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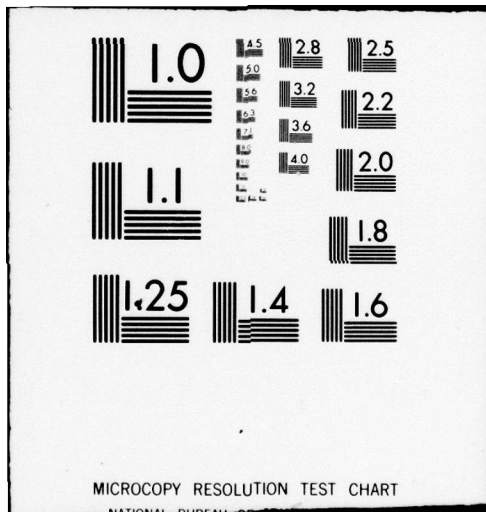
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THE REAFFIRMATION OF THE UNIQUE SPECIAL TRUST, TRUST REVIEW GRO--ETC(U)
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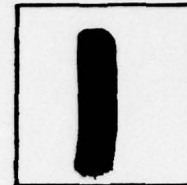
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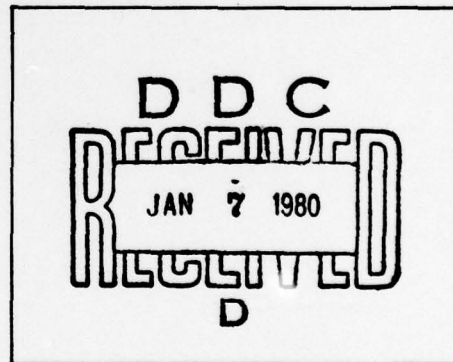
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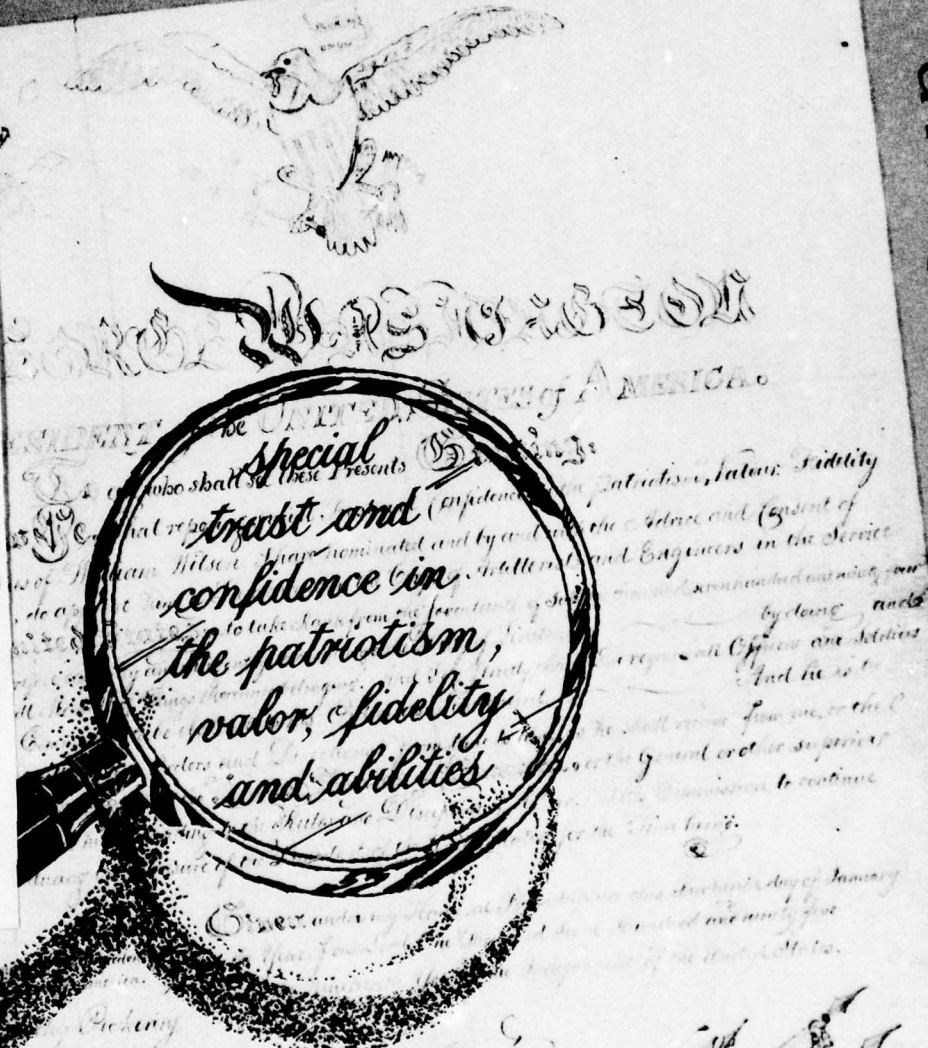
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THE REAFFIRMATION of the UNIQUE SPECIAL TRUST

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The Final Report
of the
TRUST Review Group

by

COL Jack W. Sallee

LTC Keith Sovine

LTC Thomas E. Faley, Jr.

