



Department of Defense INSTRUCTION

NUMBER 6400.01

February 13, 2015

Incorporating Change 2, Effective March 16, 2018

USD(P&R)

SUBJECT: Family Advocacy Program (FAP)

References: See Enclosure 1

1. **PURPOSE.** This instruction reissues DoD Directive (DoDD) 6400.1 (Reference (a)) as a DoD instruction (DoDI) in accordance with the authority in DoDD 5124.02 (Reference (b)) and establishes policy and assigns responsibilities for addressing child abuse and domestic abuse through the FAP.

2. **APPLICABILITY.** This instruction applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the Department of Defense (referred to collectively in this instruction as the “DoD Components”).

3. **POLICY.** It is DoD policy to:

- a. Promote public awareness and prevention of child abuse and domestic abuse.
- b. Provide adult victims of domestic abuse with the option of making restricted reports to domestic abuse victim advocates and to healthcare providers in accordance with DoDI 6400.06 (Reference (c)).
- c. Promote early identification; reporting options; and coordinated, comprehensive intervention, assessment, and support to:
 - (1) Victims of suspected child abuse, including victims of extra-familial child abuse.
 - (2) Victims of domestic abuse.
- d. Provide assessment, rehabilitation, and treatment, including comprehensive abuser intervention.

- e. Provide appropriate resource and referral information to persons who are not covered by this instruction, who are victims of alleged child abuse or domestic abuse.
- f. Cooperate with responsible federal and civilian authorities and organizations in efforts to address the problems to which this instruction applies.
- g. Ensure that personally identifiable information (PII) collected in the course of FAP activities is safeguarded to prevent any unauthorized use or disclosure and that the collection, use, and release of PII is in compliance with section 552a of Title 5, United States Code (U.S.C.) (Reference (d)).
- h. Develop program standards and critical procedures for the FAP that reflect a coordinated community risk management approach to child abuse and domestic abuse.
- i. Provide appropriate individualized ~~and~~ rehabilitative treatment that supplements administrative or disciplinary action, as appropriate, to persons reported to FAP as domestic abusers.
- j. Maintain a central child abuse and domestic abuse database to:
 - (1) Analyze the scope of child abuse and domestic abuse, types of abuse, and information about victims and alleged abusers to identify emerging trends; and develop changes in policy to address child abuse and domestic abuse.
 - (2) Support the requirements of DoDI 1402.05 (Reference (e)).
 - (3) Support the response to public, congressional, and other government inquiries.
 - (4) Support budget requirements for child abuse and domestic abuse program funding.

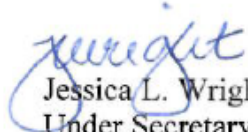
4. RESPONSIBILITIES. See Enclosure 2.

5. PROCEDURES. See Enclosure 3.

6. INFORMATION COLLECTION REQUIREMENTS. The Child Abuse and Domestic Abuse Incident Report and the DD Form 2901 “Child Abuse or Domestic Violence Related Fatality Notification,” ~~referred to in~~ *to be used in fulfilling the requirements of* paragraphs 4g, 4h, 4i, and 4j of Enclosure 2 of this instruction, are exempt from licensing with a report control symbol in accordance with Enclosure ~~13~~, paragraph 1b(8) of *Volume 1 of* DoD Manual 8910.01 (Reference (f)).

7. RELEASABILITY. **Cleared for public release.** This instruction is available on the DoD Issuances Website at <http://www.dtic.mil/whs/directives> <http://www.esd.whs.mil/DD/>.

