorpstimes.com/news/your-marine-corps/2019/05/01/a-navy-audit-says-the-marine-corps-noncompliance-with-health-surveys-could-hinder-early-detection-of-ptsd/>

“The PDHRA provides an opportunity for Marines who have returned from deployment and are experiencing lingering physical, mental, or behavioral health issues to obtain necessary follow-up care/treatment for those issues,” Thomas said.

But meeting the PDHRA compliance deadlines for the Corps is a bit of an administrative strain that requires a partnership between the Corps and Navy medical personnel.

Marines are required to take the surveys, but Navy medical staff must schedule screenings and be on hand to certify the results.

“This means that the PDHRA’s success requires an interdependent relationship between the Marines and Navy Medical,” Thomas said.

The Navy’s 2018 completed audit was a follow-up report to a 2010 audit that made four recommendations to the Corps to strengthen its PDHRA program.

Thomas says the Corps addressed three of the four recommendations but did not implement the fourth, which called for Marines to be notified when they were required to take a PDHRA.

According to Thomas, the fourth recommendation was considered but found to not be “a prudent use of personnel hours or financial resources.”

“Since the Corps had an alternative and productive resolution already in use which accomplished the intent and goal of that particular recommendation, the Naval Audit Service determined that recommendation to be appropriately addressed and closed,” Thomas explained.

The 2018 survey has made three recommendations: train staff to monitor compliance, identify units with the lowest compliance and address the issue, and identify ways to work with deployment health clinics and medical treatment facilities.

Thomas said one of those recommendations was “considered impractical and infeasible due to the limited support personnel available,” but auditors considered the issue appropriately addressed.

The other recommendations are expected to be implemented by Dec. 31, according to Thomas.

“The health of our Marines is imperative for us to remain a ready force and to respond when needed to global events and crises,” Thomas said.



SEE ALSO:

[I Have PTSD, But PTSD Doesn't Have Me](#) [*Military Times*, 2019-05-01] [OPINION]

Navy Launches Safety Review After 2 Navy Recruits Die at Boot Camp Within 8 Weeks

By Gina Harkins

Military.com, April 26, 2019



Seaman Recruit Kelsey Nobles. (US Navy Recruit Training Command photo)

An 18-year-old woman died during Navy boot camp this week -- about two months after another female recruit's death, prompting a review of training and safety procedures.

Seaman Recruit Kelsey Nobles went into cardiac arrest Tuesday after completing a fitness test at Recruit Training Command Great Lakes, Illinois. She was transported to the nearby Lake Forest Hospital, where she was pronounced dead.

The cause of death remains under investigation, said Lt. Joseph Pfaff, a spokesman for Recruit Training Command. Navy Times [first reported Nobles' death](#) Thursday.

A similar investigation into the [February death of Seaman Recruit Kierra Evans](#), who collapsed during the run portion of the Navy's Physical Fitness Assessment, is ongoing, he said.

"Recruit Training Command reviewed the training, safety, medical processes, and overall procedures regarding the implementation of the Physical Fitness Assessment and found no discrepancies in its execution," Pfaff said. "However, there is a much more in-depth investigation going on and, if information is discovered during the course of the investigation revealing deficiencies in our processes and procedures that could improve safety in training, it would be acted on."

Nobles, who was from Alabama, was in her sixth week of training.

Her father, Harold Nobles, told [WKRG News Channel 5](#) in Alabama that he has questions for the Navy about his daughter's death. For now, though, he said the family is focusing on getting her home and grieving first.

Both the Navy and Recruit Training Command take the welfare of recruits and sailors very seriously, Pfaff said.

"We are investigating the cause of this tragic loss," he said. "... Our thoughts are with Seaman Recruit Nobles' family and friends during this tragic time."

-- Gina Harkins can be reached at gina.harkins@military.com. Follow her on Twitter [@ginaaharkins](https://twitter.com/ginaaharkins).

New measure would allow troops to sue for military malpractice mistakes

By Leo Shane III

Military Times, April 30, 2019



The view from the judge's bench in the courtroom at Fort Meade, Md., on Jan. 4, 2019. (EJ Hersom/Defense Department)

After hearing [tearful testimony from the victims](#) of military medical negligence, a bipartisan group of House lawmakers announced new legislation to do away with the legal rules protecting the Defense Department from [medical malpractice lawsuits](#).

“When doctors fail to perform or woefully misread tests, when nurses botch routine procedures, when clinicians ignore and disregard pain, service members deserve their day in court,” said Rep. Jackie Speier, D-Calif., and the [chairwoman of the House Armed Services Committee's personnel panel](#).

“We're not talking about special treatment. We're talking about giving service members the same rights as their spouses, federal workers, and even prisoners. When compensation schemes are insufficient, service members should have their claims heard in the justice system.”

The new legislation — named for Sgt. 1st Class Richard Stayskal, a Green Beret fighting stage four lung cancer because of Army doctors errors — would allow malpractice lawsuits against the military by creating an exemption to the Feres Doctrine, a 69-year-old legal precedent barring that legal action.

Critics have called the original decision flawed and unfair to military families, but Defense Department officials have said undoing the precedent would upset the current military compensation and benefits system.

“A combat injury or death would appear to be valued lower than an injury or death where a tort claim would be allowed,” said Jessica Maxwell, a department spokeswoman. “Such an inequity toward members injured or killed in military operations could not be sustained.”

But lawmakers behind the new legislation said the current system is also unfair, and revictimizes families.

Stayskal was among the witnesses at Tuesday's hearing and said Army doctors missed cancerous tumors on multiple occasions while they still could have been treated. He argued not being able to sue the department takes away impetus for them to take corrective action and “barred any chance for (my family) to become whole.”

Rebecca Lipe, a former Air Force judge advocate who served in Iraq, told lawmakers her internal injuries from ill-fitting body armor during her six-month overseas tour were ignored for months by military physicians. Instead, they accused her of having an affair and contracting a sexually transmitted disease.

She said if she could file suit against the military for those mistakes, the action could potentially force changes in the medical review process, or in gender-specific body armor, or in other military failures.

Instead, she said, “I've completely lost faith in the Defense Department to take care of me.”

www.militarytimes.com/news/pentagon-congress/2019/04/30/new-measure-would-allow-troops-to-sue-for-military-malpractice-mistakes/

Speier's bill would not cover any cases related to combat operations, and would only apply to mistakes that occur at major military hospitals and clinics. Medical treatments on ships or battalion aid stations would be excluded.

Plaintiffs bringing lawsuits could not receive compensatory damages and attorneys' fees would be capped under existing federal laws.

Several Republicans on the armed services panel raised concerns that the topic belongs to the chamber's judiciary committee, but voiced general support for a review of the Feres Doctrine.

Three Republicans have already signed on to the legislation, and Speier said she expects more in coming days.

Past efforts to amend the legal precedent have run into opposition because of the potential costs facing the military. The new bill would only cover cases filed after implementation and those currently pending, limiting the potential legal exposure for the department. Costs of the plan were not released.

Speier called it a change to properly compensate families and force military leaders to better address medical shortfalls.

"Allowing service members to sue the Department of Defense for medical malpractice will help root out this rot," she said. "There are few incentives better than the threat of legal action to push an organization to change its behavior. This would lead to better quality care for our service members and higher levels of readiness."

Meanwhile, Stayskal's attorneys on Tuesday filed a new lawsuit against the Defense Department seeking compensation for the mistakes in his case. Their hope is that Speier's legislation will move ahead in time for the case to be considered by the courts, and not simply rejected under the Feres Doctrine.

.....

SEE ALSO:

[Set on fire by a colleague, this Army nurse is taking her story to Capitol Hill](#) [*Army Times*, 2019-04-30]

No new child care facilities in Navy budget as thousands are relegated to waitlist

By Caitlin M. Kenney

Stars and Stripes, April 30, 2019



A May, 2015 file photo shows a ribbon-cutting ceremony marking the official opening of Murphy Canyon Child Development Center II in San Diego, a 13,000 square foot, \$5.6 million facility that can accommodate 114 children. No new child care facilities are planned in the proposed fiscal year 2020 budget, even as thousands of families wait for openings. (Jeffrey Powell/U.S. Navy)

WASHINGTON — Navy and Marine Corps leadership were grilled Tuesday on Capitol Hill about why they had not planned for new child care facilities in the proposed fiscal year 2020 budget as thousands of families wait for openings.

“What is the problem here about not providing more day care services? You’ve got 7,800 — over 8,000 people under your commands waiting for day care here. And there’s no plans in [fiscal year 2020] to increase that capacity,” said Rep. Pete Visclosky, D-Ind., chairman of the defense subcommittee of the House Appropriations Committee.

The Navy has a child care waitlist of about 7,800 families, according to Visclosky, with about 68% in heavily populated installations, and he listed those areas as San Diego, Hawaii, the District of Columbia metropolitan area, and Norfolk, Virginia. The Marine Corps also has a waiting list of 573 people, but Visclosky did not list where in the country the service is most impacted.

The Navy is not planning to add additional child care development centers or family care homes in 2020, he said, adding that its number of facilities has not changed in two years. The Marine Corps is also not expanding its number of day care centers and has not for years.

The Navy is only increasing its day care spending in its fiscal year 2020 budget by \$7 million, according to Visclosky. He also said the Marine Corps is requesting to spend \$11.8 million less than it did two fiscal years ago.

“I think of people wanting to serve in the military and worried about their children” and will only be at a base for a few years, Visclosky said.

Adm. John Richardson, the chief of naval operations, said he agreed with Visclosky and reiterated what Navy Secretary Richard Spencer said in his opening remarks at the hearing that “you can recruit a sailor, but you’re going to retain a family. And a lot of those decisions are going to be made based on child care.”

The Navy is meeting about 75% of their total projected childcare need and “looking forward to expanding that capacity,” Richardson said. The quality of the child care is about right, he said, but they just don’t have enough.

They have looked at providing subsidies for families to obtain child care outside the Navy, however, for some areas around bases, it can be even more difficult to find service, he said.

“The child care situation is even worse outside the gate,” Richardson said. “The waiting lists are longer and there’s even fewer spots being met.”

<https://www.stripes.com/news/us/no-new-child-care-facilities-in-navy-budget-as-thousands-are-relegated-to-waitlist-1.579138>

Richardson said Vice Adm. Mary Jackson, chief of Naval Installations Command, has put teams together to gather ideas on what to do.

Visclosky questioned those efforts, saying, “but there’s no request for additional facilities in [fiscal year 2020]. When is this going to happen?”

Richardson replied the Navy is going to “take a look at it ... maybe not with facilities this time. We’re still studying the requirements to see that there are other creative possibilities, but we do agree with you 100% this is a chronic problem. We have to get after it.”

Visclosky said he did not want to wait until fiscal year 2021 to reduce the backlog of servicemembers waiting for day care. The committee, he said, wants to work with the Navy and Marine Corps on fixing the day care problem in fiscal year 2020.

“We’ll work with you and we’ll beat your timeline. And we do look forward to participating in the national problem that is child care,” Richardson said.

kennedy.caitlin@stripes.com Twitter: [@caitlinmkennedy](https://twitter.com/caitlinmkennedy)

.....

