



UNITED STATES MARINE CORPS

3D MARINE DIVISION (-)(REIN)

UNIT 35801

FPO AP 96382-5801

IN REPLY REFER TO:

DIVO 1700.23

CIG

3 Feb 17

DIVISION ORDER 1700.23

From: Commanding General

To: Distribution List

Subj: 3D MARINE DIVISION REQUEST MAST INITIATING DIRECTIVE

Ref: (a) NAVMC DIR 1700.23F
(b) MCO 1700.23F
(c) U.S. Navy Regulations
(d) Marine Corps Manual
(e) MCO P5354.1D w/Ch 1
(f) MCO P1900.16F w/Ch 2
(g) JAGMAN
(h) DoDD 7050.06

Encl: (1) Command Specific Elements Pertaining to Request Mast
(2) Marine Corps Request Mast Application (NAVMC 11296)

1. Situation. Request Mast is the officially recognized means for Marines and Sailors to communicate grievances to, or seek assistance from, the chain of command. It includes both the right of the Marines and Sailors to communicate with the commander and the requirement that the commander consider the matter and personally respond to the Marine and Sailor requesting mast. Normally, the Marine and Sailor requesting mast will be afforded the opportunity to report the matter in person to the commander. Request Mast provides an individual the opportunity to communicate with their immediate commanding officer and any superior commanding officer in the chain of command up to and including the immediate Commanding General. Request Mast also provides commanders with firsthand knowledge of the morale and general welfare of the command. To be effective, Request Mast must have the wholehearted support of those to whom the leadership of Marines and Sailors is entrusted.

2. Cancellation. DIVO 1740.3N

3. Mission. All 3d Marine Division units will adhere to the policies and procedures of the references and enclosure (1) in order to ensure the proper execution of Request Mast. Retaliation by anyone, at any level, against a Marine or Sailor who requests mast will not be tolerated. Any Marine or Sailor will be able to request mast in good faith, without the fear of reprisal. The

importance of maintaining the credibility and viability of the procedures set forth in this Order cannot be over-emphasized.

4. Execution

a. Concept of Operations

(1) Reference (c), Article 0820c, provides that the commander shall afford an opportunity, with reasonable restrictions as to time and place, for personnel under their command to make requests, reports, or statements to the commander, and shall ensure that personnel understand the procedures to make a request, report, or statement.

(2) Reference (c), Article 1151.1, further provides the right of any person in the naval service to communicate with the commander, an officer with nonjudicial punishment (NJP) authority, in a proper manner (in person, in writing, or by phone), and at a proper time and place.

(3) Reference (d), paragraph 2805, implements and expands these rights and constitutes the basic authority for Request Mast in the United States Marine Corps.

(4) For the purpose of Request Mast:

(a) "Marine" or "Sailor" includes all uniformed members of the United States Armed Forces who are members of 3d Marine Division, including those attached to or serving on temporary additional duty (TAD).

(b) "Commander" includes the Marine's or Sailor's immediate commander and every commander in the chain of command up to the Commanding General.

(c) "Commanding General" is the Commander of 3d Marine Division and exercises General Court-Martial Convening Authority. In the absence of the Commanding General, the next Marine Corps officer eligible for command shall succeed to command and will hear Request Mast.

b. Policy

(1) Request Mast is the principal means for a Marine or Sailor to formally communicate a grievance to, or to seek assistance from, their commander. Request Mast is a formal process. This process does not include those outside the official chain of command, such as subordinate officers or staff non-commissioned officers/non-commissioned officers, nor will those individuals make any effort to delay a Request Mast in order to resolve the issue themselves.

(2) In the instance a Marine or Sailor requests mast to the Commanding General, the Marine's or Sailor's regimental or Battalion Commander and Sergeant Major will be present

when the Marine or Sailor are to be seen by the Commanding General. When a Marine or Sailor submits a Request Mast to a commander in the chain of command who is not on the same base or immediate geographical location, (Example MRF-D, Australia, ITX 29 Palms, California) the Request Mast shall be submitted with a command endorsement from the senior commander in the immediate area. The Request Mast may then be addressed with the Marine or Sailor in person or in writing, as deemed appropriate. Subordinate organizations of 3d Marine Division located on Okinawa, Japan are considered to be located on one base for the purposes of this Order.