8. EFFECTIVE DATE. This instruction is effective February 13, 2015.


Jessica L. Wright
Under Secretary of Defense for
Personnel and Readiness

Enclosures

1. References
2. Responsibilities
3. Procedures

Glossary

ENCLOSURE 1

REFERENCES

- (a) DoD Directive 6400.1, "Family Advocacy Program (FAP)," August 23, 2004 (hereby cancelled)
- (b) DoD Directive 5124.02, "Under Secretary of Defense for Personnel and Readiness (USD(P&R))," June 23, 2008
- (c) DoD Instruction 6400.06, "Domestic Abuse Involving DoD Military and Certain Affiliated Personnel," August 21, 2007, as amended
- (d) Section 552a of Title 5, United States Code (also known as "The Privacy Act of 1974")
- (e) DoD Instruction 1402.05, "Background Checks on Individuals in DoD Child Care Services Programs," September 11, 2015, as amended
- (f) DoD Manual 8910.01, Volume 1, "DoD Information Collections Manual: Procedures for DoD Internal Information Collections," June 30, 2014, as amended
- (g) DoD Instruction 6400.03, "Family Advocacy Command Assistance Team (FACAT)," April 25, 2014, *as amended*
- (h) Title 10, United States Code
- (i) DoD Manual 6400.01, Volume 1, "Family Advocacy Program (FAP): FAP Standards," March 3, 2015, *as amended*
- (j) DoD Instruction 6025.13, "Medical Quality Assurance (MQA) and Clinical Quality Management in the Military Health System (MHS)," February 17, 2011, as amended
- (k) DoD Manual 6025.13, "Medical Quality Assurance (MQA) and Clinical Quality Management in the Military Health System (MHS)," October 29, 2013
- (l) Section 20341 of Title 34, United States Code*
- (m) Section 575 of Public Law 114-328, "National Defense Authorization Act for Fiscal Year 2017," December 23, 2016*
- ~~(n)~~ DoD Manual 6400.01, Volume 2, "Family Advocacy Program (FAP): Child Abuse and Domestic Abuse Incident Reporting System," August 11, 2016
- ~~(no)~~ DoD Directive 5400.11, "DoD Privacy Program," October 29, 2014
- ~~(np)~~ DoD 5400.11-R, "Department of Defense Privacy Program," May 14, 2007
- ~~(oq)~~ DoD Instruction 6400.05, "New Parent Support Program (NPSP)," June 13, 2012
- ~~(p) Section 13031 of Title 42, United States Code~~
- ~~(qr)~~ Part 81 of Title 28, Code of Federal Regulations
- ~~(rs)~~ Section 534(d)(2) of Public Law 103-337, "National Defense Authorization Act for Fiscal Year 1995," October 5, 1994

ENCLOSURE 2

RESPONSIBILITIES

1. UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS (USD(P&R)). The USD(P&R) will:

- a. Collaborate with the DoD Component heads to establish programs and guidance to implement the FAP elements and procedures in Enclosure 3 of this instruction.
- b. Program, budget, and allocate funds and other resources for FAP, and ensure that such funds are only used to implement the policies described in section 4 above the signature of this instruction.

2. ASSISTANT SECRETARY OF DEFENSE *FOR* MANPOWER AND RESERVE AFFAIRS (ASDM&RA). Under the authority, direction, and control of the USD(P&R), the ASD(M&RA) will review FAP instructions and policies prior to USD(P&R) signature.

3. DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR MILITARY COMMUNITY AND FAMILY POLICY (DASD(MC&FP)). Under the authority, direction, and control of the USD(P&R) through the ASD(M&RA), the DASD(MC&FP) will:

- a. Develop DoD-wide FAP policy, coordinate the management of FAP with other programs serving military families, collaborate with federal and State agencies addressing FAP issues, and serve on intra-governmental advisory committees that address FAP-related issues.
- b. Ensure that the information included in notifications of extra-familial child sexual abuse in a DoD-sanctioned activities is retained for 1 month from the date of the initial report to determine whether a request for a Family Advocacy Command Assistance Team (FACAT) in accordance with DoDI 6400.03 (Reference (g)) may be forthcoming.
- c. Monitor and evaluate compliance with this instruction.
- d. Review annual summaries of accreditation/inspection reviews submitted by the Military Departments.
- e. Convene an annual DoD Accreditation/Inspection Review Summit to review and respond to the findings and recommendations of the Military Departments' accreditation/inspection reviews.

4. SECRETARIES OF THE MILITARY DEPARTMENTS. The Secretaries of the Military Departments will:

a. Establish DoD Component policy and guidance on the development of FAPs, including case management and monitoring of the FAP consistent with ~~s~~Section 1058(b) of Title 10, U.S.C. (Reference (h)), this instruction, and published FAP guidance, including Reference (c) and Volume 1 of DoD Manual 6400.01 (Reference (i)).

b. Designate a FAP Manager (FAPM) to manage the FAP. The FAPM will have, at a minimum:

(1) A masters or doctoral level degree in the behavioral sciences from an accredited U.S. university or college.

(2) The highest licensure in good standing by a State regulatory board in either social work, psychology, or marriage and family therapy that authorizes independent clinical practice.

(3) 5 years of post-license experience in child abuse and domestic abuse.

