



SECRETARY OF THE ARMY  
WASHINGTON

14 JUN 2024

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Army Directive 2024-08 (Reporting Prohibited Activities (RPA))

1. References. See enclosure 1.
2. Definitions. See enclosure 2.
3. Purpose. This directive establishes Army policy for reporting to the Department of Defense (DoD) Deputy Inspector General for Diversity, Inclusion, and Extremism in the Military (DIG (DIEM)), through the Department of the Army Office of The Inspector General (OTIG), any allegation that a Soldier is engaged in a prohibited activity, as defined in enclosure 2.
4. Applicability. This directive applies to the regular Army, Army National Guard/Army National Guard of the United States, and U.S. Army Reserve.
5. Background. Active participation in extremist and criminal gang activities is inconsistent with the responsibilities and obligations of military service, including the U.S. Army oaths of office and enlistment. Such prohibited activities damage the Nation's trust and confidence in the Army as an institution and as a professional fighting force. They undermine morale and reduce combat readiness. Extremism calls into question a Soldier's ability to follow orders from, or effectively lead and serve with, persons of diverse backgrounds, and it prevents maximum utilization and development of the Army's most valuable asset—its People.
6. Policy. As required by section 554 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021, the U.S. Army will collect and report to the DoD DIG (DIEM), through Army Inspector General (IG) channels, all allegations that a Soldier has actively participated in prohibited activities. A prohibited activity is any activity prohibited under paragraphs 8 through 10 of enclosure 3 to DoD Instruction 1325.06 (Handling Protest, Extremist, and Criminal Gang Activities Among Members of the Armed Forces), or any successor instruction, and the corresponding paragraphs implementing DoD Instruction 1325.06 within Army Regulation (AR) 600-20 (Army Command Policy). Additionally, all information collected in accordance with this policy must comply with section 552a of Title 5, United States Code, the Privacy Act of 1974, including a relevant system of records notice.
  - a. Reporting Receipt of a Prohibited Activity Allegation. All appropriate Army

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authorities (AAAs), as defined in enclosure 2, who receive an allegation of a Soldier engaging in a prohibited activity (either independently or in violation of any other law, regulation, procedure, or policy) will notify the subject's commander or other authority (when appropriate) and an appropriate Army IG, as defined in enclosure 2, within 30 calendar days (60 calendar days for Reserve component AAAs) of receiving the prohibited activity allegation. The appropriate Army IG will forward this information through appropriate Army IG channels to the DIG (DIEM) within 15 calendar days of receiving such notification.

(1) All allegations and related information must be submitted to the Army IG and DIG (DIEM) in de-identified form. For alleged offenders, reports should contain only the grade/rank, unit, occupational or specialty code, gender, age, and Military Service, how the offender is alleged to have violated DoD Instruction 1325.06 or other relevant Army policy (if applicable), and the date and location of the alleged prohibited conduct (if known). For victims, if known, reports should contain only the age, gender, and (as applicable) Military Service or other military affiliation, grade/rank, occupational or specialty code, and unit.

(2) If an AAA is prohibited from conveying an allegation to a commander or other authority due to confidentiality obligations in accordance with established Army policy, then the AAA's report to the appropriate Army IG will also indicate that no additional reports regarding the allegation are forthcoming, and identify the specific Army policy and circumstances that prohibit additional disclosure to the chain of command. The Army IG will communicate this to DIG (DIEM).

(3) On receipt of an allegation, the Army IG will notify the AAA, the subject's commander or other authority (unless reported directly by an AAA with a confirmed duty of confidentiality), and DIG (DIEM) of a unique identification code to be utilized for all subsequent reporting associated with the allegation.

**b. Reporting Decision To Refer, or Not Refer, a Prohibited Activity Allegation for Investigation or Inquiry.**

(1) Commanders or other appropriate authorities will notify an appropriate Army IG within 30 calendar days (60 calendar days for AAAs of Reserve components) of making a decision to refer a prohibited activity allegation (as described in paragraph 6a of this directive) for investigation or inquiry to an Army criminal investigator, an Army law enforcement official, an Army commander, the Army Insider Threat Hub, or another organization or official of the Army or Department of Defense. When a commander or other authority refers a prohibited activity allegation to an Army IG for investigation, the Army IG will notify DIG (DIEM) without requiring additional notification from the referring commander. If a commander or other authority refers a prohibited activity allegation to a civilian law enforcement organization for investigation or discovers a civilian law

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enforcement organization is investigating a Soldier for prohibited activities, the commander or other authority must notify an appropriate Army IG within 30 calendar days (60 calendar days for Reserve component AAAs) of the referral/discovery. The appropriate Army IG will forward the information through appropriate Army IG channels to the DIG (DIEM) within 15 calendar days of receiving such notification.