SEE ALSO:

[‘Something needs to change,’ says mom of baby girl who died at babysitter’s base home](#) [*Military Times*, 2019-04-26]

Retired CENTCOM commander's lawsuit against privatized housing owners 'gives validation' to issue, advocate says

By Karen Jowers

Military Times, May 2, 2019



Army Gen. Joseph L. Votel, outgoing commander of U.S. Central Command, retired March 28. (Lisa Ferdinando/DoD)

A lawsuit filed by the recently retired commander of U.S. Central Command and his wife against privatized housing companies and their contractors shows the problems “are pervasive among all levels, from generals and admirals all the way down to E1,” said Crystal Cornwall, executive director of the Safe Military Housing Initiative.

“It gives validation to all of our young enlisted and young officers who have complained about these housing issues for a long time, and have suffered from some these severe repercussions,” said Cornwall, a Marine Corps wife.

Retired Army Gen. Joseph Votel and his wife Michele are suing five companies, including the owner of [privatized housing](#) at MacDill Air Force Base, accusing them of negligence in a fire that destroyed virtually all of their belongings. The lawsuit was first reported by the Tampa Bay Times.

The Votels lost “irreplaceable and unique furnishings, household goods, art, clothing, jewelry and other items,” according to the lawsuit filed in circuit court in Hillsborough County, Florida, where Tampa is located.

The fire broke out in their home on Jan. 28, 2017. The Votels were living in temporary lodging at the time, after being forced to leave their home during restoration work when a water leak was discovered in the slab of their home in November, 2016. Except for the essentials they needed in temporary lodging and for travel, virtually all of their possessions remained in their home. The Votels accumulated those possessions during his nearly 39 years of service. He retired from CENTCOM at the end of March. The lawsuit was filed April 18.

The 2017 fire was caused by an electrical failure, after a nail was driven through a live electrical line, and fused to the wire, according to an investigation completed by the Air Force Office of Special Investigations and the Tampa Fire Department, the lawsuit stated. The nail caused the electrical line to arc, and ignited the wood frame. The damage to the Votels' quarters was so severe that the structure had to be totally demolished, according to the lawsuit.

Cornwall said that it's her perception that the general's lawsuit “gives more credibility to what these families have been saying in terms of negligence and poor maintenance.” She said she finds it interesting that he waited until after he retired to file the lawsuit.

Cornwall was among the military spouses who testified Feb. 13 before the Senate Armed Services Committee about problems military families have had with mold, vermin, water leaks and other issues. Some problems have arisen because of defects in construction.

<https://www.militarytimes.com/pay-benefits/2019/05/02/retired-centcom-commanders-lawsuit-against-privatized-housing-owners-gives-validation-to-issue-advocate-says/>

The Votel lawsuit will hopefully set a precedent for military families who find that their last recourse in getting help for some of their financial losses they attribute to privatized housing issues, said Amie Norquist, whose husband is a Green Beret soldier stationed at MacDill.

“I’m thankful they are doing this because it’s a precedent for other families,” she said, adding that she hopes the Votels “will be able to gain some peace back in their lives and enjoy their retirement.”

The Votels’ lawsuit, said Norquist, is an encouragement for other families.

It’s “a way that we can see there’s hope for things we can do for our families,” Norquist said.

The Norquists moved off base because “we couldn’t trust that our home would be safe,” she said, and were concerned about sickness in the family they attributed to mold.

She estimates their financial losses at between \$40,000 to \$50,000, after having to dispose of mold-contaminated furniture, mattresses and other items, and paying medical copays for numerous doctor visits. All of her four children have had medical issues, she said. Her husband was pulled from deployments as a Green Beret because of the family health issues, she said.

“It’s amazing [the Votels] have to go to the level of filing a lawsuit to actually be reimbursed for their losses,” Norquist said, adding that she and her husband are also considering that as a last resort for reimbursement for their lost property.

The Votels’ lawsuit was filed in the Hillsborough County, Florida, Circuit Court. Information was not available on the value of the belongings the Votels lost. In order to be under the jurisdiction of the circuit court, the lawsuit must involve amounts of more than \$15,000.

Votel declined comment about the lawsuit.

Defendants named in the lawsuit are AMC East Communities, owners of the [privatized housing at MacDill AFB](#), and Michaels Management Services, Inc., the property manager, as well as companies that were reportedly contracted to do the work, Damage Recovery, LLC, Fuller Construction Group, LLC, and Dri-Ez.

Officials at AMC East Communities couldn’t immediately be reached for comment.

Ron Hansen, president of Michaels Management Services, said the contractors weren’t working for Michaels, as the property manager, but for the owners, because the water leak had reportedly been a warranty issue. “I certainly sympathize with the Votels. I know it’s a terrible loss to lose those memories,” Hansen said.

Officials at Damage Recovery couldn’t be immediately reached for comment. Fuller Construction Group’s phone has been disconnected, and is reportedly out of business.

According to Votel’s attorney, Andra T. Dreyfus, defendant Dri-Ez has been dropped from the case.

The Votel’s house also had issues with mold associated with the water leak, according to a [story in the Tampa Bay Times](#) written as Votel was retiring from CentCom. That issue is not part of the lawsuit. Families at MacDill and a number of other military installations have complained about mold and other problems in their housing.

During Votel’s military career, he and his wife traveled the world and accumulated unique, irreplaceable and invaluable items. Their loss included family heirlooms and children’s and family memorabilia, as well as a lifetime’s collection of fine books, jewelry, china, cookware, glassware, flatware, table and bed linens,

<https://www.militarytimes.com/pay-benefits/2019/05/02/retired-centcom-commanders-lawsuit-against-privatized-housing-owners-gives-validation-to-issue-advocate-says/>

silver, crystal, a house full of furniture, shoes, clothing, accessories and other items. furnishings, household goods, art, clothing, jewelry and other items,” according to the lawsuit.

Michele Votel is also an experienced collector of fine art and antiques, according to the lawsuit.

Some of destroyed items were gifts from many world leaders, as well as unique items of great historical and cultural significance.

Votel has also received many commemorative items from the men and women he served with to honor his leadership, according to the lawsuit. “All of these items held great meaning to [Votel], and can never be replaced.

“Some of these people lost their lives in service to our country.”

Military Times managing editor Howard Altman contributed to this article.

.....

SEE ALSO:

[Privatized housing system leaves military families lost, Warren charges](#) [*Military Times*, 2019-05-01]

[Fed up with mold, vermin and lead, House budget plan adds \\$140 million for military housing fixes](#)

[*Military Times*, 2019-04-30]

There's a new general in charge of the Army's efforts to revamp basic training and fitness

By Meghann Myers

Army Times, April 26, 2019



Army trainees hustle to the company area on the first day of Basic Combat Training at Fort Jackson, S.C., in June 2017. The command in charge of basic training has a new leader as of Friday, April 26, 2019. (Sgt. Philip McTaggart/Army)

The command responsible for both [Army basic training](#), and its efforts to field a [new fitness test](#), changed hands Friday.

[Maj. Gen. Malcolm Frost](#), who is set to retire later this year, handed over leadership of the Center for Initial Military Training to Brig. Gen. Lonnie Hibbard in a ceremony at Joint Base Langley-Eustis, Virginia, livestreamed via the command's Facebook page.

“He helped me and then other Army senior leaders understand the imbalances and the cumulative risks that had crept into the Army's training mission over almost two decades of continuous combat overseas,” Gen. Stephen Townsend, the head of Training and Doctrine Command, said of Frost. “And then he helped us find ways to fix them.”

Hibbard, a career pilot, is coming in from almost two years as the director of operations, plans and training at TRADOC.

“The source of power of the United States Army is the soldiers — the young recruits, America's sons and daughters, who volunteer to join our Army,” he said in his remarks. “IMT is the foundation of training civilian volunteers into simply the best soldiers on Earth.”

The plan, leaders said, is that he carries on CIMT's trajectory.

“One of the fears I have, changing out, was the gap that might occur,” Frost said. “There was a fear that that momentum that we gained was going to stop.”

But that won't happen under Hibbard, he said.

“We will be at the walk — if not run — phase, because of what he knows and understands and what he's been a part of,” Frost said.

Frost, a 1988 West Point graduate and career infantryman, took command of CIMT in July 2017, following a stint in the Pentagon as the service's chief of public affairs.

His first order of business was a review of the Army's entire initial entry training base, and what he found was a host of leaders at the ground level, concerned that the freshly minted soldiers reporting to their units were undisciplined and out of shape.

A host of changes followed. In early 2018, Frost led an overhaul of Army basic training at Fort Jackson, South Carolina, which included more Army history and drill and ceremony, designed to instill the understanding of what it means to be a professional soldier. There was also more land navigation, a higher fitness standard and double the time spent on radio communication training.

<https://www.armytimes.com/news/your-army/2019/04/26/theres-a-new-general-in-charge-of-the-armys-efforts-to-revamp-basic-training-and-fitness/>



Brig. Gen. Lonnie Hibbard took command of the Center for Initial Military Training on April 26, 2019. (Army)

Then CIMT did away with Advanced Individual Training platoon sergeants, bringing back drill sergeants to the program for more continuity with basic training, then increasing the ratio of drill sergeants to trainees across initial entry training and adding lieutenants to take pressure off of overworked cadre.

And of course, the Army Combat Fitness Test — six events measuring strength, agility and other skills — went from the pilot to field-testing phases, with a roll-out scheduled for fall 2020. At the same time, teams of nutritionists, conditioning coaches and nutritionists are planned for every Army battalion, as part of the official Holistic Health and Fitness Initiative.

“We now have the resources. We are not under-resourced. I think we are not undervalued anymore ... we’re a still a little misunderstood, but that’s okay,” Frost said. “I think we’ve closed the gap a lot.”



SEE ALSO:

[DARPA wants AI to make soldiers fitter, happier, more productive](#) [C4isrnet, 2019-05-02]

[Goodbye Tape Test? Coast Guard Reviews Body Fat Policy](#) [Military.com, 2019-05-01]

[Tough going: Elite service members compete for ‘Best Ranger’](#) [The Associated Press, 2019-04-28]

[Game of Tests: The new fitness test is coming. Here are three workouts to get you ready](#) [Army Times, 2019-04-27]

Misconduct

Air Force Academy removes commandant of cadets amid investigation

By Tom Roeder

The Gazette (Colorado Springs, Colo.), May 2, 2019



Brig. Gen. Kristin Goodwin makes remarks during the Graduation Tapping Ceremony at the U.S. Air Force Academy in Colorado, May 21, 2018. (Senior Airman Arielle Vasquez/Air Force)

The first openly gay general at the Air Force Academy has been removed as commandant of cadets, but leaders were mum Monday on the exact cause of the apparent firing.

Brig. Gen. Kristin Goodwin, who led military training at the academy since 2017, was removed from her role as commandant amid an investigation, the school confirmed.

“Effective immediately, Brig. Gen. Kristin Goodwin is no longer performing her duties as the commandant of cadets pending the results of an ongoing investigation,” the academy said in an email to The Gazette. “We cannot provide additional information on the investigation at this time.”

It’s an extremely rare move, making her the first academy commandant relieved of command since 2003, when a commandant was fired for comments that suggested a cadet invited sexual assault. Goodwin had only about a month left at the academy before a planned move to a Pentagon job.

Her replacement, Brig. Gen. Michele Edmondson, was expected to take over shortly after the school’s May 30 graduation.

The academy likely will fill in some details Wednesday as leaders address a meeting of the Board of Visitors, the school’s civilian oversight board. They will at least need to explain the absence of Goodwin, who is scheduled to address a morning session of that board meeting in Polaris Hall on the campus.