(3) A Marine or Sailor does not have to disclose the subject of a Request Mast to anyone in the chain of command except the commander with whom the Marine is Requesting Mast.

(4) Each immediate commanding officer shall attempt to resolve a Request Mast grievance, if revealed, without delay. Delays must be explained both to the Marine or Sailor and to the chain of command. If the Request Mast is beyond the authority of a commanding officer to resolve, the commanding officer is to forward it to the next commanding officer in the chain. Request Mast will be conducted at the earliest reasonable time normally within 24 hours of the time the application is initially submitted. Whenever practicable, there should be no more than one working day delay at any level. Additionally, commanders will hear emergency cases as soon as possible.

(5) Reference (e), states that Request Mast is the primary means for filing formal complaints, to include equal opportunity (EO) complaints.

(6) Marines or Sailors confined in correctional facilities have the right to Request Mast. Applications for Request Mast may be made by placing the reason for the Request Mast in a sealed envelope marked "To be opened by the Commander/ Commanding General only." Any such request will not be opened by correctional facilities personnel.

(7) When the operational commitments of a Marine's or Sailor's command, whether for training or actual deployment, would be unreasonably interfered with by adherence to the procedures set forth in this Order, the right of a Marine or Sailor who Requests Mast to a commander above the level of their immediate commander may be suspended by the Commanding General for the duration of the commitment. The authority to suspend will be invoked sparingly and only to the extent required to ensure the accomplishment of the command's mission. The suspension may, and should, be lifted in whole or in part at any time during the period when the situation permits. Examples of the types of operational commitments contemplated in this authority are battalion or larger unit field and/or firing exercises, readiness and evaluation tests, or actual deployments away from the base or station where the command's garrison headquarters is located. Any such suspension and the reasons therefore, shall be made known to all Marines or Sailors whose rights may be affected.

(8) A commander may deny a Request Mast application if there is another specific avenue of redress available to the Marine or Sailor. The commander shall explain to the Marine or Sailor why the Request Mast application was denied and, if appropriate, what procedure must be followed to resolve the issue. The authority to deny Request Mast includes the authority to refuse to further process the Request Mast. Whenever a commander denies a Request Mast under this authority, the commander will explain the reason for the denial, and the appropriate avenue for resolution. The commander will then forward a report of such action, and the basis therefore, to the Commanding General (Attn: Command Inspector General) via the chain of command within 72 hours. If the officer denying a Request Mast is the Commanding General, no such report will be made. The following are some examples to which other avenues of redress apply:

(a) The Uniform Code of Military Justice (UCMJ) provides for the protection of the rights of a Marine or Sailor at every stage of disciplinary action, from investigation through final review or appeal. Those rights include the right of a Marine or Sailor upon whom NJP has been imposed to appeal to the next superior officer in the chain of command, and in the case of one convicted by court-martial, the right to automatic review of the findings and sentence. Request Mast is not intended to be used as a means to collaterally attack the proceedings, punishment, or findings and sentence resulting from disciplinary action brought under the UCMJ.

(b) Reference (f) contains provisions for the protection of rights of Marines or Sailors being processed for involuntary administrative separation.

(c) Reference (g) contains guidance for the preparation, submission, and processing of complaints under Article 138, UCMJ, and Article 1150 of reference (c). Commanders may hold a Request Mast to determine if the issue is cognizant under either article.

1. Article 138, UCMJ, in part, provides that any member of the Armed Forces who believes that he/she was wronged by the commander, and who, upon due application to that commander, is refused redress, may complain to any superior commissioned officer, who shall forward the complaint to the officer exercising general court-martial jurisdiction over the officer against whom it was made.

2. Article 1150 of reference (c), in part, provides if any person in the naval service consider themselves wronged by an act, omission, decision, or order of a person who is superior in rank or command, that person shall not fail in maintaining a respectful bearing toward such superior, but may report the wrong to the proper authority for redress in the manner provided in this article.

(9) Request Mast with higher authority is authorized by reference (d), which states although an individual may be granted the privilege of forwarding an application for Request Mast with higher commanders such as the Commandant of the Marine Corps or the Secretary of the Navy, the individual has no vested right to Request Mast with such higher commander.

