



SECRETARY OF THE ARMY
WASHINGTON

08 NOV 2018

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Army Directive 2018–16 (Suitability Criteria for Military Personnel in Specified Positions)

1. References. A complete list of references is in enclosure 1.
2. Purpose and Applicability

a. This directive revises the Army's criteria and procedures for determining suitability and taking suitability actions regarding the selection and assignment of Soldiers to the following positions:

(1) Training cadre, including Reserve Officers' Training Corps cadre, Service School cadre, and drill sergeants at the company level and below.

(2) Recruiting cadre, including all Soldiers performing a direct recruiting function that supports the accomplishment of the recruiting mission. These positions include Soldiers holding the primary military occupational specialty 79R, Department of the Army-select recruiters, recruiting officers, and recruiting warrant officers at the company level and below.

(3) Sexual Harassment/Assault Response and Prevention (SHARP) Professionals. SHARP professionals are individuals holding authorized SHARP positions. Authorized SHARP positions are Program Managers (PMs), Sexual Assault Response Coordinators (SARCs), and SHARP Victim Advocates (VAs).

(4) Officer Commissioning Sources. The Superintendent, United States Military Academy; Commander, U.S. Army Cadet Command; and Commander, 3-11 Infantry (Officer Candidate School) are authorized to request from U.S. Army Human Resources Command (HRC) similar background checks on Soldiers with unaccompanied access to cadets, cadet candidates, and other vulnerable populations as the command deems necessary.

b. This directive applies to the Regular Army (RA), Army National Guard (ARNG)/ Army National Guard of the United States (ARNGUS), and U.S. Army Reserve (USAR).

c. Responsibilities are outlined in enclosure 2.

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3. Scope and Method of Suitability Screening

a. This directive prescribes a standardized screening process for personnel considered for or serving in the positions listed in paragraph 2a. Personnel chosen to serve or serving in those positions should have the following positive characteristics:

(1) Possess a high degree of maturity, leadership, judgment, self-discipline, and professionalism.

(2) Display moral attributes, ethical qualities, and personal traits that thoroughly embrace our Warrior Ethos and Army Values.

(3) Be fully committed to the program they are being considered to join and the population they are being considered to serve.

b. Screenings are categorized as “centralized screenings” or “local screenings” and are conducted by the organizations identified in enclosure 3. All screening requirements for personnel outlined in this directive must be met before assignment to a designated position. All organizations will report screening results to HRC for RA and USAR Soldiers or to the Chief, National Guard Bureau for ARNG/ARNGUS Soldiers. For the RA and USAR, HRC will forward the disqualifying information to the appropriate authority listed in enclosure 4.

(1) Centralized Screenings

(a) HRC will support the ARNG in the suitability screening for ARNG/ARNGUS Soldiers, consistent with applicable law, regulation, and policy.

(b) For RA and USAR Soldiers, HRC will conduct or request the following screens: restricted portion of the Soldier’s Army Military Human Resource Record, Inspector General files, U.S. Army Criminal Investigation Command Crime Records Center, and DoD Consolidated Adjudications Facility. The facility does not screen SHARP professionals.

(c) HRC will manage the selection and screening process for the RA/USAR training and recruiting cadre.

(d) RA/USAR commanders will submit their requests for centralized screening of SHARP professionals to their Army Command (ACOM), Army Service Component Command (ASCC), or Direct Reporting Unit (DRU) SHARP PM. ACOMs, ASCCs, and DRUs will consolidate centralized screening requests of SHARP professionals from subordinate commands and units and submit them to HRC. The following data must be included: full name; complete Social Security number; rank; date of birth; military

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occupational specialty; and duty status. ACOMs, ASCCs, and DRUs will send the data by encrypted email to usarmy.knox.hrc.mbx.epmd-ebss@mail.mil. HRC will return screening results to the originating mailbox within 90 calendar days of receipt. Requestors will receive an outgoing transmittal that identifies Soldiers as cleared, Type I, Type II, or Type III. Disqualified Soldiers will be notified through the Army enterprise email that unfavorable information was found, what agency reported the information, and how to request the information through the Freedom of Information Act.

(e) Commanders must allow enough leadtime to complete centralized screening before appointment and training. RA/USAR commanders in short-tour locations may establish expedited screening by coordinating with HRC at usarmy.knox.hrc.mbx.epmd-ebss@mail.mil.

(f) HRC and the Army Deputy Chief of Staff (DCS), G-1 SHARP Program Office will communicate screening results to ACOMs, ASCCs, and DRUs.

(2) Local Screenings

(a) Brigade-level commanders will initiate and coordinate local screenings. They may delegate this responsibility to battalion-level commanders, as appropriate, for geographically dispersed units. The following organizations will screen or facilitate the screening of records and provide the results to the requesting commander: Army Substance Use Disorder Clinical Care for Army Substance Abuse Training records, military treatment facility for medical records check, installation security office for installation security records, Defense Information System for Security and Defense Central Index of Investigations, and installation directorate of emergency services for local files check.

