

(d) Commanders should seek the advice and counsel of their legal advisor when taking actions pursuant to this policy.

4–13. Army language policy

English is the operational language of the Army. Soldiers must maintain sufficient proficiency in English to perform their military duties. Their operational communications must be understood by everyone who has an official need to know their content, and, therefore, must normally be in English. However, commanders may not require Soldiers to use English unless such use is clearly necessary and proper for the performance of military functions. Accordingly, commanders may not require the use of English for personal communications that are unrelated to military functions.

4–14. Relationships between Soldiers of different grade

a. The term "officer" used in this paragraph includes both commissioned and WOs unless otherwise stated. The term "noncommissioned officer" refers to a Soldier in the grade of corporal to command sergeant major/sergeant major. The term "junior enlisted Soldier" refers to a Soldier in the grade of private to specialist. The provisions of this paragraph apply to both relationships between Soldiers in the Active and Reserve Components and between Soldiers and personnel of other military Services. This policy is effective immediately, except where noted below, and applies to opposite-gender relationships and same-gender relationships.

b. Soldiers of different grades must be cognizant that their interactions do not create an actual or clearly predictable perception of undue familiarity between an officer and an enlisted Soldier, or between an NCO and a junior-enlisted Soldier. Examples of familiarity between Soldiers that may become "undue" can include repeated visits to bars, nightclubs, eating establishments, or homes between an officer and an enlisted Soldier, or an NCO and a junior-enlisted Soldier, except for social gatherings, that involve an entire unit, office, or work section. All relationships between Soldiers of different grade are prohibited if they—

- (1) Compromise, or appear to compromise, the integrity of supervisory authority or the chain of command.
- (2) Cause actual or perceived partiality or unfairness.
- (3) Involve, or appear to involve, the improper use of grade or position for personal gain.
- (4) Are, or are perceived to be, exploitative or coercive in nature.
- (5) Create an actual or clearly predictable adverse impact on discipline, authority, morale, or the ability of the command to accomplish its mission.

c. Certain types of personal relationships between officers and enlisted Soldiers, or NCOs and junior enlisted Soldiers, are prohibited. Prohibited relationships include the following:

(1) Ongoing business relationships between officers and enlisted personnel, or NCOs and junior enlisted Soldiers. This prohibition does not apply to landlord/tenant relationships or to one-time transactions such as the sale of an automobile or house, but does apply to borrowing or lending money, commercial solicitation, and any other type of ongoing financial or business relationship. Business relationships between NCOs and junior enlisted Soldiers that exist at the time this policy becomes effective and that were authorized under previously existing rules and regulations, are exempt provided the individuals are not in the same unit or chain of command and the relationship does not meet the criteria listed in paragraph 4–14b(1 through 5). In the case of ARNG or U.S. Army Reserve personnel, this prohibition does not apply to relationships that exist due to their civilian occupation or employment.

(2) Dating, shared living accommodations other than those directed by operational requirements, and intimate or sexual relationships between officers and enlisted personnel, or NCOs and junior enlisted Soldiers. This prohibition does not apply to the following:

(a) When evidence of fraternization between an officer and enlisted member or an NCO and a junior enlisted Soldier prior to their marriage exists, their marriage does not preclude appropriate command action based on the prior fraternization. Commanders have a wide range of responses available including counseling, reprimand, order to cease, reassignment, administrative action, or adverse action. Commanders must carefully consider all of the facts and circumstances in reaching a disposition that is appropriate. Generally, the commander should take the minimum action necessary to ensure that the needs of good order and discipline are satisfied.

(b) Situations in which a relationship that complies with this policy would move into noncompliance due to a change in status of one of the members (for instance, a case where two junior enlisted members are dating and one is subsequently commissioned or selected to be a WO, commissioned officer, or NCO). In relationships where one of the enlisted members has entered into a program intended to result in a change in his or her status from enlisted to officer or junior enlisted Soldier to NCO, the couple must terminate the relationship permanently or marry within one year of the date of the appointment or the change in status occurs.

(c) Personal relationships between members of the National Guard or Army Reserve, when the relationship primarily exists due to civilian acquaintanceships, unless the individuals are on AD (other than AT), on FTNGD (other than AT), or serving as a dual status military technician.