(4) 3 years of experience supervising licensed clinicians in a clinical program.

c. Coordinate efforts and resources among all activities serving families to promote the optimal delivery of services and awareness of FAP services.

d. Establish standardized criteria, consistent with DoDI 6025.13 and DoD Manual 6025.13 (References (j) and (k), respectively), for selecting and certifying FAP healthcare and social service personnel who provide clinical services to individuals and families. Such staff will be designated as healthcare providers who may receive restricted reports from victims of domestic abuse as set forth in Reference (c).

e. Establish a process for an annual summary of installation accreditation/inspection reviews of installation FAP.

f. Ensure that installation commanders or Service-equivalent senior commanders:

(1) Appoint persons at the installation level to manage and implement the local FAPs, establish local family advocacy committees, and appoint the members of incident determination committees (IDCs) in accordance with Reference (i) and supporting guidance issued by the USD(P&R).

(2) Ensure that the installation FAP meets the standards in Reference (i).

(3) Ensure that the installation FAP immediately reports allegations of a crime to the appropriate law enforcement authority.

(4) Require all covered DoD personnel, as described in Section 20341 of Title 34, U.S.C. (Reference (l)), to report information that gives reason to suspect that a child in the family or home of a Service member has suffered an incident of child abuse to the appropriate child

welfare services agency and the appropriate FAP Office, as required by Reference (l) and Section 575 of Public Law 114-328 (Reference (m)).

(5) Require that any individual within the chain of command of a Service member who obtains credible information (which may include a reasonable belief) that a child in the family or home of the member has suffered an incident of child abuse reports that information to the appropriate FAP Office in accordance with Reference (m).

g. Notify the DASD(MC&FP) of any cases of extra-familial child sexual abuse in a DoD-sanctioned activity within 72 hours in accordance with the procedures in Enclosure 3 of this instruction.

h. Submit accurate quarterly child abuse and domestic abuse incident data from the DoD Component FAP central registry of child abuse and domestic abuse incidents to the Director of the Defense Manpower Data Center in accordance with Volume 2 of DoD Manual 6400.01 (Reference (~~h~~)).

i. Submit reports of DoD-related fatalities known or suspected to have resulted from an act of domestic abuse; child abuse; or suicide related to an act of domestic abuse or child abuse on DD Form 2901, "Child Abuse or Domestic Violence Related Fatality Notification," by fax to the number provided on the form in accordance with Reference (c) or by other method as directed by the DASD(MC&FP). The DD Form 2901 can be found at <http://www.dtic.mil/whs/directives/infomgt/forms/formsprogram.htm>.
<http://www.esd.whs.mil/Directives/forms/>.

j. Ensure that fatalities known or suspected to have resulted from acts of child abuse or domestic violence are reviewed annually in accordance with Reference (c).

k. Ensure the annual summary of accreditation/inspection reviews of installation FAPs are forwarded to OSD FAP as directed by DASD(MC&FP).

l. Provide essential data and program information to the USD(P&R) to enable the monitoring and evaluation of compliance with this instruction in accordance with Reference (~~h~~).

m. Ensure that PII collected in the course of FAP activities is safeguarded to prevent any unauthorized use or disclosure and that the collection, use, and release of PII is in compliance with Reference (d), also known as "The Privacy Act of 1974," as implemented in the DoD by DoDD 5400.11 and DoD 5400.11-R (References (~~no~~) and (~~np~~), respectively).

ENCLOSURE 3

PROCEDURES

1. FAP ELEMENTS. FAP requires prevention, education, and training efforts to make all personnel aware of the scope of child abuse and domestic abuse problems and to facilitate cooperative efforts. The FAP will include:

a. Prevention. Efforts to prevent child abuse and domestic abuse, including public awareness, information and education about the problem in general, and the New Parent Support Program (NPSP), in accordance with DoDI 6400.05 (Reference (e~~q~~)), specifically directed toward potential victims, offenders, non-offending family members, and mandated reporters of child abuse and neglect.

b. Direct Services. Identification, treatment, counseling, rehabilitation, follow-up, and other services, directed toward the victims, their families, perpetrators of abuse, and their families. These services will be supplemented locally by:

(1) A multidisciplinary IDC established to assess incidents of alleged abuse and make incident status determinations.

(2) A clinical case staff meeting to make recommendations for treatment and case management.

c. Administration. All services, logistical support, and equipment necessary to ensure the effective and efficient operation of the FAP, including:

(1) Developing local memorandums of understanding with civilian authorities for reporting cases, providing services, and defining responsibilities when responding to child abuse and domestic abuse.

(2) Preparation of reports, consisting of incidence data.

d. Evaluation. Needs assessments, program evaluation, research, and similar activities to support the FAP.

e. Training. All educational measures, services, supplies, or equipment used to prepare or maintain the skills of personnel working in the FAP.