Requesting Mast to the Commandant of the Marine Corps and/or the Secretary of the Navy shall be processed in accordance with reference (b), and must receive positive endorsements from all Commanding Generals in the chain. This process is handled by the Inspector General of the Marine Corps (IGMC), who may also hold these proceedings when he/she is accompanying his/her team during inspections.

(10) Request Mast is not intended to be used for the purpose of harassment, avoiding duty, or intentionally interfering with the commander's ability to carry out the functions and mission of the command.

c. Procedures

(1) Applications for Request Mast must be submitted in writing (they need not be typed) via the chain of command to the commander utilizing NAVMC 11296, enclosure (2). Marines or Sailors will make a written statement in the Request Mast application indicating that they saw the commander and was informed of the action taken by the commander conducting the Request Mast. If an application for Request Mast with a higher commander in the chain of command is resolved at a lower level, the Marine or Sailor will make a written and witnessed statement in the record of Request Mast indicating satisfaction with the action taken and voluntary withdrawal of the application to the higher commander.

(2) The 3d Marine Division Command Inspector General is not authorized to respond to or deny a Request Mast on behalf of the CG, but is authorized to screen all Request Masts for procedural adherence, make appropriate recommendations, and coordinate the appearance of the Marine. The individual Requesting Mast has the right to see the Commanding General and will be granted that opportunity. The following additional information shall be included on all Request Mast applications:

(a) The Marine or Sailor will prepare NAVMC form 11296, filling out page (1), in its entirety. Once the Marine or Sailor has filled out the NAVMC 11296, they must sign and date the application. Once completed, a written statement covering the reasons for Request Mast with any supporting documents concerning the Request Mast must be attached. The statement may also include a list of witnesses with the summary of expected testimony of each witness. The statement must include a list of commanders in the chain of command with whom the Marine or Sailor has Requested Mast and state the action taken by each.

(b) If the Marine or Sailor has not revealed the subject of the Request Mast to the other commanders in the chain of command, the reason must be explained. This statement must be delivered to the Commanding General with the application for Request Mast. The Marine or Sailor may place a written statement in an envelope marked "To be opened by the Commanding General only." The Commanding General has delegated the authority to the division Command Inspector General to view these statements prior to the hearing of a Request Mast. An alternate means for delivery for the Marine or Sailor will be to submit the Request Mast by email to the

division Command Inspector General via organizational email 3DIV INSPECTOR@usmc.mil. Any email communication between Marines, Sailors, and the division Command Inspector General are protected communications and are covered under the Military Whistleblower Reprisal Act reference (h).

d. Request Mast by Individuals within Deployed Units

(1) Commanders and officers-in-charge will ensure that personnel with units deployed away from the immediate geographical location of parent organizations are afforded the same rights with respect to Request Mast as individuals remaining with the parent organizations.

(2) A member assigned to a deployed unit desiring to Request Mast with a commander not present with the deployed force will submit a detailed written explanation of the reason for their request. The local commander or officer-in-charge will aid the individual in the preparation of this statement as desired by the requester. If the requester does not desire to divulge their reason for requesting mast to their intermediate commanders, they may submit their explanation in a sealed envelope and attach it to their Request Mast form. The commander before whom the individual desires to appear will consider each case on an individual basis. The requester may be authorized temporary additional duty orders, a detailed written response to their request may be provided, or they may be visited at the deployed location. The requester can also have their request heard by telephone if they so desire or at the discretion of the commander before whom they desire to appear. The requester can send their written request via email. Any written response will include at a minimum:

(a) An acknowledgement of receipt of the request.

(b) A statement as to the commander's decision regarding the individual's request to appear.

(c) Specific instructions to the requester as to alternative courses of action available to him/her to aid in resolving the issue.

(d) An explanation of the action taken to resolve the requester's issue.

(3) Requests from individuals with deployed units to appear at a request mast will be processed with the same sense of urgency as if the requester were not deployed, but will allow for processing time. A Request Mast to the Commanding General should be addressed to the Commanding General, 3d Marine Division (Attn: Command Inspector General), and forwarded via the chain of command.

(4) In cases of individuals assigned to deployed units requesting mast with a commander not present, telephone or priority message communication is authorized. Such communications

must contain sufficient information to allow the commander before whom the requester desires to appear to immediately initiate effective action in resolving the problem.