Goodwin could only be removed from command by her boss, Lt. Gen. Jay Silveria, the school’s superintendent.

According to Air Force regulations, Silveria also had to inform his boss, Air Force chief of staff Gen. David Goldfein.

Silveria was at the Pentagon late last week for a series of meetings with top Air Force brass. It’s unclear if those meetings involved discussion of Goodwin’s departure.

Goodwin, a former B-2 bomber pilot who moved to the school with her wife and children, was praised by some for a tough new set of discipline policies that made cadets toe the line. She also faced criticism for her stormy relationship with subordinates and colleagues, a few of whom referred to her with the imperial nickname “duchess,” the general’s call sign from flying days. Several academy officers, requesting anonymity because they were not authorized to speak about the case, said Goodwin was a caustic leader who treated those under her roughly and was easily riled.

“She’s a 4.5 star wacko,” one former academy officer said of Goodwin, with whom he served.

Several officials say a Pentagon probe by the Air Force Inspector General is ongoing to examine Goodwin’s conduct while she was in charge of the school’s 4,000 cadets and the officers and sergeants who oversee the school’s 40 cadet squadrons.

https://gazette.com/military/air-force-academy-removes-commandant-of-cadets-amid-investigation/article_7d20dc86-6aae-11e9-83cc-2b0168fe8995.html

Any complaint against a general that's worthy of inspector general scrutiny is handled at the Pentagon, which has the only branch of the investigative agency authorized to do that work.

Goodwin came to the academy after serving as the top military aide-de-camp to former Air Force Secretary Deborah Lee James. The appointment drew criticism from some Christian groups who noted that she had hidden her sexual identity for years while serving in a military that banned gays at the time. In 2011, the Pentagon lifted its ban on open service by gays and lesbians.

Civil rights and gay rights groups met Goodwin's appointment with applause.

During her time as commandant, Goodwin didn't discuss her sexuality publicly. She did talk about the need for cadets to face tough training as a prelude to combat.

"I'm not going to change how we train people," Goodwin told The Gazette in 2017. "Here's the thing — the enemy is not forgiving."

Contact Tom Roeder: 636-0240 Twitter: @xroederx

Crackdown at Lejeune: Inside the 2nd Marine Division commander's controversial call for discipline

By Andrea Scott

Marine Corps Times, May 2, 2019



Maj. Gen. David Furness, the commanding general of 2nd Marine Division, addresses 6th Marine Regiment, 2nd Marine Division, during an award ceremony for Regiment Week on Camp Lejeune, North Carolina, Nov. 9, 2018. (Cpl. Christian J. Robertson/Marine Corps)

CAMP LEJEUNE, N.C. — When the [commanding general of the 2nd Marine Division](#) sent out a letter to his Marines citing the “significant decline in the basic discipline of our warriors,” opinions flew.

And, of course, rumors.

Some rumors circulating the barracks at [Camp Lejeune, North Carolina](#), are partially true.

It did happen in a Camp Lejeune chow hall a few weeks ago that the commandant of the Marine Corps ran into a division [Marine who was “in pajamas.”](#)

But it wasn't that one unfortunate instance that caused the commanding general of 2nd Marine Division to put in motion plans to refocus the division, as insisted on by the excitable rumor. There are “a hundred different” examples he could share, [Maj. Gen. David Furness](#) told Marine Corps Times in an exclusive interview.

But for Furness, who had been traveling at the time of the chow hall blunder, receiving a letter from the commandant's office about the incident didn't help.

Neither did the time the major general, who started his career as a rifle platoon commander and 81mm mortar platoon commander in the 2nd Marine Division, approached his two-star parking space with two lance corporals sitting on a bench in front of it.

The general walked by them, he recounted. And when the junior Marines didn't acknowledge him, he greeted them.

One Marine totally blew him off — didn't get up or acknowledge him, he said.

“The other one looks up, and, while sitting, salutes with an iPhone in his ear.”

The general asked them: Were you ever taught to do that in boot camp?

“No sir.”

“Why did you try to do it?”

“I was on the phone.”

“Why are you on the phone here?”

“I don't know.”

Spot correcting was his first tactic when he took over the division in August, Furness says. But it hasn't been effective.

<https://www.marinecorpstimes.com/news/your-marine-corps/2019/05/02/crackdown-at-lejeune-inside-the-2nd-marine-division-commanders-controversial-call-for-discipline/>

And the correction shouldn't be coming just from him, but from all his Marine leaders. Which is not something he says he has always been seeing.

On April 16, Furness fired off a policy letter to the entire 2nd Marine Division detailing a new "basic daily routine" for North Carolina division Marines.

"We have allowed Marines and Sailors to walk around with long hair, nonexistent or poor shaves, unserviceable boots and utilities and improper civilian attire," the letter reads. "There are weeds growing around our building and work spaces and trash everywhere but the dumpsters where it belongs."

"A general lack of attention to detail and corrective action by peers and leaders results in lower discipline and destroys the foundation on which the Marine Corps was built — ironclad discipline."

The letter, and its accompanying "basic daily routine" hourly schedule, went viral among Marines.

The "old Corps" came forward, asking what happened to their beloved Marine Corps and lamenting that "ironclad discipline" they remember.

Many other Marines responded the opposite way, sending accusations of micromanagement at the highest levels: angrily alleging that this is an antithesis to the Marine Corps motto of "centralized command, decentralized control," and asking why should killers really care about haircuts?

Fingers came back to point at Furness.

As one retired gunner said on Facebook: It was a "vitriolic social media dog-pile."

Furness says he regrets how the initial rollout went. The Luddite commanding general who doesn't use social media sheepishly said he didn't realize the letter would get out of the unit.

He wouldn't do it like that again, he says, but he's not backing down.

From June 3–7 there will be an entire division stand down. It's more of an educational stand down, he says, to teach Marines what the right way looks like and show how to best and most effectively enforce Marine Corps standards.

Basically, to teach what they already learned in boot camp.

It's not coming from just him. In September 2018 he formed a "sergeants council" of about 12 Marines pulled from across the division to bring to the table issues they see on the ground.

Right now the council, which meets monthly, is focusing on planning the June stand down. After that, there will be quarterly division stand downs.

The commanding general says it's a time to pause and get it right — a luxury the Marine Corps hasn't had until recently due to a high deployment tempo.

"I will tell you I went to a chow hall today and from the car to the door I picked up a straw, five cigarette butts, a top of some drink beverage and some indescribable piece of trash," Furness told Marine Corps Times April 26, comparing the distance to the short hallway leaving his Camp Lejeune office.

"Now, in the Marine Corps I grew up with people would be asking why is a CG picking up trash?"

"Well, I'm part of the team, No. 1 — I want to set the example."

But he also wants Marines to "have pride" in their surroundings. And pay attention to detail.

It's about more than just haircuts, Furness says. He believes lack of discipline in garrison will carry over to training and eventually combat.

<https://www.marinecorpstimes.com/news/your-marine-corps/2019/05/02/crackdown-at-lejeune-inside-the-2nd-marine-division-commanders-controversial-call-for-discipline/>

It's already being seen in training, he says. The after-action reviews he has been receiving from California service-level exercises at 29 Palms and the Mountain Warfare Training Center in Bridgeport are uniformly marking Marine performance as "woefully inadequate," Furness said.

But it is still pretty unique for a commanding general to take such hold from up high. And, it begs the question: What is going on in 2nd Marine Division?

The CG didn't say exactly what happened to the pajamaed Marine in the chow hall: But he knows that Marine got a call from the sergeant major of the Corps.

Furness' big regret is that he didn't get a letter and contingency plan out sooner.

"I'm upset with myself for not doing this quicker, giving more specific guidance to my junior leaders and my leaders sooner so that they could have gone after this."

"But, again, this is a Marine Corps problem, not just a 2nd Marine Division problem, but we're the 'follow me' division, and I'm stepping out."

BOOT BANDS DON'T MAKE KILLERS

The issues in 2nd Marine Division right now are not unique to East Coast Marines, Furness says.

He insists that he and his peers have been lamenting about a lack of discipline crawling across the Corps for the past 10-15 years.

And it is at the small unit leader level that he's looking to the most.

"I absolutely believe it's incumbent on the leadership of those units to make them adhere to the Marine Corps standards, because part of the pride of being a Marine is being better than everybody else," he said. "I'm not asking anyone to do anything that's not Marine Corps order ... or part of the Marine Corps culture."

Several responses to the letter have been angry, calling Furness' tactic an out-of-line takeover.

A recent anonymous opinion article reportedly from an active-duty Marine in combat arms on the military website Task & Purpose was titled, "The 'micromanaging' Marine general should focus on strategy, not mustaches."

That junior Marine officer started the letter by telling Furness, "Your latest policy letter ... violates the core tenants of Marine Corps doctrine. You ought to repeal it immediately."

Proper shaves and poorly maintained facilities are noteworthy, "but these things are not essential," the Marine wrote. "You can kill enemies with long hair. You can win battles without boot bands or rolled sleeves. At the end of the day, grooming standards have only tangential relevance to victory in war."

"This petty stuff higher ups worry about is the reason why good, effective Marines get out," a five-year enlisted Marine who got out of the Corps in the past year told Marine Corps Times.

From an initial read, Furness' letter does look like a mandated schedule.

"I expect EACH AND EVERY Marine and Sailor to fully embrace the following routine," it stated.

But the general backtracked on that wording of his letter, telling Marine Corps Times there is no micromanaged schedule, it's a traditional schedule for small unit leaders to base their unit schedules off of.

"That plan is not a division-wide schedule," he said. "It's a schedule. So if they want to adopt it, you know, verbatim, that's their decision."

<https://www.marinecorpstimes.com/news/your-marine-corps/2019/05/02/crackdown-at-lejeune-inside-the-2nd-marine-division-commanders-controversial-call-for-discipline/>

“It’s not a mandated, by the hour schedule.”

Several Marines at Camp Lejeune said they thought the division’s response to the letter seems to be pretty split, maybe even 50/50.

A couple Marines mentioned there is now more traffic getting on base in the early morning hours. Earlier start times and mandatory PT each morning the cause.

Other 2nd Division Marines say “literally nothing” has changed in their units.

According to 1st Lt. Nathaniel Thompson, with Charlie Company, 2d Combat Engineer Battalion, there had been notice of some units coming in late or leaving early, or taking long lunches.

But, for a well-disciplined unit, there hasn’t been much change, especially on the side of a daily schedule.

“The good units are already doing this, and they will continue to do this,” Thompson said.

So why the fierce push-back?

Max Uriarte, the creator of Terminal Lance, was the first to post Furness’ letter publicly, on his outlet’s Facebook page.

“I think the fundamental problem that junior Marines have with things like this is that 99 percent of them are doing the right thing, but are being punished because of the 1 percent that are not,” he said.

Punishing an entire division is odd, Uriarte said, noting that he personally never had seen that before.

“Had it not blown up on social media, it probably would have just been a few weeks of butt-hurt SNCOs passing down punishment and would have faded off eventually.”

“Mass punishment events like this spring up all the time, and serve as a regular reminder to look forward to your DD-214,” Uriarte said.

Though the Commandant of the Marine Corps Gen. Robert Neller did not respond to requests to comment on the chow hall incident, Furness did hear from him after his letter went out.

Neller had been Furness’ division commander in combat: The commandant was calling to ask if the division commander was alright.