(2) A commander or other authority who decides not to refer a prohibited activity allegation (as described in paragraph 6a of this directive) for investigation or inquiry will notify an appropriate Army IG within 30 calendar days of making such a decision (60 calendar days for Reserve component AAAs), providing an explanation as to why referral is not appropriate. The appropriate Army IG will forward the information through appropriate Army IG channels to the DIG (DIEM) within 15 calendar days of receiving such notification.

c. Reporting Referral of a Prohibited Activity Final Investigatory Report to a Decision Authority. A commander or other decision authority will notify an appropriate Army IG within 15 calendar days (30 calendar days for Reserve component AAAs) of receiving a prohibited activity final investigatory report. The appropriate Army IG will forward the information through appropriate Army IG channels to the DIG (DIEM) within 15 calendar days of receiving such notification.

d. Reporting the Final Decision Regarding a Prohibited Activity Investigatory Report. A commander or other decision authority will notify an appropriate Army IG within 15 calendar days (30 calendar days for Reserve component AAAs) of the final determination that an allegation described in a final prohibited activity investigatory report is (or is not) substantiated. The appropriate Army IG will forward the information through appropriate Army IG channels to the DIG (DIEM) within 15 calendar days of receiving such notification.

e. Reporting Action Taken Against a Soldier for Participating in Prohibited Activities. A military commander or other decision authority will notify an appropriate Army IG within 15 calendar days (30 calendar days for Reserve component AAAs) of a final decision to take corrective action, including court martial, other criminal prosecution, nonjudicial punishment under Article 15 of the Uniform Code of Military Justice (UCMJ), administrative action (involuntary discharge), administrative action (denial of continuation or re-enlistment), administrative action (insider threat mitigation), administrative action (counseling), or no action taken against a Soldier with one or more substantiated allegations of engaging in a prohibited activity, as reported under paragraph 6d. If no action was taken despite a finding that an allegation was substantiated as described in paragraph 6d, the transmission should note and explain the reasons why no action was warranted. The appropriate Army IG will forward the information through appropriate Army IG channels to the DIG (DIEM) within 15 calendar days of receiving the notification.

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f. For a summary of RPA requirements and timelines, see enclosure 3.

7. Responsibilities.

a. The Inspector General (TIG) will—

(1) Develop, oversee, and execute the RPA policy.

(2) Coordinate with the Assistant Secretary of the Army (Manpower and Reserve Affairs) (ASA (M&RA)) to ensure the Army RPA policy is included in applicable Army programs for which the ASA (M&RA) has oversight responsibilities.

(3) Approve the release of all reports and data requests associated with RPA.

(4) Prepare and submit quarterly reports to the Secretary of the Army for approval and subsequent submission within 30 calendar days of each fiscal year quarter to the Office of the Under Secretary of Defense for Personnel and Readiness (OUSD (P&R)) and the Office of the Under Secretary of Defense for Intelligence and Security (OUSD (I&S)). All reports will be coordinated with the ASA (M&RA) prior to submission.

(a) Each quarterly report will contain aggregate data for the preceding fiscal quarter. At a minimum, the report will aggregate the following data for the reporting period, broken down by component (active, Reserve, National Guard):

i. The number of allegations referred to the DIG (DIEM);

ii. The number of investigations and inquiries reported to the DIG (DIEM);

iii. The number of allegations not referred for investigation or inquiry, as reported to the DIG(DIEM);

iv. The number of final reports of investigation or inquiry referred to commanders or other appropriate authorities for action, as reported to the DIG(DIEM);

v. The number of allegations found to be substantiated and not substantiated, as reported to the DIG(DIEM);

vi. The number of Soldiers who, on the basis of determinations described in paragraph 6d (that the Soldier(s) engaged in prohibited activities), were subject to some form of punitive and/or administrative action, as reported to the DIG(DIEM).

vii. The number of Soldiers who, on the basis of determinations described in

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paragraph 6d (that the Soldier(s) engaged in prohibited activities), were subject to each of the following forms of punitive and/or administrative action, as reported to the DIG (DIEM): court martial, other criminal prosecution, non-judicial punishment under Article 15 of the UCMJ, involuntary administrative separation from the Army, denial of reenlistment due to a substantiated allegation, insider threat mitigation, and counseling.

viii. The number of Soldiers who, notwithstanding determinations that allegations were substantiated under paragraph 6d, were not subject to any action reportable under paragraph 6e, as reported to the DIG (DIEM).