(5) Units on Okinawa that are part of the Unit Deployment Program (UDP) will submit Request Masts through their chain of command on Okinawa, not their parent unit at home station. For the duration of their UDP, the unit falls under 3d Marine Division, and therefore, Request Masts will be handled within the division.

e. Other Provisions. Nothing in this Order is intended to expand or abridge the rights of Marines or Sailors otherwise guaranteed by the First Amendment to the U.S. Constitution, Federal Law, or Department of Defense and Marine Corps directives. The exercise of such rights is not governed by the procedures contained in this Order.

f. Action

(1) Division Command Inspector General

(a) Interview the Marine or Sailor Requesting Mast with the Commanding General. This interview will not supersede a Marine or Sailor from seeking an audience with the Commanding General.

(b) When appropriate, arrange an appearance before the Commanding General.

(c) Prescribe and supervise follow-up procedures appropriate in each case to ensure complete resolution of problems brought to the Commanding General, through Request Mast, including the Military Whistleblower Reprisal Act.

(d) Inspect Request Mast procedures during Commanding General's Readiness Inspections (CGRI) to ensure proper procedures are being executed.

(2) Regimental and Battalion Commanders

(a) All O-5 level or above Commanding Officers are solely responsible for the Request Mast program and these responsibilities cannot be delegated.

(b) Establish a command Request Mast program with command specific elements and publish it in the form of a command directive in accordance with MCO 1700.23F and NAVMC Directive 1700.23F.

(c) Ensure individuals Requesting Mast use enclosure (2).

(d) Ensure complete records of Request Mast proceedings are retained for a period of two years, to include follow-up and completed actions.

(e) Safeguard records, proceedings, and final disposition of Request Mast cases to prevent such information from having a prejudicial effect on the Marine or Sailor. Request Mast records will be maintained separately from service records and are protected communications. Request Mast records will be secured in the commanding officer's office.

(f) Establish procedures so that follow-up action is properly accomplished in a timely and adequate manner.

5. Administration and Logistics

- a. Administration. Ensure distribution of this Order to all units within 3d Marine Division.
- b. Logistics. During CGRIs, Request Mast procedures and implementation will be inspected.

6. Command and Signal

- a. Command. This Order is applicable to 3d Marine Division and all subordinate elements.
- b. Signal. This Order is effective the date signed.


CRAIG Q. TIMBERLAKE

DISTRIBUTION: E

COMMAND SPECIFIC ELEMENTS PERTAINING TO REQUEST MAST

1. 3d Marine Division Staff points of contact for a Request Mast application (see Note 1):

a. Enlisted: 3d Marine Division Deputy Inspector General: Camp Courtney Bldg 4211; phone: DSN 315-622-7014.

b. Officer: 3d Marine Division Command Inspector General: Camp Courtney Bldg 4211; phone: DSN 315-622-9572.

2. 3d Marine Division Headquarters Battalion points of contact for a request mast application (see Note 1):

a. Enlisted: 3d Marine Division Headquarters Battalion Sergeant Major: Camp Courtney Bldg 4329; phone: DSN 315-622-9599.

b. Officer: 3d Marine Division Headquarters Battalion Executive Officer: Camp Courtney Bldg 4329; phone: DSN 315-622-9272.

3. Request Mast chain of command for 3d Marine Division Headquarters Battalion and 3d Marine Division Staff (see note 2):

a. Immediate Commander: Commanding Officer, 3d Marine Division Headquarters Battalion: Camp Courtney Bldg 4329; phone: DSN 315-622-9476.

b. Commanding General: Commanding General, 3d Marine Division: Camp Courtney, Bldg 4211; phone: DSN 315-622-9503.

c. List of units/commands who fall under this command for Request Mast Purposes (see Note 2).

(1) Headquarters Battalion, 3d Marine Division

(2) 3d Marine Regiment, 3d Marine Division

(3) 4th Marine Regiment, 3d Marine Division

(4) 12th Marine Regiment, 3d Marine Division

(5) Combat Assault Battalion, 3d Marine Division

(6) 3d Reconnaissance Battalion, 3d Marine Division

3. The Command Inspector General is located on Camp Courtney in Bldg 4211; phone: DSN 315-22-9305.

ENCLOSURE (1)

COMMAND SPECIFIC ELEMENTS PERTAINING TO REQUEST MAST

4. If, in the mind of the petitioner, the issue needs to be seen only by the Commanding General, the petitioner will place the request in a sealed, non-see-thru envelope marked, "To be opened by the Commanding General only." The envelope will be hand delivered to 3d Marine Division Command Inspector General. These are the acceptable routing instructions for request mast to the Commanding General. (see Note 3).