“He said he supported what I was doing and just wanted to make sure I was doing OK. He was just checking on one of his Marines.”

Which is what Furness insists he is doing here: leading from the front and coaching a team of Marines to success.

When Furness was a child, he wanted to be an outside linebacker for the Minnesota Vikings, he said.

“It just didn’t work out that way.”

But the father of four compares leadership a lot to coaching a sports team.

The consequences in the Marine Corps are a lot greater.

“I hate it when I hear analogies of the NFL or something, ‘It’s like war out there,’” he said. “No, it’s not. Nobody out there is going to get their head blown off this morning.”

But, like being a part of the New England Patriots, he said, or any other professional football team, there is a culture. And there are parts of that culture that help lead to being champions.

<https://www.marinecorpstimes.com/news/your-marine-corps/2019/05/02/crackdown-at-lejeune-inside-the-2nd-marine-division-commanders-controversial-call-for-discipline/>

The Marine Corps is no different, he said.

“When you do that and you give of yourself and you embrace that culture and become a full member of it, there’s a certain pride associated with that,” he said.

“And then the biggest championship you can win is going to combat, accomplishing the mission and bringing everybody home.”

Andrea Scott is editor of Marine Corps Times. On Twitter: [@andreascott](#).

SEE ALSO:

[2nd Marine Division CO Regrets How He Rolled Out Stringent New Routine. But He's Not Backing Down](#)
[*Military.com*, 2019-04-30]

FBI informant helped nab Army veteran accused of bomb plot

By Brian Melley

The Associated Press, May 1, 2019



In this Nov. 5, 2012, photo provided by the U.S. Army, U.S. Army Pfc. Mark Domingo, left, takes an Afghan man's fingerprints in the village of Dande Fariqan, in Afghanistan's Khowst Province, as part of the military's effort to gather biometric data on the residents. Domingo, an Army veteran who converted to Islam and discussed launching various terror attacks throughout Southern California, was arrested as he plotted to bomb a white supremacist rally as retribution for the New Zealand mosque attacks, federal prosecutors said Monday, April 29, 2019. (Sgt. Christopher

Bonebrake/U.S. Army via AP)

LOS ANGELES (AP) — When the FBI arrested an Army veteran in a plot to bomb a white supremacist rally in Southern California, it was the work of a confidential informant that helped snare him.

Over the course of six weeks, the informant counseled, cautioned and coaxed Mark Domingo, steering him away from rash gun attacks, offering him opportunities to quit and eventually leading him to a trap, according to court documents.

The unnamed person is one of scores of such informants the FBI has used to identify would-be terrorists and thwart their plans. The tactic is part of ramped-up counterterrorism efforts following the Sept. 11 attacks that have been hailed by law enforcement for preventing mass killings but criticized by defense lawyers and civil liberties groups for enticing vulnerable people down a path toward crime.

By the time the informant joined the case, Domingo had been spouting about violent jihad in online forums, according to court documents that spell out online chats and conversations recorded over two months.

Domingo posted an online message March 3 saying “America needs another Vegas event,” an apparent reference to the 2017 mass shooting in Las Vegas that killed 59 people, documents show. He said it would spark civil unrest to weaken “America by giving them a taste of the terror they gladly spread all over the world.”

Domingo, 26, a combat veteran who served four months in Afghanistan before being kicked out of the Army, recently converted to Islam and was plotting attacks across Southern California to seek revenge for killings at two New Zealand mosques in March, prosecutors say.

His plans for a bombing didn't begin to take shape until he met someone he thought shared his jihadist vision, documents say.

The informant, also operating in the same private online message group, asked Domingo on March 16 how he was feeling after the mosque slayings that killed 50.

“Still mad,” Domingo wrote. He said he was keeping an assault rifle by his bed, documents show.

The two met up and over six weeks, Domingo broke bread, prayed and scoped out possible targets with this seemingly kindred soul he called “bro.”

<https://www.apnews.com/3eb2cf5f7a0b4069bb2bc653c0ad2b56>

But the co-conspirator had a much different mission, one that had been ongoing since 2013, according to an affidavit filed in court by FBI Special Agent Tasha Coolidge. While not identified, the person has no criminal history and had been paid \$304,524 since August 2013 for other work with the FBI, Coolidge said.

The use of such informants has been critical to disrupt terrorist plots, said Robert Chesney, a professor at the University of Texas School of Law. Investigations typically begin with a tip about someone voicing support for terrorist groups like the Islamic State or al-Qaida but eventually lead to an informant making contact to learn more.

The tactic has been criticized by lawyers for preying on innocent or mentally unstable people and cajoling them to commit a crime they wouldn't have carried out without encouragement. Some informants are criminals themselves trying to avoid prison or deportation because of immigration troubles or are incentivized by money.

"The line gets very blurry between how the FBI instructs some of these informants from moving from being informants to being agent provocateurs," said Hussam Ayloush, executive director of the Council on American-Islamic Relations for the Los Angeles area. "The majority of these cases have been manufactured, foiled and celebrated by the FBI."

The U.S. attorney and FBI declined interviews a day after a news conference on the arrest. Domingo's lawyer also would not comment.

Domingo met March 18 with the informant and discussed a range of possible targets. He talked about gunning down Jews walking to temple or police in squad cars, authorities say. He also is accused of discussing attacking a church and a National Guard Armory.

The informant questioned how he was going to get away with those crimes.

"Your plan is just to go and get caught," the informant said.

"Martyrdom, bro," Domingo replied, according to the affidavit.

The informant told Domingo it was foolish to use any of his own three rifles, two of them semiautomatic, because they would be traced to him. Before they arrived at a mosque to pray, the informant said he knew someone who used to make improvised explosive devices and described how they could be placed under a car.

"That's even better," Domingo said, the affidavit shows.

Maureen O'Connell, a longtime FBI agent who now runs a consulting firm, said the informant was employing a strategy to prevent impulsive violence.

"If he really believed, and it sounds like he did, that this guy was going to rush into a church with a gun — an IED takes time," O'Connell said. "He's buying time and he's saving lives."

Defendants often claim they were entrapped by an informant, but that defense typically fails because their own words undermine them and because they have typically declined opportunities to back out of the plan, said Chesney, the law professor.

The affidavit is loaded with incriminating statements recorded of Domingo and several instances when the informant told him he didn't have to go through with the plan.

In the end, the informant connected Domingo with a purported bomb maker. Domingo supplied a bag of nails he said would be long enough to puncture internal organs when used in pressure-cooker bombs, authorities say.

<https://www.apnews.com/3eb2cf5f7a0b4069bb2bc653c0ad2b56>

But the bomb maker was an undercover police officer, and an FBI SWAT team arrested Domingo after he surveyed a park in Long Beach where he had planned to plant them, documents say.

Domingo is charged with providing material support to terrorists and could face up to 15 years in prison if convicted.

SEE ALSO:

[Suspect in Nazi bomb plot kicked out of Army](#) [*The Associated Press*, 2019-04-30]

[Police, FBI thwart Army veteran's plan to bomb Nazi rally](#) [*The Associated Press*, 2019-04-29]

[Army veteran planned to bomb Nazi rally, US officials say](#) [*Military Times*, 2019-04-29]

[Man plotted to bomb white-supremacist rally, retaliating for New Zealand mosque attacks, feds say](#) [*The Washington Post*, 2019-04-29]

[U.S. Army veteran charged with plotting to bomb white nationalist rally](#) [*Reuters*, 2019-04-29]

Kansas shootings add to concerns over ex-military and extremism in U.S., experts say

By Judy L. Thomas

The Kansas City Star, April 30, 2019



This undated booking photo provided by Rice County Sheriff's Office shows David Madden, of Alden, Kansas. (Rice County, Kan., Sheriff's Office)

The suspect in the [shootings Monday of a central Kansas sheriff and undersheriff](#) was a former Marine who once kept an AK-47 machine gun under his bed and stored two dozen pipe bombs and other explosive materials on his property, federal court documents reveal.

David L. Madden, of Alden, Kansas, was found dead in the home of his father at 12:10 a.m. Tuesday after a 6 1/2-hour standoff with authorities. Madden's father, Thomas Madden, of nearby Raymond, Kansas, also was found shot to death in the home.

The harrowing event that put many rural Kansas communities on edge played out on the same day that federal authorities in California accused a U.S. Army veteran of plotting a terrorist attack in Southern California. And it came less than three months after prosecutors in Maryland accused a Coast Guard officer of being a "domestic terrorist" who was amassing an arsenal of weapons and drawing up a hit list that included prominent Democrats, two Supreme Court justices and television journalists.

The mounting cases of violent acts involving veterans of the armed forces continue to raise concerns among those who monitor extremists, and some say the military isn't doing enough to root them out.

"The Department of Defense is a very large organization with over a million people in it," said Daryl Johnson, a former senior analyst with the Department of Homeland Security. "So a very small percentage of them are going to be reflective of society, and have some extremists in their ranks.

"But that equates to a few thousand people. And these are people with access to classified information, with special military training in weaponry and the arts of warfare, and some have combat experience. Even one is too much."

A U.S. Marine Corps spokesman cautioned not to paint all veterans with a broad brush.

"These events are obviously very newsworthy because they don't happen all the time," said Capt. Joseph Butterfield. "The Marine Corps returns quality citizens back to the civilian world. That's one of the things we aim to do. But I do think we have to be careful with connecting too much to a service being the reason why something took place or why somebody committed some terrible act."

In the California case, authorities on Monday said [they had foiled a domestic terrorism plot directed at "multiple targets,"](#) including Huntington Beach, the port of Long Beach and the Santa Monica Pier.

Officials said the suspect, Mark Steven Domingo, 26, was seeking to avenge recent attacks against Muslims. Domingo also talked of committing an attack similar to the 2017 massacre in Las Vegas and considered targeting white nationalists, Jews, churches and police, according to documents filed in federal court.

Domingo, a resident of Reseda, California, and former Army infantryman with combat experience in Afghanistan, accepted what he believed to be an improvised explosive device from an undercover FBI

<https://www.kansascity.com/news/local/crime/article229854289.html>

officer, the Justice Department said. The “bomb” was actually inert. Prosecutors charged Domingo with trying to provide material support to terrorists.

In February, Lt. Christopher Paul Hasson, 49, was ordered held without bond on drug and gun charges involving what federal plot. Prosecutors said Hasson was a white nationalist who espoused extremist views and wrote about biological attacks. Court documents said agents found 15 guns and more than 1,000 rounds of ammunition in his apartment in Silver Spring, Maryland.

Last week, a [federal judge in Maryland created a public outcry when he said Hasson was entitled to be released](#) from detention prior to his trial after his public defender argued that the continued government detention was unlawful. The judge said he still had “grave concerns” about Hasson’s alleged actions but that the charges to that point did not require that he be detained.

The violence in Kansas began shortly after 5 p.m. Monday, when Rice County Undersheriff Chad Murphy was shot four times — including once in the neck — within 30 seconds of pulling Madden over in a traffic stop just north of the Sterling, Kansas, city limits about 70 miles northwest of Wichita. The Kansas Bureau of Investigation said Tuesday that a female and a child were with Madden in the vehicle at the time.

Madden then fled and drove to his residence in Alden, the KBI said, where he retrieved guns and ammunition. From there, the KBI said, he drove to the home of his father, 65-year-old Thomas Madden, in Raymond, Kansas, and fatally shot him. When Rice County Sheriff Bryant Evans arrived about 5:40 p.m., David Madden shot him in the leg then exchanged gunfire with other officers, according to the KBI.