(b) Commanders will verify with local security managers that all personnel nominated to designated positions have a favorable National Agency Check with Local Agency Check and Credit (NACLIC), tier 3 investigation or higher background investigation. Commanders will also complete all local screening requirements before submitting names for centralized screening. An NACLIC is required for credentialing SHARP SARCs, VAs, and PMs and cannot be waived.

(c) Commanders will check the U.S. Department of Justice National Sex Offender Public website (NSOPW) at <http://www.nsopw.gov>. In the event of a name or photo match, commanders are required to conduct further investigation. If a name search indicates a potential match with a person serving in or nominated for a designated position, the commander must communicate with the responsible jurisdiction or the local law enforcement agency where the offender resides, works, or attends school (as appropriate) to confirm the identity and information. No adverse action or suitability determination will be made based solely on information listed in the NSOPW.

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(d) Commanders will review the list provided by the NSOPW. If commanders are unable to conduct an exhaustive review of the NSOPW, they will note the reason(s) in the remarks on the screening criteria worksheet (enclosure 5).

(e) Disqualification from a designated position is not an independent basis for disciplinary action. Commanders should consult with their servicing Judge Advocate regarding the underlying misconduct.

4. Suitability Screening Criteria

a. Disqualifying offenses are listed in enclosure 6.

b. For the purpose of this policy, “adverse information” is any substantiated adverse finding or conclusion from an officially documented investigation or inquiry, or any other credible information of an adverse nature. To be credible, the information must be resolved and supported by a preponderance of the evidence. To be adverse, the information must be derogatory, unfavorable, or of a nature that reflects clearly unacceptable conduct, integrity, or judgment on the part of the Soldier (refer to references d and e).

c. Type I offenses that result in a civilian or military criminal conviction or a finding of guilty in a field grade Article 15, Uniform Code of Military Justice proceeding are automatic disqualifiers for appointment to, or retention in, a designated position. Type I offenses have no expiration and the disqualification may not be appealed. Upon discovery of a Type I offense listed in enclosure 6 as either a 1, 2, 3, or 7 Type I offense, commanders will coordinate with their command legal counsel to initiate elimination proceedings in accordance with applicable law, regulation, and policy. Information in the Soldier’s record suggestive of a Type I offense that does not result in a criminal conviction or a finding of guilty in a field grade Article 15 proceeding will be treated as a Type II offense and reviewed by the approval authority.

d. Type II offenses meeting the definition of adverse information will also result in automatic disqualification for appointment to, or retention in, a designated position and are limited to those that occurred during the Soldier’s military career. A disqualification determination based on a Type II offense may be appealed.

e. Type III offenses meeting the definition of adverse information and committed within 5 years of the date of a Soldier’s nomination, unless otherwise stated, may be disqualifying for appointment to, or retention in, a designated position. An approval authority may favorably adjudicate a Type III offense. A disqualification determination based on a Type III offense may be appealed.

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5. Rescreening Procedures

a. Soldiers serving in designated positions will be rescreened every 3 years from the date of their initial assignment to the position. Commands must notify the applicable screening agencies listed in enclosure 3 at least 120 days before the expiration of a Soldier's current screening.

b. If a Soldier is reassigned within 3 years to a different designated position, the Soldier will not undergo a new screening.

c. Rescreening will search records for the 5 years preceding the rescreening if the Soldier remains assigned to the same position. Misconduct resulting in disqualifying information between screenings will subject a Soldier to suspension and potential disqualification from a designated position.

d. Commands will maintain their screening requirements documentation while the Soldier is serving in the command. If a Soldier is going to a new designated position requiring screening, the command will forward the screening documentation to the Soldier's gaining command (for example, a SHARP VA moving between commands).

6. Appointing Authority Responsibilities

a. The appointing authority must notify a Soldier, in writing, of disqualifying adverse information for Type I, Type II, or Type III offenses. The memorandum will include the basis of disqualification; the Soldier's right to military counsel or civilian counsel (at the Soldier's expense); the process for submitting rebuttal matters to dispute incorrect information; and the process for submitting an appeal, if authorized. The appointing authority must provide the Soldier with a copy of the disqualifying information or the name and address of the agency that reported the disqualifying information.

b. For the appointment of SHARP professionals, commanders must follow the screening procedures outlined in this policy. Once screening is complete, commanders must provide completed findings to their ACOM, ASCC, or DRU SHARP PM.

7. Reassignment and Reclassification. For those RA and USAR Soldiers whose suspension or removal requires reassignment (training and recruiting cadre), the commander must coordinate with HRC for reassignment, reclassification, or other personnel action pursuant to references m, n, or o. For those ARNG/ARNGUS Soldiers whose suspension or removal requires reassignment (training and recruiting cadre), the commander must coordinate with the ARNG for reassignment, reclassification, or other personnel action pursuant to references m, n, or o.

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8. Procedures. The processes for suspension and removal and approval and appeal are outlined in enclosure 7. These authorities may not be delegated.