(b) The second, third, and final quarterly report of each fiscal year will also contain aggregate data for the fiscal year to date.

(c) The final report of each fiscal year will:

i. Discuss any new or amended Army policies, processes, and mechanisms implementing the requirements of section 554 as laid out in this memorandum and attachment;

ii. Discuss the data submitted for the preceding fiscal year, noting any major incidents or trends observed;

iii. Provide an attachment containing all raw data submitted by Army IG offices to the DIG(DIEM) (in de-identified form) during the preceding fiscal year; and

iv. Starting in fiscal year (FY) 2026, discuss data trends observed across at least the preceding three fiscal years.

(5) Ensure all prohibited activity reporting received by Army IGs is electronically transmitted to the DIG(DIEM) within 15 calendar days of the receipt of information.

(6) Coordinate with the DIG(DIEM) to create a system of unique identification codes to assign to each allegation. This unique identifier will be provided to appropriate entities described in paragraph 6a(3) of this directive and associated with any future reporting or tracking requirements relating to the same incident. If more than one Soldier is implicated by an allegation, the identifier should reflect this fact so that each allegation, and the number of Servicemembers involved, can be tracked without over-reporting the total number of allegations (for example, an allegation that the joint actions of three Service members constituted active participation in extremist activities might be coded as [Code]-01, [Code]-02, and [Code]-03). To the maximum extent possible, OTIG will work with the Offices of the Air Force Inspector General, Naval Inspector General, and Inspector General of the Marine Corps to ensure that allegations implicating

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**Servicemembers from multiple Military Services are assigned corresponding identification codes for concurrent tracking.**

**b. The ASA (M&RA) will—**

**(1) Ensure RPA is included in applicable Army regulations, guidance, and programs for which ASA (M&RA) has oversight responsibilities.**

**(2) Coordinate with TIG on the preparation of quarterly reports.**

**(3) Add a requirement to relevant Army regulations and guidance that equal employment opportunity (EEO) professionals in receipt of an allegation of prohibited activity will immediately contact an appropriate Army IG and commander or other appropriate authority, and begin the RPA process as prescribed herein.**

**(4) Update relevant Army regulations and guidance to add the requirement that any equal opportunity (EO) professional in receipt of an allegation of prohibited activity will immediately contact an appropriate Army IG and commander or other appropriate authority, and begin the RPA process as prescribed herein.**

**c. The ASA (Financial Management and Comptroller), in coordination with the Deputy Chief of Staff (DCS), G-8, will ensure RPA requirements are included in the Army's unfunded requirements for FY 2023–FY 2025 to ensure RPA is effectively resourced.**

**d. The DCS, G-1 will update relevant Army regulations and guidance to add the requirement for Army personnel who receive an allegation of prohibited activity as part of a suitability determination to immediately contact an appropriate Army IG and commander or other appropriate authority, and begin the RPA process as prescribed herein.**

**e. The DCS, G-2 will report any new counterintelligence and/or Defense Information Security System (or subsequent information system) database entries on prohibited activities to TIG within 30 calendar days of their entry into the database. Reporting may be delayed if premature reporting would adversely affect a counterintelligence investigation of an individual suspected or alleged to have committed a criminal offense.**

**f. The DCS, G-3/5/7 will—**

**(1) Report any new insider threat database entries on prohibited activities to TIG within 30 calendar days of their entry into the database. Reporting may be delayed if precluded by the originating or lead civilian law enforcement agency (such as the Federal Bureau of Investigation (FBI); Bureau of Alcohol, Tobacco, Firearms, and**

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Explosives (ATF); or State police) investigating the matter, or if premature reporting would adversely affect the investigation or prosecution of an individual suspected or alleged to have committed a criminal offense.