The standoff with multiple law enforcement agencies ended when authorities found David Madden’s body about 12:10 a.m. The KBI said it is suspected that he died of a self-inflicted gunshot wound.

Murphy was flown to a Wichita hospital and was in critical but stable condition Tuesday, the KBI said. Evans was treated for his injuries and released.

Federal court documents show that Madden was indicted April 23 in U.S. District Court of Kansas on one count of illegal possession of a machine gun.

The documents also say that Madden, 37, is a person of interest in the disappearance of Megan Foglesong, an Alden woman who was reported missing in November 2015. An affidavit filed in the case says a KBI special agent who was investigating Foglesong’s disappearance had contacted a special agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives on several occasions to report that the KBI had received information that Madden was suspected to be involved with explosives or explosive materials.

On Feb. 22, 2017, the affidavit says, Madden led authorities on a high-speed chase that began in Ellinwood, Kansas, and went through Rice and Barton counties. Madden was arrested later that day after a standoff with law enforcement officers at his residence in Alden, Kansas.

A Feb. 25, 2017, search of Madden’s property yielded two wooden crates in an outbuilding which contained 24 metal pipe bombs, each wrapped with metal bailing wire and some also wrapped with black electrical tape, according to the affidavit. Searches the next day turned up 12 containers of smokeless powders and two live military ordnance projectiles.

Authorities conducted another search on March 9, 2017, and discovered an AK-47 machine gun under Madden’s bed. They also found a railroad torpedo, which is a regulated explosive item, and a .45-caliber semiautomatic pistol.

<https://www.kansascity.com/news/local/crime/article229854289.html>

A KBI agent interviewed Madden in the Rice County Jail on April 11, 2017, according to the affidavit. In the 34-minute interview, Madden “admitted to making and lighting off pipe bombs and said he had been doing this since he was a kid,” the document says.

“Mr. Madden admitted to finding the machine gun in Fallujah, Iraq when he was there fighting for the United States Marine Corps,” it says. “Mr. Madden admitted to bringing the machine gun back to the United States and to knowing it was a machine gun.”

Madden’s records released Tuesday by the Marine Corps do not indicate that he was ever deployed to Iraq. The records show that he served in the Marines from June 19, 2000, to April 15, 2004, attaining the rank of Private First Class, E-2 on Oct. 9, 2003. He was a light armored vehicle crewman, according to the records, and received a National Defense Service Medal, a decoration to recognize all military members who have served in active duty during a declared “national emergency.”

At a news conference Tuesday morning, KBI senior special agent Stephen Rosebrough said he did not have any information on why Madden was not still in jail on Monday. Kansas Department of Corrections records list his current status as “absconder” as of Feb. 11.

Rosebrough said authorities don’t know what may have motivated Madden to do what he did.

“We’ll never know what his true motive was now,” he said.

Johnson, who now runs an analytics firm that focuses on domestic extremism, said one of the reasons violent extremists are a growing concern in the military is because the policies to keep them out aren’t tough enough.

“They have a loophole that says you’ll be disciplined if you have an active membership in a white supremacist group,” he said. “But if you’re a militia member, you’re fine; if you’re a sovereign citizen, you’re fine. So you have to be a card-carrying member of the Nationalist Socialist Movement or attending a KKK rally to be disciplined.

“That loophole needs to be closed, because the vast majority of white supremacists or violent extremists are not active members of groups. If you support or embrace or go online or join a forum or whatever, there should be zero tolerance.”

.....

SEE ALSO:

[The Army is investigating a Fort Bliss soldier for alleged ties to a neo-Nazi group](#) [*Army Times*, 2019-05-03]

[Corps investigating Marine for sending boot swastika photo to 'Terminal Lance' creator](#) [*Task & Purpose*, 2019-04-29]

[Former Army Sharpshooter with a History of PTSD Faces Hate Crime Investigation](#) [*Military.com*, 2019-04-28]

[Air Force investigating airman’s alleged ties to white nationalist group](#) [*Air Force Times*, 2019-04-26]

[Minnesota National Guard investigating Chaska recruit's ties to white supremacist group](#) [*Star Tribune (Minneapolis, Minn.)*, 2019-04-28]

Release approved for Coast Guard officer accused of terror

By Michael Kunzelman

The Associated Press, April 25, 2019



This undated file image provided by the U.S. District Court in Maryland shows a photo of firearms and ammunition that was in the motion for detention pending trial in the case against Christopher Hasson. A federal magistrate agreed on Thursday, April 25, 2019, to order the pretrial release of the Coast Guard lieutenant accused of creating a hit list of prominent Democrats, Supreme Court justices, network TV journalists and social media company executives. (U.S. District Court via AP)

GREENBELT, Md. (AP) — A Coast Guard lieutenant accused of being a domestic terrorist is entitled to be released from custody before his trial on firearms and drug charges, a federal magistrate said Thursday.

U.S. Magistrate Judge Charles Day noted that 50-year-old Christopher Hasson hasn't been charged with any terrorism related offenses. Hasson was arrested Feb. 15 and is awaiting trial on firearms and drug charges. Prosecutors have said he created a hit list of prominent Democrats, two Supreme Court justices, network TV journalists and social media company executives.

Day said he still has “grave concerns” about Hasson based on information prosecutors have presented. The magistrate said Hasson is “going to have to have a whole lot of supervision” before his release, a process that could take several days.

Marcia Murphy, a spokeswoman for U.S. Attorney Robert Hur's office, said prosecutors would oppose any conditions of release for Hasson.

Day didn't order Hasson to be immediately released. The magistrate gave Hasson's defense attorney, Liz Oyer, a few days to arrange conditions of release that would be acceptable to the court. Prosecutors have vowed to appeal if Day does order his release.

Oyer said her client hadn't made any direct or specific threats to harm anyone. She said prosecutors are seeking to punish Hasson for “private thoughts” that he never shared.

“They have not come forward with evidence that Mr. Hasson is a domestic terrorist because he is not,” she told Day.

But prosecutors have said Hasson is a self-described white nationalist who espoused extremist views for years and “intends to murder innocent civilians on a scale rarely seen in this country.” In a February court filing, prosecutors said Hasson drafted an email in which he said he was “dreaming of a way to kill almost every last person on the earth.”

Assistant U.S. Attorney Thomas Windom said prosecutors had presented “clear and convincing evidence” that Hasson poses a danger to the public.

“The dots were connected directly by the defendant with his own writings,” Windom said.

Prosecutors have said Hasson appeared to be planning attacks inspired by the manifesto of Anders Behring Breivik, the Norwegian right-wing extremist who killed 77 people in a 2011 bomb-and-shooting rampage.

On Feb. 21, Day ordered Hasson to be held without bond. At that time, however, the magistrate said he was willing to revisit his decision if prosecutors didn't bring more serious charges within two weeks.

<https://www.apnews.com/897a45d71f0b480ebcef45a9b4df0b94>

On Thursday, Day said he was inclined to order home confinement with electronic monitoring for Hasson and restrict his access to firearms and computers. The magistrate gave Oyer a few days to present him with a proposal before Hasson can be freed.

Prosecutors claim Hasson drew up what appeared to be a computer-spreadsheet hit list that included House Speaker Nancy Pelosi, Senate Democratic Leader Chuck Schumer and Democratic presidential hopefuls Sens. Kirsten Gillibrand, Elizabeth Warren, Cory Booker and Kamala Harris. Several network TV journalists — MSNBC’s Chris Hayes and Joe Scarborough and CNN’s Chris Cuomo and Van Jones — also were mentioned.

Hasson also targeted two Supreme Court justices and two social media company executives, prosecutors said in a court filing Tuesday. The filing doesn’t name them, but it says Hasson searched online for their home addresses in March 2018, within minutes before and after searching firearm sales websites.

Investigators found 15 guns, including seven rifles, and more than 1,000 rounds of ammunition at Hasson’s basement apartment in Silver Spring, Maryland, prosecutors said.

“He has these ready to go, ready for use,” Windom said.

Oyer said Hasson has had a lifelong interest in firearms and likes to hunt and target practice. She said the number of guns he owned isn’t unusual in North Carolina, where he lived for years before moving to Maryland.

Hasson’s Feb. 27 indictment also accuses him of illegal possession of tramadol, an opioid painkiller.

Hasson pleaded not guilty last month to charges of illegal possession of firearm silencers, possession of firearms by a drug addict and unlawful user, and possession of a controlled substance. He faces a maximum of 31 years in prison if convicted of all four counts in his indictment.

Hasson, a former Marine, worked at Coast Guard headquarters in Washington on a program to acquire advanced new cutters for the agency. A Coast Guard spokesman has said Hasson will remain on active duty until the case against him is resolved.



SEE ALSO:

[Coast Guard officer called ‘terrorist’ due back in court](#) [*The Associated Press*, 2019-04-30]

What happens to SEALs who testify about war crimes?

By Carl Prine

Navy Times, April 29, 2019



Special Warfare Operator Chief Edward “Eddie” Gallagher in Iraq in 2017. (Courtesy photo)

At least seven SEALs are slated to testify in the May 28 war crimes trial against Chief Special Warfare Operator [Edward “Eddie” Gallagher](#), but attorneys continue to question what will happen to their careers once in the public spotlight.

That’s one of the issues expected to be raised during a Tuesday hearing in a Naval Base San Diego courtroom, according to documents provided to Navy Times.

“I’m going to give a speech about this,” said Timothy Parlatore, Gallagher’s civilian defense attorney. “The issues go beyond this trial, and they’re important.”

It all stems from a larger debate over [the immunity deals offered to past and present members of SEAL Team 7](#) in exchange for their testimony against Gallagher, 39, who’s accused of stabbing to death a wounded Islamic State prisoner of war, shooting two Iraqi civilians and then attempting to cover up the alleged 2017 incidents.

Brian Ferguson, a Texas attorney who represents at least a dozen SEALs and other military members attached to Alpha Platoon, SEAL Team 7 in Iraq in 2017, has three clients particularly tantalizing to either prosecutors or defense attorneys.

But the SEALs have threatened to assert their [Fifth Amendment right against self-incrimination](#) if forced to take the stand against either Gallagher or his commanding officer, Lt. Jacob X. “Jake” Portier, who’s accused of helping his chief cover up the alleged war crimes.

One of them, a first class petty officer, is prized by prosecutors because he was helping Gallagher treat the wounded ISIS fighter before he died, and, in an initial interview taped by Naval Criminal Investigative Service, indicated that the platoon chief knifed the detainee in the neck.

But another Ferguson client indicated that he saw Gallagher hack into the boy’s torso and later insisted that the prisoner had died before the cut, which means the chief knifed a corpse.

A third client was a sniper who disputes how one of the alleged eyewitnesses to the shooting of a young girl came to believe Gallagher was the sharpshooter who gunned her down. He’s cast doubt on how others recalled the death of an Iraqi man on Father’s Day in 2017, according to internal NCIS files provided to Navy Times.

To garner their testimony, the Navy and the U.S. Department of Justice extended to the trio testimonial immunity, which protects them from self-incrimination if they tell the truth on the stand.

But Ferguson held out for better deals: transactional immunity, which would cover all other evidence churned up in the probe and any past misdeeds; shielding their coveted SEAL tridents from a special board convened to remove them; protection from extradition to Iraq to stand trial there; and safeguarding their future careers from harm, especially if they want to try out for the elite Naval Special Warfare Development Group — also known as DEVGRU or SEAL Team 6.