9. Proponent. The proponent for this policy is the DCS, G-1. The DCS, G-1 will revise the applicable Army regulations to incorporate the provisions of this directive within 2 years from the date of this directive. This directive is rescinded upon publication of all the revised regulations.

10. Reporting Requirement. The Army Suitability Division, Office of the DCS, G-1 will publish reporting requirements within 90 days from date of this directive.

11. Point of Contact. Direct any questions about this directive to the Army Suitability Division, Directorate of Military Personnel Management, Office of the DCS, G-1 at (703) 571-7226.



Mark T. Esper

Encls

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CF:

Director, Army National Guard
Director, Business Transformation
Commander, Eighth Army

REFERENCES

- a. Department of Defense (DoD) Instruction 6495.02 (Sexual Assault Prevention and Response (SAPR) Program Procedures); March 28, 2013; Incorporating Change 3, May 24, 2017.
- b. DoD Instruction 6495.03 (Defense Sexual Assault Advocate Certification Program (D-SAACP)); September 10, 2015; Incorporating Change 1, April 7, 2017.
- c. Department of Defense (DoD) Instruction 1320.04 (Military Officer Actions Requiring Presidential, Secretary of Defense, or Under Secretary of Defense for Personnel and Readiness Approval or Senate Confirmation), January 3, 2014.
- d. DoD Instruction 1402.05 (Background Checks on Individuals in DoD Child Care Services Programs), September 11, 2015, Incorporating Change 1, Effective July 14, 2016.
- e. Army Regulation (AR) 15-6 (Procedures for Administrative Investigations and Boards of Officers), 1 April 2016.
- f. AR 20-1 (Inspector General Activities and Procedures), 29 November 2010, Including Rapid Action Revision Issued 3 July 2012.
- g. AR 25-22 (The Army Privacy Program), 22 December 2016.
- h. AR 190-45 (Law Enforcement Reporting), 27 September 2016.
- i. AR 600-8-2 (Suspension of Favorable Personnel Actions (Flag)), 11 May 2016.
- j. AR 600-20 (Army Command Policy), 6 November 2014.
- k. AR 600-37 (Unfavorable Information), 10 April 2018.
- l. AR 600-85 (The Army Substance Abuse Program), 28 November 2016.
- m. AR 601-1 (Assignment of Enlisted Personnel to the U.S. Army Recruiting Command), 11 October 2016.
- n. AR 614-100 (Officer Assignment Policies, Details, and Transfers), 10 January 2006.
- o. AR 614-200 (Enlisted Assignments and Utilization Management), 29 November 2017.
- p. Memorandum, Secretary of the Army, 28 May 2016, subject: Ensuring the Quality of Sexual Assault Response Coordinators, Sexual Assault Prevention and Response

Victim Advocates and Others in Identified Positions of Significant Trust and Authority, 28 May 2013.

- q. Memorandum, Secretary of the Army, 12 Feb 2014, subject as above.
- r. Memorandum, Secretary of the Army, 17 Jun 16, subject: Exception to Policy Request for Delegation of Waiver and Removal Authority Pursuant to ALARACT 188/2014, 17 June 2016.
- s. Memorandum, Secretary of the Army, 18 Jul 16, subject: Reassigning Positions of Significant Trust and Authority Removal and Waiver Authorities for Recruiters, Drill Sergeants, and Training and Doctrine Command Advanced Individual Training Platoon Sergeants, 18 July 2016.
- t. Memorandum, Office of the Assistant Secretary of the Army (Manpower and Reserve Affairs), 27 Sep 13, subject: Guidance for Civilian Sexual Harassment/Assault Response and Prevention (SHARP) Program Positions.
- u. Headquarters, Department of the Army (HQDA) Execution Order (EXORD) 221-12, 25 Jun 2012, 2012 Sexual Harassment/Assault Response and Prevention (SHARP) Program Synchronization Order.
- v. Fragmentary Order 4 to HQDA EXORD 221-12, 27 Dec 2013, subject: 2012 Sexual Harassment/Assault Response and Prevention (SHARP) Program Synchronization Order (All Army Activities (ALARACT) 337/13).
- w. HQDA EXORD 161-13, 10 Jun 2013, subject: Sexual Harassment/Assault Response and Prevention (SHARP) Program Army Stand-Down (ALARACT 147/13).
- x. HQDA EXORD 193-14, 26 July 2014, subject: Screening of Sexual Harassment/Assault Response and Prevention Program Personnel and Others in Identified Positions of Significant Trust (ALARACT 188/2014).
- y. ALARACT 032-18, 2 May 18, subject: Clarifying Guidance on Screening For Positions of Significant Trust and Authority,.

RESPONSIBILITIES

1. The Army Deputy Chief of Staff (DCS), G-1 will:

- a. oversee the screening process to ensure compliance with all laws, regulations and policies.
- b. distribute the format for the quarterly consolidated approved suitability appeals report within 30 days of the publication of this directive.