(2) Add one requirement/authorization for a Civilian Army RPA coordinator to the United States Army Inspector General Agency (UIC W303AA) Table of Authorization no later than the end of FY 2024. In coordination with TIG and the DCS, G-1, develop a bridging strategy to immediately fill an Army RPA coordinator position until a Civilian Army RPA coordinator position is fully resourced and filled.

(3) Add to relevant Army regulations and guidance the requirement that prevention, assistance, and response (PAR) professionals in receipt of an allegation of prohibited activity will immediately contact their assigned Army IG office and appropriate commander or other authority, and begin the RPA process as required herein.

g. The DCS, G-9 will update relevant Army regulations and guidance to add a requirement that any Army Family advocacy professionals in receipt of an allegation of a prohibited activity will immediately contact an appropriate Army IG and commander or other appropriate authority, and begin the RPA process as required herein.

h. The Judge Advocate General will update relevant Army regulations and guidance to add the requirement that, subject to the provisions of AR 27–26 (Rules of Professional Conduct for Lawyers), members of the command’s servicing legal office in receipt of an allegation of a prohibited activity will ensure the report is received by an appropriate Army IG within the timelines required herein.

i. The Provost Marshal General will update relevant Army regulations and guidance to add a requirement that any military law enforcement professionals in receipt of an allegation of prohibited activity will immediately contact their assigned Army IG office and the appropriate commander or other authority, and begin the RPA process as prescribed herein.

j. The Director, United States Army Criminal Investigation Division (CID) will—

(1) Report any new Army Law Enforcement Reporting and Tracking System database entry on prohibited activities to TIG within 30 calendar days of the entry. Reporting may be delayed if precluded by the originating or lead civilian law enforcement agency (such as the FBI, ATF, or State police) investigating the matter or if premature reporting would adversely affect the investigation or prosecution of an individual suspected or alleged to have committed a criminal offense.

(2) Incorporate the relevant provisions of this directive into applicable CID policy within 2 years of the date of this directive.

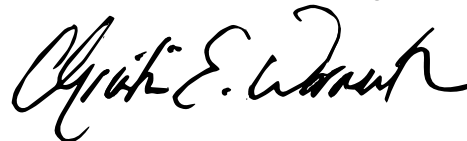
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k. The Army Privacy and Civil Liberties Officer will ensure that privacy rights and civil liberty issues are appropriately addressed as RPA efforts are implemented across the Army.

8. Proponent. TIG has oversight responsibility for this policy and will ensure that proponents incorporate the applicable provisions of this directive into the following Army regulations within 2 years of the date of this directive:

- a. TIG will update AR 20-1.
- b. The ASA (M&RA) will update AR 690-12.
- c. The DCS, G-1 will update AR 600-20 and AR 600-78.
- d. The DCS, G-2 will update AR 380-67, AR 381-12, and AR 381-20.
- e. The DCS, G-3/5/7 will update AR 525-2.
- f. The DCS, G-9 will update AR 608-18.
- g. The Provost Marshal General will update AR 190-30 and AR 190-45.

9. Duration. This directive is rescinded on publication of the revised regulations.



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Encls

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Superintendent, Arlington National Cemetery  
Director, U.S. Army Acquisition Support Center**

**CF:**

**Principal Cyber Advisor  
Director of Enterprise Management  
Director, Office of Analytics Integration  
Commander, Eighth Army**