MAJ Gloria D. Redman

MAJ Lawrence Brede, Jr.

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Mrs. Freda H. McBride

As Approved

Chief of Staff, US Army

21 August 1978

EXECUTIVE SUMMARY

The purpose of this study is to review Army regulations and eliminate, where appropriate, those policies which undermine the special trust and confidence reposed in officers. The basis of the review evolves from the officer's appointment which places special trust and confidence in the patriotism, valor, fidelity and abilities of an officer.

HQDA staff proponents of Army regulations, MACOMs, other commands, Army service school faculties and students and the TRUST Review Group identified 197 issues which were perceived to degrade an officer's trust. Each issue was evaluated and disposition recommended to the Chief of Staff of the Army. During the course of this review, Army policy changes initiated by the proponent have removed several issues that impinged upon trust. Legal, efficiency, management and resource constraints appropriately limited the elimination of other issues which seem to undermine an officer's trust.

Army policies that impinge upon officer trust generally can be traced to excessive certification, the safesiding approach, the tendency toward centralization and overmanagement. Policy issues which detrimentally impact upon a significant number of officers are:

The inflation of evaluation reports to ensure that subordinates remain competitive.

The lack of credibility of the Unit Readiness Reporting system at the unit level.

The necessity for a marriage certificate or other documentary evidence to support a claim for BAQ.

The requirements to provide lodging receipts and statements of non-availability of government quarters and mess to support payment of a TDY travel voucher.

The practice that transportation officers or their representatives "satisfy themselves" that property shipped as professional items and certified by officers to that effect meet imposed guidelines.

The necessity for a higher level commander to further justify a subordinate commander's priority request for restricted Federal Supply Class (FSC) items.

The requirement for commanders to authenticate assignment of priority designators 01 through 08 rather than delegating authentication authority to appropriate officers.

The requirement to produce proof of ownership, state registration, driver's license and safety inspection to register an automobile on an Army installation.

The necessity for installation commanders to conduct quarterly inspections of bachelor officer quarters.

The practice that agents at check cashing facilities ensure that an officer's name is not on a dishonored check list.

The requirement that officers show proof of housing availability in an oversea area to be eligible for concurrent travel when government quarters are not available.

The procedure that officers augment personal information printed on the front of their checks.

Throughout the TRUST Review, several commanders addressed the reasons which limit an officer's opportunity to exercise trust. Overmanagement, safesiding, overreaction, "zero defects," "can do" and a lack of opportunity to fail typify their comments. These practices seem to culminate in inflated Officer Evaluation Reports that represent an organizational climate in which all officers must be errorless.

Several irritants were the result of command directives and misconceptions of Army policy. Although command directives were not within the purview of this review, several commands reported that these directives contribute to practices that undermine an officer's trust and indicated that corrective action is being taken.

This review is manifested by a commitment to the reaffirmation of an officer's unique special trust; a belief that ethical standards must be institutionalized through the Army educational processes; and by strong support for an effective reward system for the many officers who demonstrate their worthiness of the unique special trust and punishment for those few who abuse this privilege and responsibility.

This review promoted an awareness of undermining regulatory policy and enhanced the Army's organizational climate. Regulatory policy must advance an officer's opportunity to exercise trust. It has been stated that "No man is a leader until his appointment is ratified in the minds and hearts of his men." Knowledge, ingenuity, initiative and sound management principle are necessary ingredients; however, trust is the catalyst which ratifies an officer's commission.

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CHAPTER I

INTRODUCTION

Trust among all soldiers is fundamental to an effective fighting force. In 1920, Secretary of War Newton Baker stated that "The inexact or untruthful soldier trifles with the lives of his fellow men." In the demanding arena of military leadership, it is essential that officers possess and exhibit trust and confidence.