2. RESPONDING TO FAP INCIDENTS. The USD(P&R) will establish procedures for:

a. Reporting and responding to suspected child abuse consistent with sections 1787 and 1794 of Reference (h), ~~section 13031 of Title 42, U.S.C. (Reference (p))~~, Reference (m), and part 81 of Title 28, Code of Federal Regulations (Reference (q~~r~~)).

- b. Providing victim advocacy services to victims of domestic abuse consistent with Reference (c) and section 534(d)(2) of Public Law 103-337 (Reference (~~es~~)).
- c. Responding to restricted and unrestricted reports of domestic abuse consistent with Reference (c) and section 1058(b) of Reference (h).
- d. Collection of FAP data into a central registry and analysis of such data in accordance with Reference (~~in~~).
- e. Coordinating a comprehensive DoD response, including the FACAT, to allegations of extra-familial child sexual abuse in a DoD-sanctioned activity in accordance with Reference (g) and section 1794 of Reference (h).

3. NOTIFICATION OF EXTRA-FAMILIAL CHILD SEXUAL ABUSE IN DOD-SANCTIONED ACTIVITIES. The names of the victim(s) and alleged abuser(s) will not be included in the notification. Notification will include:

- a. Name of the installation.
- b. Type of child care setting.
- c. Number of children alleged to be victims.
- d. Estimated number of potential child victims.
- e. Whether an installation response team is being convened to address the investigative, medical, and public affairs issues that may be encountered.
- f. Whether a request for the DASD(MC&FP) to deploy a FACAT in accordance with Reference (g) is being considered.

GLOSSARY

PART I. ABBREVIATIONS AND ACRONYMS

ASD(M&RA)	Assistant Secretary of Defense for Manpower and Readiness Reserve <i>Affairs</i>
DASD(MC&FP)	Deputy Assistant Secretary of Defense for Military Community and Family Policy
DoDD	DoD directive
DoDI	DoD instruction
FACAT	Family Advocacy Command Assistance Team
FAP	Family Advocacy Program
FAPM	Family Advocacy Program Manager
IDC	incident determination committee
NPSP	New Parent Support Program
PII	personally identifiable information
U.S.C.	United States Code
USD(P&R)	Under Secretary of Defense for Personnel and Readiness

PART II. DEFINITIONS

Unless otherwise noted, these terms and their definitions are for the purposes of this instruction.

alleged abuser. An individual reported to the FAP for allegedly having committed child abuse or domestic abuse.

child. An unmarried person under 18 years of age for whom a parent, guardian, foster parent, caregiver, employee of a residential facility, or any staff person providing out-of-home care is legally responsible. The term means a biological child, adopted child, stepchild, foster child, or ward. The term also includes a sponsor's family member (except the sponsor's spouse) of any age who is incapable of self-support because of a mental or physical incapacity, and for whom treatment in a DoD medical treatment program is authorized.

child abuse. Defined in Reference (c).

DoD-sanctioned activity. A DoD-sanctioned activity is defined as a U.S. Government activity or a nongovernmental activity authorized by appropriate DoD officials to perform child care or supervisory functions on DoD controlled property. The care and supervision of children may be either its primary mission or incidental in carrying out another mission (e.g., medical care). Examples include Child Development Centers, Department of Defense Dependents Schools, or Youth Activities, School Age/Latch Key Programs, Family Day Care providers, and child care activities that may be conducted as a part of a chaplain's program or as part of another Morale, Welfare, or Recreation Program.

domestic abuse. Defined in Reference (c).

domestic violence. Defined in Reference (c).

FACAT. A multidisciplinary team composed of specially trained and experienced individuals who are on-call to provide advice and assistance on cases of child sexual abuse that involve DoD-sanctioned activities.

family advocacy committee. The policy-making, coordinating, recommending, and overseeing body for the installation FAP.

FAP. Defined in Reference (c).

FAPM. An individual designated by a Secretary of a Military Department or the head of another DoD Component to manage, monitor, and coordinate the FAP at the headquarters level.

IDC. A multidisciplinary team of designated individuals working at the installation level, tasked with determining whether a report of domestic abuse or child abuse meets the relevant DoD criteria for entry into the Service FAP Central Registry as child abuse and domestic abuse incident. Formerly known as the Case Review Committee.

incident status determination. The IDC determination of whether or not the reported incident meets the relevant criteria for alleged child abuse or domestic abuse for entry into the Service FAP central registry of child abuse and domestic abuse reports.

NPSP. Defined in Reference (eq).

restricted reporting. Defined in Reference (c).

unrestricted reporting. Defined in Reference (c).