(d) Personal relationships between members of the RA and members of the National Guard or Army Reserve when the relationship primarily exists due to civilian association and the RC member is not on AD (other than AT), on FTNGD (other than AT), or serving as a dual status military technician.

(e) Prohibited relationships involving dual status military technicians, which were not prohibited under previously existing rules and regulations, are exempt until 1 March 2015.

(f) Soldiers and leaders share responsibility for ensuring that these personal relationships do not interfere with good order and discipline. Commanders will ensure that personal relationships that exist between Soldiers of different grades emanating from their civilian careers will not influence training, readiness, or personnel actions.

(3) Gambling between officers and enlisted personnel, or NCOs and junior enlisted Soldiers.

d. These prohibitions are not intended to preclude unit based normal team building or activity based on interaction which occurs in the context of community based, religious, or fraternal associations such as scouting, youth or adult sports leagues or teams; membership in organizations such as the Masons or Elks; religious activities including chapel, church, synagogue, mosque, or religious education; Family gatherings; unit-based social functions; or athletic events.

e. All military personnel share the responsibility for maintaining professional relationships. However, in any relationship between Soldiers of different grade or rank, the senior member is generally in the best position to terminate or limit the extent of the relationship. Nevertheless, all members may be held accountable for relationships that violate this policy.

f. Commanders should seek to prevent inappropriate or unprofessional relationships through proper training and personal leadership. Commanders have a wide range of responses available should inappropriate relationships occur. These responses may include counseling, reprimand, order to cease, reassignment, or adverse action. Potential adverse action may include official reprimand, adverse evaluation report(s), nonjudicial punishment, separation, bar to reenlistment, promotion denial, demotion, and courts martial. Commanders must carefully consider all of the facts and circumstances in reaching a disposition that is warranted, appropriate, and fair.

4-15. Other prohibited relationships

a. *Trainee and Soldier relationships.* Any relationship between permanent party personnel and initial entry training trainees not required by the training mission is prohibited. This prohibition applies to permanent party personnel without regard to the installation of assignment of the permanent party member or the trainee.

b. *Recruiter and recruit relationships.* Any relationship between permanent party personnel assigned or attached to the U.S. Army Recruiting Command or National Guard recruiting program, and potential prospects, applicants, members of the DEP, or members of the Delayed Training Program not required by the recruiting mission is prohibited. This prohibition applies to U.S. Army Recruiting Command and National Guard recruiting personnel without regard to the unit of assignment of the permanent party member and the potential prospects, applicants, DEP members, or Delayed Training Program members.

c. *Training commands.* Training commands (for example, TRADOC and AMEDDC) and the U.S. Army Recruiting Command are authorized to publish supplemental regulations to paragraph 4-15, which further detail proscribed conduct within their respective commands.

4-16. Fraternalization

Violations of paragraphs 4-14b, 4-14c, and 4-15 may be punished under UCMJ, Art. 92 as a violation of a lawful general regulation.

4-17. Standards of conduct

Department of the Army personnel must place loyalty to country, ethical principles, and law above private gain and other personal interests. The performance of their duties should be in keeping with the highest tradition of military and civilian service to the U.S. Government.

a. *Guidance.* Minimum standards of conduct required of all Soldiers and Army civilians are prescribed by DOD 5500.7-R that provides Army personnel with guidance on a multitude of ethical issues, including the avoidance of conflicts of interests between their commercial/financial interest and their official duties.

b. *Annual training.* Commanders at all levels will ensure that all Army personnel required to file either a public or confidential financial disclosure report, contracting officers, procurement officials, and others identified by an Army ethics counselor, receive face-to-face annual ethics training as prescribed by DOD 5500.7-R.

4-18. Employment and volunteer work of spouse

a. The Army affirms the rights of a spouse of a Soldier to pursue and hold a job, attend school, or perform volunteer services on or off a military installation. No DA official will, directly or indirectly, impede or otherwise interfere with these rights. Moreover, no DA official will use the preferences and requirements of the Army or any other DOD component to influence the employment, educational, or volunteer service decisions of a spouse. Neither will such decision of a spouse, nor the marital status of the Soldier, affect, favorably or adversely, the performance evaluations, assignments, or promotion opportunities of the Soldier.

(1) In discharging their responsibilities, members of military promotion, continuation, and similar personnel selection boards are prohibited from considering the marital status of a Soldier, or the employment, educational, or volunteer