Special Warfare Operator Chief Edward “Eddie” Gallagher in Iraq in 2017. (Courtesy photo)

The attorney also sought to protect future employment inside the military, federal civilian agencies or contractors tied to what are called “Special Access Programs” and “Unacknowledged Special Access Programs.”

Special Access Programs rely on highly classified information and those who use the data often undergo what the Pentagon calls Special Access Required vetting.

Unacknowledged SAPs are so sensitive to national security [that their very existence is classified](#).

Navy Cmdr. Christopher Czaplak, the lead prosecutor in both the Portier and Gallagher cases, assured Ferguson in an April 10 email that his “clients should not have any concerns about participating in a public trial and then trying out for that unit,” SEAL Team 6.

But Ferguson didn’t seem satisfied that an attorney in a regional legal services office could speak for either the SEALs or agencies such as the CIA, so he reached out to Naval Special Warfare, the parent command of the commandos.

In an April 17 email to Capt. Susan M. McGarvey, Ferguson expressed concerns that the “word on the street” indicated “that if you get involved in this case, your chances of going to (SEAL Team 6) are toast.” “From a policy perspective, I can’t imagine that would be the case; the secondary and tertiary implications are troubling. However, from a pragmatic national security perspective, I fear participation might, indeed, be disqualifying for some or all billets,” he continued. “Whether the response is ‘we’ve got your back’ or ‘sorry, pal, life’s not fair,’ it’d be nice to have a definitive answer for the folks involved and the broader community.”

Ferguson seemed to be suggesting that SEALs worried about their careers might forgo reporting war crimes in the future if it meant appearing in a public courtroom and being identified in the press as witnesses.

He attached a draft letter for McGarvey’s boss, [Rear Adm. Collin P. Green](#), the commander of Naval Special Warfare, that voiced concerns about Czaplak’s “nebulous reassurances” and urged the SEAL to “provide a more definitive response — whether good or bad.”

In a terse reply, Capt. McGarvey said that service members “with career questions should raise them with their chain of command.”

Instead, they turned to Navy Times, which asked Naval Special Warfare spokeswoman Cmdr. Tamara Lawrence for her command’s final answer on the controversy.

In a prepared statement emailed to Navy Times on Friday, she said that every sailor has the duty to report a suspected violation of the Law of Armed Conflict, per a standing order by the secretary of the Navy.

“There is no policy prohibiting individuals from progression along their career milestones or from successfully screening for special programs simply because they cooperated with a federal investigation or participated in a court-martial proceeding as a witness,” she wrote.

Reached in San Diego, Ferguson declined comment.

But Parlatore said Naval Special Warfare really didn’t answer Ferguson’s questions.

<https://www.navytimes.com/news/your-navy/2019/04/29/what-happens-to-seals-who-testify-about-war-crimes/>

“Brian Ferguson, he’s focusing on the fact that they’re just public figures, that they’re going to have their names associated with this trial. But I’m going a step farther and I’m asking, ‘What if they’re not accurate,’” said Parlatore.

Parlatore suspects that brief statements by Ferguson’s clients initially given to NCIS in mid-2018 were insufficiently vague, twisted by law enforcement or perhaps lies.

If their allegedly inaccurate statements are aired in an open courtroom, it could ruin their careers, Parlatore said, but the way around that is to give them every chance to tell the truth without repercussions.

That’s why Parlatore has championed total immunity from future prosecution for all of Ferguson’s clients.

To Parlatore, the prosecution and NCIS are forcing Ferguson’s clients to potentially perjure themselves on the stand, according to his legal filings and letters and messages he’s sent to prosecutors that were provided to Navy Times.

The most prized witness for the prosecution — the petty officer who aided Gallagher with the detainee before he died — stands to lose the most without full immunity.

He was convicted at a Sept. 20 non-judicial punishment proceeding for allegedly lying to investigators to cover up his own misconduct in a separate case, according to legal filings obtained by Navy Times.

Prosecutors could bring back the NJP case with court-martial charges if he doesn’t testify the way NCIS expects him to, Parlatore argues.

But that’s just one of multiple issues military judge [Capt. Aaron Rugh](#) is expected to take up Tuesday morning in San Diego.

The others include allegations that NCIS agents began an obstruction of justice probe into Ferguson after Rugh dismissed a motion by prosecutors to have the Texas attorney removed as their counsel; that one of the witnesses against Gallagher changed his testimony about the sniper incidents again; and a motion filed by Parlatore for the entire matter to be tossed out of court due to misconduct by prosecutors and federal agents.

.....

SEE ALSO:

[Sailors Report Enduring Concerns About Navy Readiness and Leadership](#) [*ProPublica*, 2019-04-29]

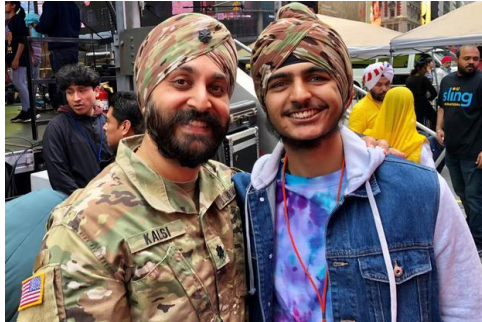
[Former USS Fitzgerald CO Outlines Defense in Rebuttal to SECNAV](#) [*USNI News*, 2019-04-26]

Religion

14 Sikh High Schoolers Get Waivers to Enter Army Basic With Beard, Turban

By Matthew Cox

Military.com, May 2, 2019



Army Lt. Col. Kamal Kalsi, president of Sikh American Veterans Alliance (SAVA), and Manav Sodhi, a high school student who received a religious accommodation from the Army to wear the Sikh turban and beard. (Photo: Matt Thorn)

Following graduation this June, Manav Sodhi will help lead a new wave of Sikh soldiers enlisting in the U.S. Army who will be allowed to wear the traditional turban and beard in Basic Combat Training.

Sodhi, who is currently attending Kings Park High School in New York, was recently granted a religious accommodation by the Army, according to the Sikh American Veterans Alliance (SAVA).

"I wanted to join the Army ever since I was a kid," Sodhi said in a recent SAVA news release. "My great grandfather served in the Army, and I wanted to follow his footsteps."

Practicing Sikhs serving in the Army are nothing new, but SAVA's release states that Sodhi is the first high school student to receive a religious accommodation so he can enlist in the Army as a Sikh.

He is at least among the first. There are currently 60 religious accommodations that have been granted to Sikhs entering the service, according to Hank Minitrez, a spokesman for the Army. Fourteen of those were granted as pre-accession waivers to high school students like Sodhi.

Army Lt. Col. Kamal Kalsi, who is the president of the non-profit advocacy group that promotes Sikhism and military service, was surprised to learn there are 13 other high school students who will be allowed to enlist in the Army and openly serve as Sikhs.

This is a new milestone, he said.

"It shows progress," Kalsi told Military.com, adding that he has been involved in this effort since he was granted the first such accommodation in 2009. "I was the first to get the accommodation for turban and beard way back in the day."

Sodhi credited Kalsi as his inspiration for wanting to join the Army.

"My mother took me to an event at city hall where I met Lieutenant Colonel Kalsi for the first time, and he was in his Army uniform with his turban and beard," Sodhi said in the release. "That was an amazing day for me because I realized then that I can freely practice my religion and serve my country too."

The Army changed its policy in 2017 to allow waivers for religious accommodation, Kalsi said.

"That came after many, many years of effort," he said. "Right now, our focus is to help open doors in the other branches of service."

Currently, there are no turban and beard waivers for religious freedom in the other services, but there are many Sikh men and women serving in uniform, Kalsi said, noting that it is easier for Sikh women since wearing a turban is optional for them.

<https://www.military.com/daily-news/2019/05/02/14-sikh-high-schoolers-get-waivers-enter-army-basic-beard-turban.html>

Still, many Sikh service members have told SAVA they would like to see a policy change across the services, Kalsi said. "Many of them bemoan the current policy that doesn't allow them to keep their religious traditions."

Wearing a beard and turban is "critical because it is really part of our identity as Sikhs," he said.

"It's also part of our American upbringing to be able to practice our faith; you know religion freedom is a critical part of being an American," Kalsi said. "It's important to fight for the things you believe in, and religious freedom is one of those things."

He said that maintaining one uniform standard isn't as important as "what binds us together ... we are fighting for the same mission."

"When I deployed, nobody cared that I had a turban and a beard; they only cared that I did a good job," said Kalsi, who deployed to Afghanistan's Helmand Province in 2011 as an emergency room doctor.

"It was really very, very bloody. I took care of some really devastating injuries. It was tough," he said.

Military service has always been a proud tradition in Sikh culture, Kalsi said, adding that more than 80,000 Sikh soldiers died serving alongside allied forces in World War I and World War II.

"The Germans were actually terrified of the Sikh regiments in World War I; they referred to [Sikhs] as the black lions," he said. "If we were good enough to fight in a world war and die in the trenches, then I think we are good enough to continue to serve today."

-- *Matthew Cox can be reached at matthew.cox@military.com.*

Accused California gunman pleads not guilty in synagogue murder, mosque arson

By Jennifer McEntee

Reuters, April 30, 2019

SAN DIEGO - A 19-year-old man accused of killing one worshipper and wounding three others in a shooting spree in a California synagogue pleaded not guilty on Tuesday to murder and attempted-murder charges in an attack prosecutors are treating as a hate crime.

John Earnest, arrested shortly after Saturday's bloodshed at the Chabad of Poway synagogue north of San Diego, also pleaded not guilty to a single count of arson on a house of worship stemming from a nearby mosque that was set on fire in March.

Appearing behind a glass partition for his arraignment in San Diego County Superior Court on Tuesday afternoon, Earnest stood expressionless and spoke faintly as he gave one-word answers to procedural questions put to him by the judge.

The lanky defendant - a nursing student enrolled at California State University at San Marcos - wore dark-rimmed glasses with his hair combed straight forward.

Ordering him to remain held without bail, Judge Joseph Brannigan said Earnest would pose "an obvious and extraordinary risk" to the public if he were to be released pending trial.

The proceeding was attended by six Hasidic Jewish men who sat in the front row of the courtroom, dressed in the traditional dark garb of the Jewish ultra-Orthodox faithful.

Authorities said Earnest stalked into the Poway synagogue during Sabbath prayers on the last day of the week-long Jewish Passover holiday and opened fire with an assault-style rifle, killing 60-year-old worshipper Lori Gilbert-Kaye

Three others were wounded in the attack, including the rabbi, who was shot in the hand and lost an index finger.

RAMBLING MANIFESTO

The gunman, whose weapon apparently jammed, was chased out of the temple by a former Army sergeant in the congregation, then sped away in a car, escaping an off-duty U.S. Border Patrol agent who shot at the getaway vehicle but missed the suspect. Earnest pulled over and surrendered to police soon afterward.

Authorities said later they believed Earnest was the author of a rambling, violently anti-Semitic, anti-Muslim "manifesto" found posted on the internet under his name.

In it, the writer claimed responsibility for a pre-dawn arson fire on March 24 that damaged the Islamic Center of Escondido, a town about 15 miles (24 km) north of Poway, and professed to have drawn his inspiration from the gunman who killed 50 people at two mosques earlier that month in New Zealand.