2. The Commander, U.S. Army Human Resources Command (HRC) will:

- a. conduct centralized screening for all current and nominated Regular Army (RA) and U.S. Army Reserve (USAR) SHARP professionals (both full-time and collateral duty). Provide the findings to requesting Army Commands (ACOMs), Army Service Component Commands (ASCCs), and Direct Reporting Units (DRUs) and the SHARP Program Office.
- b. conduct centralized screening for all nominated RA and USAR training and recruiting cadre. Ensure the medical records reviews are completed during the local screening process of training and recruiting cadre.
- c. release summaries of screening results to the appropriate approval or removal authority, who may use it only to determine suitability for the designated position. Disqualification from a designated position is not an independent basis for disciplinary action.

3. The Army Inspector General will:

- a. conduct screening for current and nominated SHARP professionals and training and recruiting cadre upon the request of HRC or the Army National Guard (ARNG).
- b. release summaries of screening results to HRC or Chief, National Guard Bureau, as appropriate.
- c. ensure that field and local inspectors general do not conduct local suitability screenings or release adverse information in accordance with the references. Field and local inspectors general should direct all questions and requests for screening actions to the Chief, Department of the Army Inspector General Records Screening and Oversight Office, (703) 545-1859 or 4539.

4. The Chief, National Guard Bureau will:

a. conduct and ensure the completion of local and centralized screening of all ARNG/Army National Guard of the United States (ARNGUS) personnel serving in or nominated for designated positions. See enclosure 3 for a list of required screening.

b. ensure that the Soldier has a current Periodic Health Assessment and all medical records are reviewed to ensure the Soldier is medically fit for assignment to the position.

c. provide a quarterly consolidated report of approved suitability appeals to the Office of the Army DCS, G-1 Suitability Division.

d. ensure the suitability screening process is included in the Organizational Inspection Program.

e. release summaries of screening results to the appropriate approval or removal authority, who may use it only to determine suitability for the designated position. Disqualification from a designated position is not an independent basis for disciplinary action.

5. The Commander, U.S. Army Reserve Command will:

a. complete local screening and request centralized screening of all USAR training cadre and SHARP professionals.

b. ensure that the Soldier has a current Periodic Health Assessment and all medical records are reviewed to make sure the Soldier is medically fit for assignment to the position.

c. provide a quarterly consolidated report of approved suitability appeals to the Office of the DCS, G-1 Army Suitability Division.

d. ensure the suitability screening process is included in the Organizational Inspection Program.

e. release summaries of screening results to the appropriate approval or removal authority, who may use it only to determine suitability for the designated position. Disqualification from a designated position is not an independent basis for disciplinary action.

6. The Commanders of ACOMs, ASCCs, and DRUs will:

a. complete local screening and request centralized screening of SHARP professionals.

b. ensure that the Soldier has a current Periodic Health Assessment and all medical records are reviewed to make sure the Soldier is medically fit for assignment to the position.

c. ensure the assignment of SHARP Program Managers (PMs).

d. ensure the assignment of a collateral duty SHARP professional at the battalion (or equivalent) level. Units and organizations will maintain the current authorizations for full-time Sexual Assault Response Coordinators (SARCs) and SHARP Victim Advocates (VAs) at the brigade (or equivalent) level.

e. authorize company-level VAs for exceptional situations, such as geographic dispersion or large units.

f. provide a quarterly consolidated report of approved suitability appeals to the Office of the DCS, G-1 Army Suitability Division.

g. ensure the suitability screening process is included in the Organizational Inspection Program.

h. release summaries of screening results to the appropriate approval or removal authority, who may use it only to determine suitability for the designated position. Disqualification from a designated position is not an independent basis for disciplinary action.

7. The Commander, U.S. Army Training and Doctrine Command (TRADOC) will also complete local screening and request centralized screening of all recruiting cadre (including USAR recruiting cadre).

8. The Commander, U.S. Army Medical Command (MEDCOM) will:

a. ensure the Soldier has a current Periodic Health Assessment and all medical records are reviewed to make sure the Soldier is medically fit for assignment to the position.

b. ensure medical records reviews are conducted by independently credentialed health providers for Soldiers serving in or nominated for designated positions.

9. The Commander, U.S. Army Installation Management Command will ensure that Army Substance Abuse Program (ASAP) records are screened for Soldiers serving in or nominated for designated positions.

a. Upon the request of units or the ARNG, conduct ASAP reviews for personnel serving in or nominated for designated positions assigned to the installation or in the installation's area of responsibility.

b. The program official should provide the requesting unit representative with one of the following four answers: no positive tests, one positive test more than 5 years ago, one positive test in the past 5 years, or multiple positive tests.

c. The confidentiality of ASAP information will be maintained in accordance with reference I and provided only to individuals within the Army who have an official need to know.

10. The Commander, U.S. Army Criminal Investigation Command/U.S. Army Crime Records Center will:

a. conduct military criminal records checks for military personnel serving in or nominated for designated positions at the request of HRC or the Chief, National Guard Bureau.

b. release results of military criminal background checks for current and nominated RA/USAR training and recruiting cadre to HRC. For current training and recruiting cadre, HRC may release the results to the appropriate appointing/approval authorities.

c. release results of military criminal background checks for ARNG/ARNGUS personnel to the Chief, National Guard Bureau.

d. release results of military criminal background checks for current and nominated SHARP professionals to HRC. HRC may release the results to the appropriate appointing/approval authorities, who may use them only to determine suitability for duty as a SHARP professional. Disqualification from a designated position is not an independent basis for disciplinary action.