Note 1. Identify by billet, then the individual with whom a Marine or Sailor should contact first for assistance in preparation of the Request Mast application. Typically, for enlisted Marines, this is the unit sergeant major, senior enlisted Marines, or administrative chief and for Marine officers, the executive officer or adjutant.

Note 2. Identify by billet, each commander in the chain of command with whom a Marine or Sailor may Request Mast. Generally, the Request Mast chain of command begins with the first officer exercising NJP authority over the Marine or Sailor, through each succeeding commander up to the immediate commanding general.

Note 3. The Division Command Inspector General may review and make appropriate recommendations pertaining to Request Mast to the commanding general, however, may neither respond to nor deny a Request Mast on behalf of the commanding general. In cases where the units geographic location does not afford hand delivery of Request Mast, the Marine or Sailor will send the Request Mast via electronic mail to 3DIV INSPECTOR@usmc.mil. Any electronic mail communication between the Marine, Sailor and the CIG is a protected communication and is covered under the Military Whistleblower Reprisal Act reference (h).

MARINE CORPS REQUEST MAST APPLICATION

NAVMC 11296 (Rev. 6-97)

U/I: EA

PRIVACY ACT STATEMENT

Authority: Title 5, U. S. Code 301; Title 10, USC Section 5013

Principal Purpose: Formal filing of complaints/problems to command personnel.

Routine Uses: To provide a record to facilitate personnel management actions and decisions; to serve as a data source for complaint/problem information and resolution efforts.

Disclosure: Disclosure is voluntary. Failure to complete the requested items could result in delayed command action and/or an inaccurate/incomplete analysis of the complaint/problem.

PART I: TO BE COMPLETED BY THE APPLICANT

1. NAME:	2. RANK:	3. SSN:
4. UNIT:	5. RACE/ETHNIC GROUP:	
6. GENDER:	7. DATE:	

8a. I desire to Request Mast with: (Provide the name and billet of the Commanding Officer with whom you desire to communicate.):

8b. NATURE OF COMPLAINT/PROBLEM: (Give in as much detail as possible the basis of your complaint; describe the incident(s)/behavior(s) and date(s) of the occurrence(s); the names of the individuals involved, witnesses and to whom it may have been previously reported. Include any other information relevant to your complaint/problem. Attach additional sheets, as needed).

8c. REQUESTED REMEDY/OUTCOME: (Clearly state what assistance or complaint resolution you are seeking from the commanding officer named in 8a above.)

9. AFFIDAVIT

I, _____, have read this statement which begins in Block 8b on this page (page 1) and ends on page _____. I fully understand the statement made by me and certify the statement is true. I have initialed all corrections. I make this formal statement without threat of punishment and without coercion, unlawful influence, or unlawful inducement.

(SIGNATURE OF APPLICANT/DATE)

ENCLOSURE (2)

PART II: TO BE COMPLETED BY THE OFFICER CONDUCTING REQUEST MAST

10. DISPOSITION: (Provide a detailed explanation of actions taken or attempted to resolve the complaint/problem, to include any other referrals. If an inquiry/investigation was initiated as a result of this complaint, provide the type conducted and the results. Attach additional sheets as necessary.)

COMMANDING OFFICER SIGNATURE/DATE

PART III: APPLICANT'S ACKNOWLEDGMENT OF REQUEST MAST

(Applicant should initial/complete the appropriate statement(s))

_____ I have had the opportunity to communicate directly with my Commanding Officer named in Block 8a and understand the disposition or probable disposition of my problem/complaint.

_____ I have had the opportunity to communicate directly with _____ (name and billet of commanding officer subordinate to officer named in Block 8a), understand the disposition or probable disposition of my problem/complaint, and voluntarily withdraw this Request Mast.

_____ I have not had the opportunity to communicate directly with my Commanding Officer named in Block 8a.

_____ I have had the opportunity to communicate directly with my Commanding Officer named in Block 8a but have not been informed of the disposition or probable disposition of my problem/complaint.

WITNESS' SIGNATURE/DATE

APPLICANT'S SIGNATURE/DATE