Saturday's bloodshed near San Diego came six months to the day after 11 worshippers were fatally shot at a Pittsburgh synagogue in a massacre that ranks as the deadliest ever on American Jewry. The accused gunman in that attack was arrested.

Authorities said Earnest had no prior criminal record.

<https://www.reuters.com/article/us-california-shooting/accused-california-synagogue-shooter-due-in-court-to-face-hate-crime-charges-idUSKCN1S60QE>

Besides the charge of committing arson at a place of worship, he is charged with one count of murder and three counts of attempted murder. The criminal complaint, filed on Monday, also alleges the synagogue shooting was perpetrated as a hate crime. His public defender entered not guilty pleas to all charges on his behalf during Tuesday's hearing.

If convicted, he would face life in prison without parole, or the death penalty, the district attorney's office said.

District Attorney Summer Stephan told reporters afterward Earnest had legally purchased the murder weapon, although current California law generally prohibits rifles and shotguns from being sold to anyone under 21. The state's legal age limit for such firearms was raised from 18 starting this year.

In addition to the murder weapon, Stephan said, police found five loaded ammunition magazines and another 50 rounds of bullets in Earnest's vehicle when he was arrested.

Reporting by Jennifer McEntee in San Diego; Additional reporting by Rich McKay in Atlanta and Peter Szekely in New York; Writing by Steve Gorman; Editing by Bill Tarrant, Jonathan Oatis and Peter Cooney

.....

SEE ALSO:

[‘Everyone was her sister’: Woman killed at synagogue honored](#) [*The Associated Press*, 2019-04-30]

[FBI says received vague tips ahead of deadly California synagogue shooting](#) [*Reuters*, 2019-04-29]

[F.B.I. Was Alerted to a Threat Minutes Before the Poway Synagogue Shooting](#) [*The New York Times*, 2019-04-29]

[This Army Veteran Chased the Gunman Out of a California Synagogue](#) [*Military.com*, 2019-04-29]

[Synagogue Shooting Keeps Religious Leaders on Edge: ‘No One Should Be Gunned Down in Worship’](#) [*The New York Times*, 2019-04-28]

[Ancient hatreds, modern methods: How social media and political division feed attacks on sacred spaces](#) [*The Washington Post*, 2019-04-28]

Feds to have less preparation for religious time off

By Jessie Bur

Federal Times, April 29, 2019



The Office of Personnel Management will soon institute a narrower time frame to make up the work hours missed due to religious observance. (Brian A. Jackson/Getty Images)

Federal employees will have half as much time to arrange for overtime hours to compensate for time they plan to take off for religious observance, under [a new rule](#) issued April 29 by the Office of Personnel Management.

Federal employees who want to take [time off](#) for religious purposes may either use one of their earned types of vacation hours, such as paid time off, or opt to perform work hours during what is typically a holiday for them to make up for the time they plan to miss for religious observance.

Employees must come to an agreement with their agencies on when that extra time is scheduled to be performed.

Currently, employees are required to schedule overtime work hours either 26 pay periods in advance or 26 pay periods after they plan to be absent from work due to religious observance or requirements.

But starting May 29, employees will have 13 pay periods before and 13 pay periods after to schedule their replacement time.

“That would allow a total period of 26 pay periods (about 1 year) during which the religious compensatory time off could be earned in connection with a religious observance,” the rule change posted to the Federal Register said.

“An agency may not prescribe a lesser or narrower time frame in which an employee may earn religious compensatory time off before or after using it. This change will allow employees about a year to schedule and earn religious compensatory time off while making it more administratively feasible for agencies to administer.”

If employees fail to earn that time off within the time frame, the agency has the option to deduct from other forms of time off the employee has available to them or place a debt on the employee for time they did not work but were still paid.

One individual commented on the proposed rule change, issued in 2013, that the 26-pay-period window was potentially too narrow for some lengthy religious observances that would require many hours of overtime to make up for, but OPM opted not to lengthen the available time in the final regulation.

The rule change also requires agencies to offer justification any time they deny a request for religious compensatory time off and emphasizes that if employees make their request for time off orally, they should file written documentation of the request as soon as possible.

The rule also allows for employees to substitute accrued time off from previous overtime work or travel time in place of performing overtime work for the religious time they plan to take.

Federal employees that don't end up using the religious compensatory time they had accrued for a specific holiday may hold it in reserve until the next observance that would require them to miss work.

Report: Violent anti-Semitic attacks in US doubled in 2018

By Michael Kunzelman

The Associated Press, April 30, 2019



This Wednesday, Oct. 31, 2018, file photo, shows a painted rock found as part of a makeshift memorial outside the Tree of Life Synagogue in the Squirrel Hill neighborhood of Pittsburgh, in honor of the people killed during worship services several days earlier. A Jewish civil rights group says anti-Semitic attacks in the U.S. remained near a record-high level in 2018, partially fueled by a sharp increase in physical assaults. (AP Photo/Gene J. Puskar)

Violent attacks against the Jewish community in the United States doubled last year, while overall attacks that also include vandalism and harassment remained near record-high levels, the Anti-Defamation League reported Tuesday.

The Jewish civil rights group released its annual census of anti-Semitic incidents three days after a gunman [opened fire](#) at a Southern California synagogue, killing a woman and wounding a rabbi and two others.

The New York-based group counted 1,879 anti-Semitic incidents — either harassment, vandalism or physical assault — in 2018. That is a 5% decrease from the 1,986 incidents reported in 2017, but the third-highest total since ADL began tracking the data in the 1970s. The 2017 number marked a 57% increase over 2016 and was the highest tally ADL had counted in more than two decades.

ADL counted 39 cases of physical assaults involving 59 victims in 2018, up from 19 assaults and 21 victims in 2017. The 2018 tally includes the 11 people who were killed and two congregants wounded when a gunman opened fire at the Tree of Life Synagogue in Pittsburgh in October. It was the [deadliest attack](#) on Jews in the nation's history.

Israel Dahan, whose 8-year-old daughter and brother-in-law were both wounded in [Saturday's shooting](#) at the Chabad of Poway synagogue near San Diego, said he doesn't understand why there's so much hate.

"We welcome everybody. We love everybody," said Dahan, 32, who is originally from Israel. "I don't even know why people like that (are) coming up against Judaism and against Jewish people."

Jonathan Greenblatt, ADL's CEO and national director, said he spent much of the weekend in California meeting and praying with the families of the shooting victims and other synagogue congregants. Greenblatt said it's "hard to find much solace" in the new data.

"Unfortunately, the horrific tragedy in San Diego County reminds us that anti-Semitism is virulently strong," he said.

In 2018, ADL counted 1,066 cases of harassment, defined as a situation in which a Jewish person or group of people "feel harassed by the perceived anti-Semitic words, spoken or written, or actions of another person or group." Last year's tally of harassment incidents was 5% higher than in 2017. The one category that experienced a decline was vandalism: The 774 incidents in 2018 represented a 19% drop from 2017.

ADL's report says "known extremist groups or individuals inspired by extremist ideology" were responsible for 249 anti-Semitic incidents in 2018, accounting for 13% of the total.

<https://www.apnews.com/488db75fdadc4109b85c1a1a69a2af04>

“This is the highest level of anti-Semitic incidents with known connections to extremists or extremist groups since 2004, when at least 128 incidents were the result of leaflet distributions by white supremacist groups,” the report adds.

The ADL report doesn’t address online anti-Semitism.

“We are only talking about real-world incidents in this report,” Greenblatt said.

But the deadly shootings at the Pittsburgh and California synagogues and the recent mosque attacks in New Zealand demonstrate “the role of online communities in radicalizing anti-Semites and bigots to violence,” said Oren Segal, director of the ADL’s Center on Extremism.

“Extremists are preparing their social media strategy as they are preparing their weapons,” Segal said.

ADL last year counted 140 anti-Semitic incidents that referenced Israel or Zionism, including dozens of robocalls from a white supremacist who ran an unsuccessful campaign for a U.S. Senate seat in California.

The report says ADL includes “anti-Israel incidents” in its audit of anti-Semitic incidents “if they invoke or are accompanied by classic anti-Semitic stereotypes and tropes (such as Jews/Zionists control the government), if they target Jewish religious or cultural institutions or if they are expressed by groups or individuals who consistently express anti-Semitic ideas.”

“ADL is careful to not conflate general criticism of Israel or anti-Israel activism with anti-Semitism. However, Israel-related harassment of groups or individuals may be included when the harassment incorporates established anti-Jewish references, accusations and/or conspiracy theories,” the report adds.

Associated Press writer Amy Taxin in Poway, California, contributed to this report.

SEE ALSO:

[Judge: Man can recover money from neo-Nazi website founder](#) [*The Associated Press*, 2019-05-02]

[Woman seeks \\$1.5M in damages from neo-Nazi website founder](#) [*The Associated Press*, 2019-04-30]

[In California, Home to Many Hate Groups, Officials Struggle to Spot the Next Threat](#) [*The New York Times*, 2019-04-29]

[Beyond Politics and Prose: White nationalists target bookstores, libraries in protests nationwide](#) [*The Washington Post*, 2019-04-29]

[Online hate forges a dark path for suspect in attack plot](#) [*The Associated Press*, 2019-04-28]

Sexual Assault / Harassment

Defense Department to make sexual harassment a crime

By Leo Shane III

Military Times, May 2, 2019



Airmen stand at attention during a retreat ceremony March 30, 2018, on Kadena Air Base, Japan. (Staff Sgt. Micaiah Anthony/Air Force)

Defense Department officials will make sexual harassment a criminal offense amid new reports of [increasing bad behavior among service members](#).

In a statement Thursday morning, [acting Defense Secretary Patrick Shanahan](#) called the move a necessary step to combat the “scourge” of sexual assault and abuse in the ranks.

A new report from the department’s Sexual Assault Prevention and Response office shows the number of reported cases of sexual assault in the ranks rose from nearly 4,800 in fiscal 2016 to more than 6,050 in fiscal 2018.

Based on reporting rates (about one in three service members reported their assaults to authorities, according to researchers), officials estimated the actual number of assaults in the military for fiscal 2018 at about 20,500 cases, a rise of nearly 38 percent the previous two years.

“Within the female active force, increases were concentrated among service women ages 17 to 24 as well as junior enlisted women, who are already at the highest risk for sexual assault,” the report states. “Most perpetrators were in the E3 to E5 rank, and alleged perpetrators were often the same grade, or slightly higher, than the victim.”

A day earlier, during testimony on Capitol Hill, Shanahan promised new action to deal with issues of harassment and retaliation against victims of those assaults. Defense officials said they hope to have new criminal penalties in place by this October, including “steps to seek a stand-alone military crime of [sexual harassment](#).”

The department also announced plans for new training for commanders and a new program to root out serial sex offenders, as well as “efforts to select recruits of the highest character.” Specifics of all of those initiatives have not yet been identified.

“To put it bluntly, we are not performing to the standards and expectations we have for ourselves or for each other,” Shanahan said in the memo announcing the changes. “This is unacceptable. We cannot shrink from facing the challenge head on.”

In a separate statement, Marine Corps Commandant Gen. Robert Neller echoed those sentiments.

“In the end, this is an issue of trust – trust that fellow Marines will look after each other, trust they will not be assaulted, and trust their command will take appropriate action,” he said. “Only Marines who trust and respect each other can be fully prepared to fight and win our nation’s battles.”