SCREENING MATRIX

| Screening Criteria | SHARP SARC/VA/PM | | Recruiting Cadre | Training Cadre |
|--------------------------------------|------------------------|-----------------------|---------------------------|---------------------------|
| | Full-Time | Collateral Duty | | |
| Minimum Rank | Unit | Unit | N/A | N/A |
| Deployable | Unit | Unit | N/A | N/A |
| Recommendation Letter | Unit | Unit | N/A | N/A |
| NACLC/Tier 3 Investigation | Unit | Unit | HRC | HRC |
| ASAP | RA/USAR: Unit ARNG | RA/USAR: Unit ARNG | RA/USAR: Unit ARNG | RA/USAR: Unit ARNG |
| National Sex Offender Public Website | Unit | Unit | Unit | Unit |
| Medical Records Review | Unit (RA and AGR Only) | N/A | Unit | Unit |
| OMPF incl. R-Fiche Review | RA/USAR: HRC ARNG | RA/USAR: HRC ARNG | RA/USAR: HRC ARNG | RA/USAR: HRC ARNG |
| Inspector General Files | RA/USAR: HRC ARNG | RA/USAR: HRC ARNG | RA/USAR: HRC ARNG | RA/USAR: HRC ARNG |
| CID/CRC Databases | RA/USAR: HRC ARNG | RA/USAR: HRC ARNG | RA/USAR: N/A* ARNG | RA/USAR: N/A* ARNG |
| DoD Central Adjudication Facility | N/A | N/A | RA/USAR: HRC ARNG: N/A | RA/USAR: HRC ARNG: N/A |

* Checks performed at DoD Consolidated Adjudication Facility.

Abbreviations Used:

CRC = Crime Records Center
 NACLC = National Agency Check with Local Agency Check and Credit
 OMPF = Official Military Personnel File

AUTHORITY MATRIX FOR TYPE II OFFENSES

| | Appointing Authority | Removal Authority | Approval Authority | Appeal Authority |
|--|-----------------------------|---|-----------------------------|---|
| SHARP SARCs and PMs (RA/USAR) | GO/SES | BDE CDR or O-6 Equivalent | Automatically Disqualifying | First 3-Star GO in Chain of Command |
| Full-Time SHARP VAs (RA/USAR) | BDE CDR or O-6 Equivalent | BDE CDR or O-6 Equivalent | Automatically Disqualifying | First 3-Star GO in Chain of Command |
| Collateral Duty SHARP SARCs and VAs (RA/USAR) | BDE CDR or O-6 Equivalent | BDE CDR or O-6 Equivalent | Automatically Disqualifying | First 3-Star GO in Chain of Command |
| Full-Time SHARP SARCs, VAs, and PMs (ARNG) | State Adjutant General | BDE CDR or O-6 Equivalent | Automatically Disqualifying | Chief, National Guard Bureau |
| Collateral Duty SHARP SARCs and VAs (ARNG) | BDE CDR or O-6 Equivalent | BDE CDR or O-6 Equivalent | Automatically Disqualifying | State Adjutant General |
| Recruiting Cadre (RA/USAR) | BDE CDR or O-6 Equivalent | Initial:* N/A Current:** BDE CDR or O-6 Equivalent | Automatically Disqualifying | Initial:* CG, HRC*** Current:** DCG, TRADOC or CG, MEDCOM |
| Recruiting Cadre (ARNG) | State Adjutant General | BDE CDR or O-6 Equivalent | Automatically Disqualifying | Chief, National Guard Bureau |
| Training Cadre (RA/USAR) Training Cadre (TRADOC and MEDCOM) | BDE CDR or O-6 Equivalent | Initial:* N/A Current:** BDE CDR or O-6 Equivalent | Automatically Disqualifying | Initial:* CG, HRC*** Current:** DCG, TRADOC, or CG, MEDCOM |
| Training Cadre (ARNG) | State Adjutant General | BDE CDR or O-6 Equivalent | Automatically Disqualifying | Chief, National Guard Bureau |

Notes:

- * Initial pre-assignment screening conducted at HRC.
- ** Current: Soldier currently serving in a position when an offense occurs.
- *** Authorities for initial assignment of RA/USAR training and recruiting cadre.