## REFERENCES

- a. Public Law 116-283, William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021), section 554, (Inspector General Oversight of Diversity and Inclusion in Department of Defense: Supremacist, Extremist, or Criminal Gang Activity in the Armed Forces), 1 January 2021
- b. Department of Defense (DoD) Instruction 1325.06 (Handling Protest, Extremist, and Criminal Gang Activities Among Members of the Armed Forces), 27 November 2009, incorporating Change 2, effective 20 December 2021
- c. Deputy Secretary of Defense memorandum (Reporting Allegations of Active Participation in Extremist and Criminal Gang Activities to the DoD Office of Inspector General), 27 July 2022
- d. Army Regulation (AR) 15–6 (Procedures for Administrative Investigations and Boards of Officers), 1 April 2016
- e. AR 20–1 (Inspector General Activities and Procedures), 23 March 2020
- f. AR 25–22 (The Army Privacy and Civil Liberties Program), 30 September 2022
- g. AR 27–10 (Military Justice), 20 November 2020
- h. AR 27–26 (Rules of Professional Conduct for Lawyers), 28 June 2018
- i. AR 190–30 (Military Police Investigations), 1 November 2005
- j. AR 190–45 (Law Enforcement Reporting), 27 September 2016
- k. AR 380–67 (Personnel Security Program), 24 January 2014
- l. AR 381–12 (Threat Awareness and Reporting Program), 1 June 2016
- m. AR 381–20 (The Army Counterintelligence Program), 9 June 2022
- n. AR 525–2 (Army Protection Program), 8 December 2014
- o. AR 600–20 (Army Command Policy), 24 July 2020
- p. AR 600–78 (Army Suitability Program), 25 October 2018
- q. AR 608–18 (The Army Family Advocacy Program), 30 October 2007, with Rapid Action Revision 13, effective 13 September 2011
- r. AR 690–12 (Equal Employment Opportunity and Diversity), 12 December 2019

## DEFINITIONS

**Appropriate Army authority (AAA).** The following personnel may receive prohibited activity allegations and must report as an AAA:

- member of the chain of command of either the individual who reports the allegation or the alleged offender
- Army law enforcement professional
- member of an Army counter-insider threat designated office
- Army counterintelligence professional
- Other Army security professional
- Army equal opportunity professional
- member of the command's servicing legal office, subject to the requirements of AR 27–26 (Rules of Professional Conduct for Lawyers)
- Army Family advocacy professional
- Army inspector general representative
- Army equal employment opportunity professional

**Appropriate Army inspector general.** Any Army inspector general assigned to an Army inspector general office that provides inspector general support to the appropriate Army authority's unit/organization.

**Prohibited activity.** Any activity prohibited under paragraphs 8 through 10 of enclosure 3 to DoDI 1325.06 or successor instructions, and any corresponding sections of Army Regulation 600–20 or other policy implementing DoDI 1325.06.

**Prohibited activity allegations.** A statement or assertion of wrongdoing by an individual containing four essential elements: who committed the alleged prohibited activity, what alleged prohibited activity was committed, what provisions of DoDI 1325.06 or AR 600–20 (or other Army policy implementing DoDI 1325.06) were potentially violated, and when the alleged prohibited activity occurred. For reporting purposes, a single allegation may allege multiple acts or violations committed by a single Soldier (for example, a report that a single Soldier actively participated in extremist activities in multiple ways would generally constitute one allegation).

**Prohibited activity determination.** The finding of substantiation or non-substantiation of a prohibited activity allegation (or guilt/innocence or equivalent terminology related to such allegations) within a final report of an investigation or inquiry or by virtue of some other due-process hearing or determination by a decision-making authority.

**Prohibited activity final decision.** The Army's final approval of an action after all stages of Army review and appeal have been completed. For courts-martial, notification should be filed on conviction or acquittal of charges. If the decision is appealed, a second notification should be filed once the appeal is fully adjudicated.

**Prohibited activity action taken.** Types of action taken in response to a substantiated prohibited activity determination, including court-martial, other criminal prosecution, nonjudicial punishment under Article 15 of the Uniform Code of Military Justice, administrative action (involuntary discharge), administrative action (denial of continuation or re-enlistment), administrative action (insider threat mitigation), administrative action (counseling), or no action.

## PROCESS FOR REPORTING PROHIBITED ACTIVITIES

Appropriate Army authorities (AAAs) in the active component (AC) and Reserve components (RCs) will collect and report, through Army inspector general (IG) channels, all allegations of Soldier engagement in prohibited activities to the Department of Defense Deputy Inspector General for Diversity, Inclusion, and Extremism in the Military (DIG (DIEM)) as described in the following table.

### Reporting Activities, by Suspense (in calendar days)

AAA Report	AC AAA to IG	RC AAA to IG	IG to DIG(DIEM)
1. Reporting receipt of a prohibited activity allegation	30	60	15
2. Reporting decision to refer, or not refer, a prohibited activity allegation for investigation or inquiry	30	60	15
3. Reporting referral of a prohibited activity final investigatory report to a decision authority	15	30	15
4. Reporting the final decision regarding a prohibited activity investigatory report	15	30	15
5. Reporting action taken against a Soldier for participating in prohibited activities	15	30	15