



TACTICAL ETHICS AND ETHICS TACTICS (with a little bit of Senior Mission Command)



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AGENDA

THEMES (ETHICS PHILOSOPHY)

SUBSTANTIVE TOPICS (MOST LIKELY COURSES OF ACTION)

Informal Funds & Fundraising

Soldier and Family Readiness Groups

Military Balls (funding, donations, sponsors, advertising, traveling for guests, extent of SFRG participation/assistance, detailing of Soldiers to set up/tear down)

Non-tactical Vehicles

Beer

ADVISING (TACTICS)



Themes – Why is this so difficult? One Philosophy

- 1. What does your ethics question have to do with warfighting? Army Mission: To deploy, fight, and win our Nation's wars by providing ready, prompt, and sustained land dominance by Army forces across the full spectrum of conflict as part of the joint force. ADP 1, 3-4.**
- 2. Stewards of Tax Payer money. Is this what our taxpayers want us to spend our time and our money on?**
- 3. Interpreting ethics regulations restrictively.**
- 4. The interplay between ethics and fiscal law. If you want to kill a "good" idea, cite 31 USC 1301.**
- 5. What is the official purpose of what you're trying to do?**



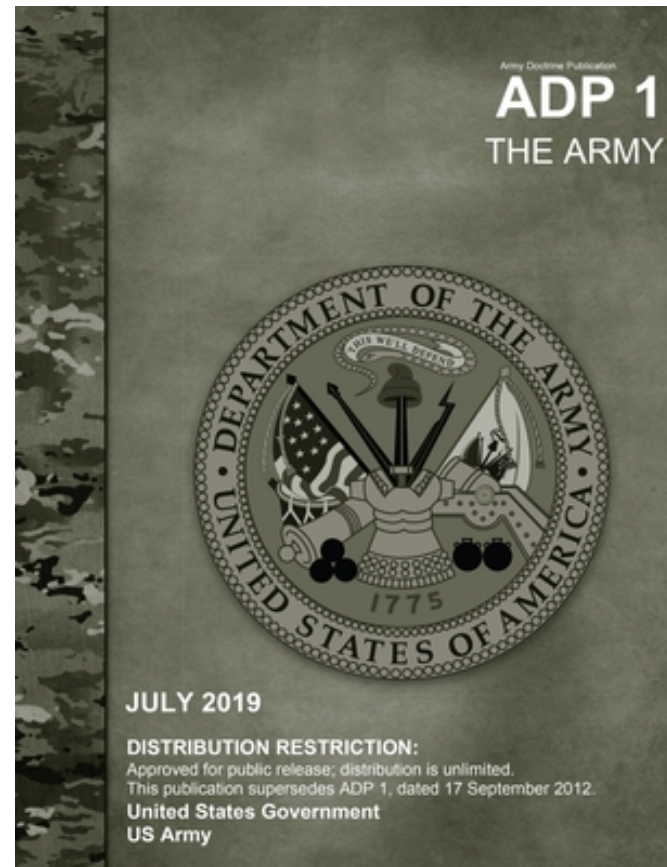
AMERICA'S ARMY:

Globally Responsive, Regionally Engaged

TACTICAL ETHICS AND ETHICS TACTICS

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Themes: The Most Important Ethics Document





TOPICS: Fundraising

Organizations composed primarily of DoD employees or their dependents when fundraising among their own members for the benefit of welfare funds for their own members or their dependents when approved [by the commander who consults with the ethics advisor]

JER, para. 3-210a(6)





TOPICS: Fundraising

- JER 3-210: allowable endorsement and fundraising
- AR 600-29 (Fundraising within the Dept' of the Army), Para. 1-7c: *Local fund-raising*. Provided **no on-the-job fund-raising** is involved, the following fund-raising activities may be authorized locally:
- (1) Fund-raising conducted by organizations composed primarily of Army personnel or their Family members (including installation morale, welfare, and recreation activities, as provided in AR 215-1), among their own members (contractor employees cannot be members of these organizations), only to benefit welfare funds for their own members, and conducted in accordance with the general provisions of this regulation.
- (This provision includes fund-raising activities such as **bake sales, car washes**, and other minor events to raise unit funds in support of an organization day or other activities.)



TOPICS: Informal Funds

- AR 600-20
- Para. 4-20: Commanders may authorize informal funds. Examples of informal funds are office coffee, cup and flower, and annual picnic funds.
 - *a.* Use is limited to expenses consistent with the purpose and function of the fund.
 - *b.* Only one individual is to be responsible for fund custody, accounting, and documentation. Annually, this individual's supervisor is advised of the fund's financial status.
 - *c.* Operation of the fund will be consistent with Army values and DOD 5500.7-R.
 - *d.* Fund-raising solicitations conducted by organizations composed of civilian employees or members of the Uniformed Services among their own members for organizational support or for the benefit of specific member welfare funds are permitted, but they should be limited in number and scope during the official Combined Federal Campaign/Army Emergency Relief periods in order to minimize competition with Combined Federal Campaign/Army Emergency Relief.