Abbreviations Used:

BDE = Brigade
 CDR = Commander
 CG = Commanding General

DCG = Deputy Commanding General
 GO = General Officer
 SES = Senior Executive Service

AUTHORITY MATRIX FOR TYPE III OFFENSES

| | Appointing Authority | Removal Authority | Approval Authority | Appeal Authority |
|--|---|---|---|--|
| SHARP SARC and PMs (RA/USAR) | First GO/SES in Chain of Command/ Supervision | BDE CDR or O-6 Equivalent | First 2-Star GO in Chain of Command | First 3-Star GO in Chain of Command |
| Full-Time SHARP VAs (RA/USAR) | BDE CDR or O-6 Equivalent | BDE CDR or O-6 Equivalent | First 2-Star GO in Chain of Command | First 3-Star GO in Chain of Command |
| Collateral Duty SHARP SARCs, VAs, and PMs (RA/USAR) | BDE CDR or O-6 Equivalent | BDE CDR or O-6 Equivalent | First 2-Star GO in Chain of Command | First 3-Star GO in Chain of Command |
| Full-Time SHARP SARCs, VAs, and PMs (ARNG) | BDE CDR or O-6 Equivalent | BDE CDR or O-6 Equivalent | First 1-Star GO in Chain of Command | State Adjutant General |
| Collateral Duty SHARP SARCs and VAs (ARNG) | BDE CDR or O-6 Equivalent | BDE CDR or O-6 Equivalent | First 1-Star GO in Chain of Command | State Adjutant General |
| Recruiting Cadre (RA/USAR) | Recruiting BDE CDR or O-6 Equivalent | Initial:* N/A Current:* BDE CDR or O-6 Equivalent | Initial:* Chief, Distribution Div, HRC*** Current:** BDE CDR or O-6 Equivalent | Initial:* CG, HRC*** Current:** DCG, TRADOC or CG, MEDCOM |
| Recruiting Cadre (ARNG) | BDE CDR or O-6 Equivalent | BDE CDR or O-6 Equivalent | First 1-Star GO in Chain of Command | State Adjutant General |
| Training Cadre (RA/USAR) Training Cadre (TRADOC and MEDCOM) | Training BDE CDR or O-6 Equivalent | Initial:* N/A Current:** BDE CDR or O-6 Equivalent | Initial:* Chief Distribution Div, HRC*** Current:** BDE CDR or O-6 Equivalent | Initial:* CG, HRC*** Current:** DCG, TRADOC or CG, MEDCOM |
| Training Cadre (ARNG) | BDE CDR or O-6 Equivalent | BDE CDR or O-6 Equivalent | First 1-Star GO in Chain of Command | State Adjutant General |

Notes:

* Initial pre-assignment screening conducted at HRC.

** Current: Soldier currently serving in a position when an offense occurs.

*** Authorities for initial assignment of RA/USAR training and recruiting cadre.

SCREENING CRITERIA WORKSHEET

| | |
|--|-----------------------------|
| Soldier's Last name, First name, MI | |
| Rank: | Army installation and unit: |

Part 1: Local Screening Requirements for Soldiers

| PART 1 | Unit/installation completes the following screening before submitting to ACOM, ASC, or DRU for HRC screening for Soldiers in designated positions | Coordinate With | Go | No Go |
|--------|---|---|----|-------|
| 1.1 | Minimum Rank | Appointing Authority | | |
| 1.2 | Deployable | Appointing Authority | | |
| 1.3 | Recommendation letter | Appointing Authority | | |
| 1.4 | NACLC/Tier 3 Investigation | Appointing Authority | | |
| 1.5 | National Sex Offender Public Website (www.nsopw.gov) | Appointing Authority | | |
| 1.6 | Army Substance Abuse Program (ASAP) | ASAP | | |
| 1.7 | Medical Records Review | Coordinate With Unit Senior Medical Officer | | |

Go (Submit to ACOM, ASCC, or DRU for part 2 screening)

No Go (No further action)

Local Screening Completed by: _____

Position: _____

Signature: _____ Date: _____

Part 2: Human Resources Command Centralized Screening Requirements for Soldiers. HRC will not provide actual source documents (for example, CID report). The HRC background screening is limited to need-to-know information, not source documents. For example: “no finding,” “Type I finding – domestic violence,” or Type II finding – nondomestic assault.” Specific details and source documents will not be provided. Background screening results will be secured safely.

SHARP: Before approving the candidate for SHARP training, the ACOM, ASCC, or DRU SHARP PM will submit via encrypted email the last name, first name, middle initial, and Social Security number to usarmy.knox.HRC.mbx.epmd-ebss@mail.mil.

| | | | |
|--------|--|----|-------|
| Part 2 | Submitted by the ACOM, ASCC, or DRU to HRC Centralized Screening for Soldiers serving in or nominated for designated positions | Go | No Go |
| 2.1 | Army Human Resource Record Fiche Review | | |
| 2.2 | Inspector General Files | | |
| 2.3 | Army Law Enforcement Reporting and Tracking System (ALERTS) CID/CRC Databases | | |

Go No Go - Not authorized for designated positions

Validated by: _____

Position: _____

Signature: _____ Date: _____

TYPE I, TYPE II, AND TYPE III REPORTS OF UNFAVORABLE INFORMATION OR OFFENSES

Type I Offenses (Over the Soldier's Lifetime):