Combating sexual harassment and assault has been a focus of military leaders in recent years, but lawmakers have expressed frustration with the lack of progress on the topic.

<https://www.militarytimes.com/news/pentagon-congress/2019/05/02/defense-department-to-make-sexual-harassment-a-crime/>

“Sexual assaults continue to increase dramatically while the number of cases going to trial goes down,” Sen. Kirsten Gillibrand, D-N.Y., said in a statement. “The status quo is not working. It’s time for Congress to step up and bring accountability where the Department of Defense has repeatedly failed.”

Sen. Martha McSally, R-Ariz., and an Air Force veteran who recently [revealed her own sexual assault](#) while serving, said the report results “confirm that that the time is now to impart lasting change within the military and that it is more urgent than ever.”

“We must not allow women and men to be assaulted while serving our country and we must create an environment that is safe,” she said.

In February, defense officials announced the number of cases of unwanted sexual encounters at the military service academies has increased almost 50 percent since 2016. Last fall, a report from the RAND Corporation found that more than 10 percent of all women experienced a sexual assault at “high-risk” installations inside the military.

Shanahan called the problem a critical readiness issue for the armed forces, one that has the potential to undermine trust and morale while also hurting recruiting and retention.

“Sexual assault is illegal and immoral, is inconsistent with the military’s mission, and will not be tolerated,” he said in the memo. “We will not rest until all service members can serve in an environment of dignity and respect.”

According to the SAPR report, 43 percent of women who reported a sexual assault to military authorities said it prompted “perceived negative experiences,” including additional harassment and abuse. That number was up from less than one-third in fiscal 2016.

However, cases of retaliation for reports were down, from 26 percent in fiscal 2016 to 21 percent in fiscal 2018. Shanahan has said he will consider strengthening criminal penalties for that behavior as part of the upcoming military legal review.

.....

SEE ALSO:

[Pentagon to Make Sexual Harassment a Crime Under UCMJ](#) [*Military.com*, 2019-05-02]

[Shanahan wants to criminalize sexual harassment in the military](#) [*CNN*, 2019-05-01]

[Updates to UCMJ criminalize unauthorized distribution of sexual imagery](#) [*Army.mil*, 2019-04-12]

Shanahan calls for reforms as military sexual assaults rise by 38%; highest for young women

By Tom Vanden Brook
USA TODAY, May 2, 2019



Sen. McSally reveals Air Force rape, 'felt powerless' (Photo: USAT)

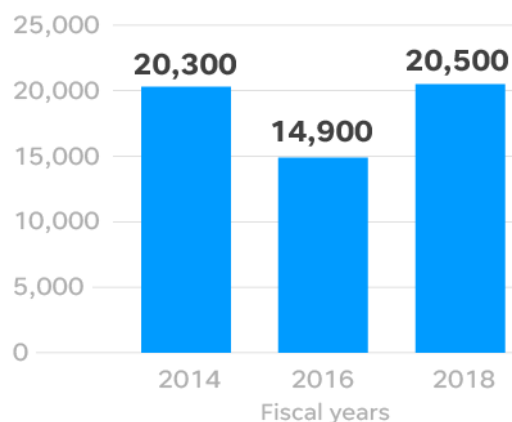
WASHINGTON – Acting Defense Secretary Patrick M. Shanahan called for sweeping changes in the way the military handles sexual assaults and harassment following a reported 38% increase in assaults from 2016 to 2018.

That spike in crime within the ranks comes after years of focused effort and resources to eradicate it.

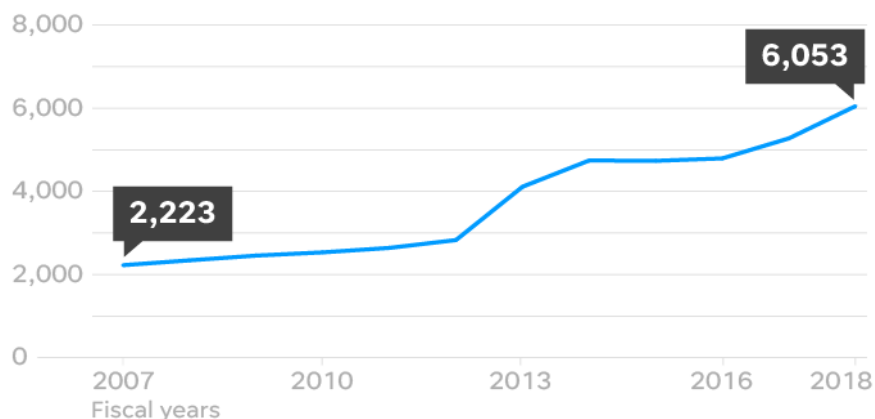
The report surveyed Army, Navy, Air Force and Marine personnel in 2018. Based on the survey, there were an estimated 20,500 instances of [unwanted sexual contact](#) – an increase over the 14,900 estimated in the last biennial survey in 2016. Unwanted sexual contact ranges from groping to rape.

Rise in sexual assaults in the military

Number of service members (both men and women) who experienced sexual assault in the past year:



Number of reports of sexual assault by service members that occurred during military service:



SOURCE Department of Defense 2018 Annual Report on Sexual Assault in the Military
USA TODAY

Enlisted female troops ages 17 to 24 were at the highest risk of being assaulted, said Nathan Galbreath, deputy director of the [Pentagon's Sexual Assault Prevention and Response Office](#). The Pentagon will target troops in that age range for prevention efforts, he said.

"We're very concerned about that," Galbreath said.

More than 85% of victims knew their assailant. Alcohol was involved in 62% of the total assaults.

Shanahan said in a statement Thursday he had reviewed the latest data and "it is clear that sexual assault and sexual harassment are persistent challenges."

"To put it bluntly, we are not performing to the standards and expectations we have for ourselves or for each other. This is

unacceptable. We cannot shrink from facing the challenge head on," he said in the statement.

<https://www.usatoday.com/story/news/politics/2019/05/02/military-sexual-assaults-climb-2016-2018-pentagon-army-navy-marines-alcohol/3625405002/>

Shanahan said ways to address the problem include: seeking a stand-alone military crime of sexual harassment, developing new tools to measure the problem, launching a program to catch serial offenders, improving assessments of the character of military applicants, training for junior officers and junior enlisted leaders and focusing on prevention.

The latest report on sexual assaults requires Congress to intervene, said [Rep. Jackie Speier](#), D-Calif., the chairwoman of the Armed Services Committee's personnel panel.

"The department must accept that current programs are simply not working," Speier said. "Congress must lead the way in forcing the department to take more aggressive approaches to fighting this scourge."

The Pentagon is set to release the recommendations of a task force formed at the urging of [Sen. Martha McSally](#), R-Ariz., to deal with sexual assaults in the military. McSally, a retired Air Force officer and fighter pilot, [revealed during an Armed Services Committee meeting in March that she had been raped by a superior officer](#).

"The status quo is not working," New York Sen. Kirsten Gillibrand said in a statement. "It's time for Congress to step up and bring accountability where the Department of Defense has repeatedly failed. The evidence is clear – we need to pass the Military Justice Improvement Act so that trained military prosecutors can handle these cases moving forward and give survivors confidence in the system."

Based on the survey for 2018:

- Sexual assault rate for women was at the highest level, 6%, since 2006. The rate ranged from 4% in the Air Force to 11% in the Marine Corps.
- The odds of a woman experiencing a sexual assault were highest for the youngest women – from 17 to 20 years old. Those odds were 1 in 8.
- In 96% of the cases the alleged offender was a man. The offender most often was one person (64%), a military member (89%) and a friend or acquaintance (62%).
- Nearly 1 in 4 of all women experienced an "unhealthy climate" because of sexual harassment, which was up in the survey. About 16% of all women faced an "unhealthy climate" because of gender discrimination, also up.

"The results are disturbing and a clear indicator the Marine Corps must reexamine its sexual assault prevention efforts," the Marine Corps said in a statement. "Our Marines have a fundamental right to live and work in an environment free from sexual assault and harassment. The Marine Corps is committed to purging these criminal behaviors from our ranks, taking care of victims, and holding offenders accountable."

According to estimates in 2018, 6% of women in the military endured some form of sexual assault, and almost 1% of men were victimized. The Pentagon extrapolated the rate based on the results of the survey, which had a sample size of more than 100,000, with a 95% confidence level.

For women, assaults involving groping and crimes involving penetration both increased, Galbreath said. The type of assaults for men stayed relatively stable.

The rate of reporting sexual assault to authorities declined, a trend that might point to less confidence among troops.

"We know these are consistent problems, and the department is doing everything it can to address these issues across the military," said Air Force Lt. Col. Carla Gleason, a Pentagon spokeswoman.

<https://www.usatoday.com/story/news/politics/2019/05/02/military-sexual-assaults-climb-2016-2018-pentagon-army-navy-marines-alcohol/3625405002/>

Sexual assaults in the military have trended down since 2006, when 34,000 troops reported some type of sexual assault. Concerns rose anew in 2013 when the Pentagon released a report that estimated the number of sexual assaults increased 35% from 2010 to 2012, to 26,000 victims. The last survey of troops, in 2016, found that number had dropped to about 14,900.

Galbreath called the increase in 2018 a "tripwire" that should prompt the Pentagon to act.

In 2013, Congress hauled the Joint Chiefs of Staff to Capitol Hill and demanded answers. Top uniformed and civilian officials vowed a "zero tolerance" policy on sexual assault. Last month, Marine Gen. Joseph Dunford repeated that goal in a memo to all troops and civilians employed by the military.

"Zero tolerance is the only acceptable metric," he said.

The rate of reporting sexual assault, an indicator of victims' confidence in the system to care for them and punish the crime, dropped in 2018 to 30% from 32% in 2016. In 2006, only 7% reported.

The surge in estimated assaults in 2013 prompted Congress to intervene, legislating changes in how the military prosecutes sex crimes and cares for victims.

The increase in assaults should alarm Pentagon leadership, said Don Christensen, president of Protect Our Defenders, an advocacy group for victims of sexual assault in the military.

Christensen's group and some members of Congress have called for prosecution of sex crimes to be turned over to career prosecutors rather than relying on military commanders to decide which cases to pursue. The Pentagon has opposed that change.

"What's frustrating is that the brass keeps refusing to consider any bold changes like reforming the military justice system," said Christensen, the former top prosecutor for the Air Force. "How many more men and women have to be assaulted before they make the changes and hold people accountable? How many times do you have to fail?"

Christensen laid blame on Pentagon civilian and military leaders for the problem, saying offenders have been given a green light because so few face court-martial for sexual assault.

.....

SEE ALSO:

[Sexual assault reports across the Corps up 20 percent](#) [*Marine Corps Times*, 2019-05-02]

[Shanahan orders clampdown on sexual assault, harassment](#) [*Politico*, 2019-05-02]

[Sexual assaults in military rise to more than 20,000, Pentagon survey says](#) [*ABC News*, 2019-05-02]

[Sexual assaults in the military spiked nearly 38 percent last year, Pentagon says](#) [*The Washington Post*, 2019-05-02]

[Gillibrand grills next Army chief on rise of sexual assaults, decrease in prosecutions](#) [*Army Times*, 2019-05-02]

[More Sexual Assaults Are Reported In The Military, But Fewer Cases Are Going To Trial](#) [*Task & Purpose*, 2019-04-30]

[From fellow soldier to 'monster' in uniform: #MeToo in the military](#) [*CNN*, 2019-02-07]