TOPICS: Soldier and Family Readiness Groups (SFRGs)

Army Directive 2019-17 supersedes AR 608-1, App. J

Purpose of the SFRG

SOP

Social Media

Informal Funds

Reporting

Approval authority

SFRG interactions with NFE

Commercial sponsorship



TOPICS: Soldier and Family Readiness Groups (SFRGs)

Primary purpose: provide official information to families; connect families to the chain of command; connect SFRG members to resources; offer a network of mutual support.

SOP will have ... may have ...

Funds:

1. 1 informal fund for non-mission-essential activities. Why?
2. Not for social activities. Why?
3. No more than \$10,000. But, can go up to \$25k for 3 months.
4. Fundraising approval authority = battalion commander w/ consultation with the ethics counselor.
5. Fundraising authorized near the PX. Off-post OK with USAG approval.



TOPICS: Military Balls (aka an unofficial event with an official element)

Funding – JER 3-210(a), cannot endorse NFE fundraising in official capacity. (Engineer Society Ball, St. Barbara Ball, etc.)

Logistical Support – JER 3-211(a), yes, so long as conditions are met. Training?

NTV – yes, but for the official portion only.

Publicity – check with PAO.

QUESTIONS

Detailing of color guard, tear down, set up, etc.?

SFRG Funds?



TOPICS: Non-tactical Vehicles

AR 58-1 – official use only. Promotion ceremony? Retirement ceremony? Travel to an NFE speaking engagement? Military Ball?

AR 58-1, para. 2-3(i)(1) – transportation to commercial or military terminals.

(1) NTVs owned or otherwise controlled by the DOD may be used for trips between domiciles or places of employment and commercial or military terminals when at least one of the following conditions is met: (a) Used to transport official non-DOD visitors invited to participate in DOD activities, provided that this use does not impede other primary mission activities. (b) Used by individuals authorized DTD transportation. (c) Necessary because of emergency situations or to meet security requirements. (d) Terminals are located in areas where commercial methods of transportation cannot meet mission requirements in a responsive manner. (e) Authorized in the NCR by DOD Administrative Instruction Number (AI) (AI 109)

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TOPICS: Non-tactical Vehicles

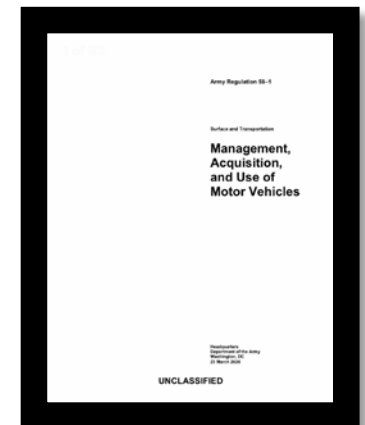
AR 58-1, para 2-3(i) – transportation to commercial or military terminals.

(1) NTVs owned or otherwise controlled by the DOD may be used for trips between domiciles or places of employment and commercial or military terminals when at least one of the following conditions is met:

- (a) Used to transport official non-DOD visitors invited to participate in DOD activities, provided that this use does not impede other primary mission activities.
- (b) Used by individuals authorized (domicile-to-duty) transportation.
- (c) Necessary because of emergency situations or to meet security requirements.
- (d) Terminals are located in areas where commercial methods of transportation cannot meet mission requirements in a responsive manner.
- (e) Authorized in the NCR by DODAI 109.
- (f) Necessary because other methods of transportation cannot reliably or adequately meet mission requirements, based on a case-by-case factual assessment.

(2) When one of the above conditions is met, the following methods will be considered in the order shown and to the extent they are available and capable of meeting transportation requirements:

- (a) DOD scheduled bus service.
- (b) DOD unscheduled leased or owned bus service.
- (c) Van pools.
- (d) DOD motor vehicle centrally dispatched “taxicab” operation.
- (e) DOD motor vehicles individually dispatched to a licensed uniformed service member or Federal employee.



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TOPICS: Non-tactical Vehicles

AR 58-1, para 2-3(i)(1) – transportation to commercial or military terminals. NEW subparagraph (f) authorizes discretion to use an NTV when

“necessary because other methods of transportation cannot reliably or adequately meet mission requirements, based on a case-by-case factual assessment.”

SecArmy Memorandum, SUBJECT: Non-Tactical Vehicle Policy Guidance, 27 SEP 2019.



TOPICS: Tactics

- Installation ethics working group. Sync your ethics advice with other units and your higher headquarters. “My opinion is ... Do we see this very often here? I’d like to sync my advice with yours.”
- NEVER shoot from the hip. “Ma’am/Sir, I need to do some quick research on this. When do you need an answer?”
- No means no. “Applying the facts provided by ...”
- Never underestimate the power of an AR 25-50 memo. It says NO, but really really officially!
- Make DFMWR do its job. Lots of questions with very little facts.
- The PAO is your new best friend. BUT, make the PAO provide you with a public relations analysis. The legal answer sometimes depends on the public relations benefit.
- The Installation Ethics Counselor is your other new best friend.



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