1. Possessing, distributing, receiving, or viewing child pornography (Article 134 Uniform Code of Military Justice (UCMJ)).
2. Forcible sodomy or bestiality (Article 125 UCMJ) (Article 120 or 134 after 1 January 2019).
3. Any offense punishable under Article 120, 120a, 120b, and 120c UCMJ (Articles 120, 120b, 120c, and 130 after 1 January 2019); similar civilian offense (rape, sexual assault, aggravated sexual contact, abusive sexual contact, stalking, sexual abuse of a child); or any attempt to commit such acts (Article 88 UCMJ).
4. Prohibited activities with a subject of recruiting efforts, future Soldier, or initial entry trainee that fall under DoD Instruction 1304.33, enclosure 3, paragraph 1a(1)(a-c). (Article 93a after 1 January 2019)
5. Domestic violence or child abuse (as defined in DoDI 6495.03 or AR 608-18); violent crimes; similar civilian offenses; or attempts to commit such acts (Article 88 UCMJ).
6. Previous separation from any Service for any Type I offense listed above.
7. Any conviction that requires an individual to register as a sex offender.

Type II Offenses (Over a Soldier's Military Career, Including Sister Services):

1. Sexual harassment (Article 92, Article 93, or Article 117 UCMJ).
2. Prostitution or pandering (Article 134 UCMJ).
3. Sexual activity with a subordinate or fraternization of a sexual nature.
4. Conduct in violation of the Army's policy regarding participation in extremist organizations or activities or criminal gangs (as defined in AR 600-20, paragraph 4-12).
5. Any special or general court-martial conviction or any civilian criminal felony conviction (other than a conviction for Type I offenses).
6. Any criminal offense involving a child or children (other than Type I offenses).

7. Extramarital sexual conduct or inappropriate relationship in violation of AR 600-20, paragraphs 4-14 or 4-15 (other than sexual activity with a subordinate or fraternization of a sexual nature).
8. Wrongful broadcast or distribution of intimate visual images (Article 117a UCMJ).
9. Illegal drug use or possession or distribution, including abuse of prescription medication and synthetic drugs (Article 112a UCMJ).
10. Initial enlistment waivers for derogatory information related to any Type I offense.
11. Type I offenses for which the Soldier was not convicted in a court of law or received an Article 15 or higher UCMJ action.
12. Alcohol abuse (as defined in AR 600-85).

Type III Offenses (Within the Last 5 Years Unless Otherwise Stated):

1. Relief for cause noncommissioned officer evaluation report or officer evaluation report while in current grade or in the past 5 years, whichever is longer.
2. Previous separation from any Service for any Type III offense.
3. Initial enlistment waivers for derogatory information (not related to an offense listed under Type II).
4. Assault (other than categories listed under Type I).
5. Larceny, fraud, or robbery (Articles 121, 122, and 132 UCMJ).
6. Burglary (Article 129).
7. Prohibited activities with a subject of recruiting efforts, future Soldier, or initial entry trainee that fall under DoDI 1304.33, enclosure 3, paragraph 1a(1)(d-n).

Administrative Reports That Prevent Initial Appointment to These Positions:

1. Soldiers who are flagged, barred from reenlistment, or coded with any administrative information indicating legal investigation is underway are prohibited from initial appointment to these positions until the flag, bar, or code is removed.
2. Soldiers pending determination by a Medical Evaluation Board, Physical Evaluation Board, or Military Occupational Specialty Administrative Retention Review process are

not eligible for appointment as training or recruiting cadre or SHARP professionals unless found fit for continued duty.

3. Soldiers with a current revoked, denied, or suspended security clearance, who failed to attain or maintain a favorable NACLC, tier 3 investigation or higher, are not eligible for appointment to these positions.

PROCEDURES

Suspension and Removal Process

1. The removal authority listed in enclosure 4 will give written notice to a Soldier whose service in a designated position is in jeopardy because of adverse information. The written notice must explain the basis for the proposed suspension or removal; the Soldier's right to consult with military counsel or civilian counsel (at the Soldier's own expense); the Soldier's right to request an adjudication and/or appeal an unfavorable adjudication, if authorized; and the Soldier's right to submit matters in defense, extenuation, or mitigation. The removal authority must also provide the Soldier with a copy of the disqualifying information (or the name and address of the agency that reported the disqualifying information) and removal notice of his or her additional skill identifier (ASI).
2. The removal authority must immediately suspend and temporarily reassign a Soldier serving in a designated position upon notification that the Soldier is under investigation for a Type I, II, or III offense, or upon notification of adverse information that the Soldier has committed an offense listed in enclosure 6.
3. The commander must flag Soldiers under investigation, pursuant to reference i, and monitor the investigation until it is complete.
4. Before suspending or removing enlisted training cadre from their positions, commanders must comply with the requirements of reference o.
5. Before suspending or removing enlisted recruiting cadre from their positions, commanders must comply with the requirements of reference m.
6. For SHARP professionals, the removal authority must coordinate with the SHARP PM, who will also coordinate with the HQDA SHARP PM, to ensure the Soldier's Defense Sexual Assault Advocate Certification Program certification and ASI are suspended or removed, as appropriate.
7. Soldiers may dispute incorrect information by following the process outlined in paragraph 2 of this enclosure.
8. If the investigation result is unsubstantiated, the commander must notify the removal authority to lift the suspension and reinstate the Soldier to the designated position. SHARP professionals will need to work with their SHARP PM, who will also coordinate with the HQDA SHARP PM, to apply for reinstatement of their certification and ASI.
9. If the investigation result is substantiated for a Type I, II, or III offense, or if the commander receives adverse information that the Soldier has committed an offense

listed in enclosure 6, the commander must provide the disqualifying information to the removal authority listed in enclosure 4.

10. Soldiers who wish to seek reconsideration by the appeal authority must follow the procedures in paragraph 2 of this enclosure.

11. The removal authority will remove a Soldier from a designated position based upon a Type I offense. If the removal authority believes a Soldier who has committed a Type II or III offense should be retained in a designated position, the removal authority must submit a recommendation to the appeal authority for a decision, along with any matters the Soldier submitted in defense, extenuation, or mitigation.

12. The removal or appeal authority, as appropriate, must document a decision to remove a Soldier from a designated position in a memorandum for record (MFR). For RA and USAR training and recruiting cadre, the removal or appeal authority, as appropriate, must forward a copy of the MFR to HRC at usarmy.knox.hrc.mbx.epmd-ebss@mail.mil. HRC will file a copy of the MFR in the performance folder of the Army Military Human Resource Record (AMHRR). For ARNG recruiting cadre, the removal authority must forward a copy of the MFR to the Chief, National Guard Bureau.

13. The removal or appeal authority, as appropriate, must forward a copy of the MFR removing a SHARP Program SARC, VA, or PM to the ACOM, ASCC, or DRU SHARP PM, who will coordinate with the SHARP Program Office to suspend or revoke the Soldier's credentials and coordinate with HRC (or through ARNG) for removal of ASI 1B/1H and the associated stabilization code. HRC will add coding to restrict the individual from being appointed to designated positions in the future.

Approval and Appeal Process

1. Soldiers who are disqualified because of adverse information of a Type I offense may not appeal the disqualification. A Type I offense that does not result in a criminal conviction or a finding of guilty in a field grade Article 15 UCMJ proceeding will be treated as a Type II offense.

2. Soldiers who are disqualified because of adverse information of a Type II offense may submit an appeal to the appeal authority.

3. Soldiers who are disqualified because of adverse information of a Type III offense may request an adjudication from the approval authority to serve in the position. If the approval authority denies the request, the Soldier may submit an appeal to the appeal authority.

4. Soldiers have 14 calendar days from notification to submit a memorandum requesting an adjudication or an appeal. Soldiers will submit their request through their chain of command to the approval/appeal authority.

5. Soldiers have 45 calendar days from notification to submit documents in defense, extenuation, or mitigation. Such documents will be submitted through their chain of command to the approval/appeal authority.

6. Commanders may grant extensions in cases where Soldiers are attempting to provide documentation, but are unable to meet the timeline because of factors beyond their control. If granted, extensions and the reasons for the extension will be documented in a memorandum and submitted to the approval/appeal authority.

7. The approval/appeal authority must make a recommendation regarding an adjudication request within 45 calendar days after receiving the Soldier's information in defense, extenuation, or mitigation.

8. If an approval or appeal is granted for a currently serving member of the training and recruiting cadre, the approval/appeal authority, as appropriate, will sign an MFR stating the rationale for the approval and why the Soldier is still suited to serve in that position. For RA and USAR training and recruiting cadre, the unit will submit a copy of the MFR to the appropriate higher command and then to HRC at usarmy.knox.hrc.mbx.epmd-ebss@mail.mil. HRC will file a copy of the MFR in the performance folder of the AMHRR. For ARNG recruiting cadre, the unit must submit a copy of the MFR to the Chief, National Guard Bureau. The unit must retain the signed approval/appeal MFR for the duration of the Soldier's assignment to that position.

9. If an approval or appeal is granted for a currently serving SHARP professional, the approval/appeal authority must sign an MFR stating the rationale for the approval and why the Soldier is still best suited to serve in that position. The unit must submit a copy of the MFR to HRC at usarmy.knox.hrc.mbx.epmd-ebss@mail.mil for RA and USAR SHARP professionals, and to the Chief, National Guard Bureau for ARNG SHARP professionals. HRC and ARNG, as appropriate, will notify the HQDA SHARP Program Office. HRC will file a copy of the MFR in the performance folder of the AMHRR. The unit will retain the signed MFR for the duration of the Soldier's assignment to the position.

10. Approvals and appeals will only be granted in exceptional circumstances, when the approval/appeal authority determines that, despite the disqualifying information, the Soldier requesting the adjudication or submitting the appeal is best qualified to serve in the position. Approvals/appeals will not be granted if the disqualifying information calls into question the character, conduct, or personal integrity of the Soldier requesting the adjudication.

11. All decisions made by the appeal authority are final.