Illustrated on the report cover is an early commission. It provides evidence that special trust and confidence are time-tested qualities. For over 200 years, the United States of America has bestowed special trust upon the officers who serve to uphold this nation's heritage. Although this special trust has been violated occasionally, hundreds of thousands of officers have discharged their oaths of office and associated responsibilities with dedicated service and outstanding integrity. Over one-half of the Presidents of the United States were officers. Their special trust was exhibited in directing this nation to world prominence.

The basis of officer trust is vested in the officer's commission or warrant officer's appointment. They stipulate that special trust and confidence are reposed in the patriotism, valor, fidelity and abilities of every officer. It is significant that commissioned officers, appointed by Presidential authority, are the only military personnel who act as direct agents of the Commander-in-Chief and are charged with upholding the national interest with the highest integrity.

Although other service members certainly possess and discharge special trust and confidence, officers are officially charged with this responsibility and are expected to discharge it in every endeavor. The trust and confidence bestowed upon the officer corps must be more than symbolic: It must be a basic principle of leadership.

Today's complex military environment demands quantification and explicit management procedures; however, these requirements may adversely impact upon officer special trust. Precise and necessary management tools may conflict with an officer's opportunity to exercise judgment which may lead to a feeling of lack of trust. Therefore, extreme care must be taken to strike a proper balance between efficiency and trust. Trust in the judgment of the individual officer is necessary for the development of a personal sense of integrity which is the bedrock of self-discipline. Although decentralization of judgment carries certain risks, the potential benefits justify that risk. Army regulations and management techniques must consider trust implications.

Management procedures have experienced significant evolutionary change while concepts of special trust have followed the traditional path. There is a consistent need to assess management practices designed to allocate scarce resources in a more efficient manner, but which may tend to escalate some decisions to higher levels to gain broader perspective. Some of these management procedures may be unnecessary and inhibit trust. Emphasis on individual worth and value must keep pace with the emphasis on the impersonal aspects of management. The line between sound management and latitude to effect mission accomplishment is frequently subjective and imprecise.

Today's officer must meet the complex challenges of centralized management, computerization, sophisticated equipment and leadership with utmost integrity. Legal, efficiency and resource constraints must not unnecessarily limit an officer's opportunity to exercise trust.

Sophisticated management practice has advanced the centralized management concept; however, human behavior still runs a situational continuum which places utmost value on the judgment and ethical standards of an officer. Although some individuals desire an "officer's code" to assist such judgments, it is impractical to codify appropriate behavior to cover all contingencies. The officer corps must continually express its value system and the basis for this system is aptly described in the commission, oath of office, code of conduct and the code of an honorable man. To further specify officer conduct may constitute a crutch for those few officers who would violate special trust.

The ethical norms for various groups in society may differ; however, the constitutional and social bases of officer integrity must remain firm. The officer value system must permeate Army regulations, management philosophy, ideals and traditions. This does not mean that the institution bears the responsibility for officer special trust and confidence; it means that individual officers must be cognizant of their responsibility and discharge it with utmost professionalism. Although experience and training vary among officers, every officer must be aware of the ethical demands of his office and give them the highest priority in the decision-making process. Trust is a web of special relationships among all individuals who operate on equal as well as higher and lower levels.

The Army must make every effort to ensure that officers are afforded the opportunity to exercise trust. Regulatory policy must advance this concept. Regulations cannot act as a substitute for common sense, professional judgment, discretion and propriety; rather, they must serve to form the foundation for what should be done and every regulation must express legitimate requirements.

As General Maxwell D. Taylor stated: "Even with the gifts of human understanding and of professional competence arising from careful training, our military leader will not be complete without the third attribute of greatness; namely, character — character which reflects inner strength and justified confidence in oneself." A scrupulous regard for an officer's word and the integrity of his acts provide the foundation for inner strength and confidence.

CHAPTER II

METHODOLOGY

The purpose of this study is to conduct a review of Army regulations and eliminate, where appropriate, those policies which undermine the special trust and confidence reposed in officers. The review was directed by Chief of Staff Memorandum (CSM) 77-5-21 (Appendix A).

The CSM directed that the TRUST Review Group recommend for approval of the Chief of Staff of the Army the deletion of those policies that undermine an officer's special trust and that do not accomplish other overriding desirable effects. To conduct the policy analysis, a research design was formulated. The research design addresses the scope of the study, sources of data and data analysis techniques.

SCOPE

The review encompassed 1444 Army regulations and, as an adjunct, provided command comments which transcended policy issues. To enhance objectivity, the analysis integrated the perspectives of the HQDA staff, commanders, service schools, individual officers and pertinent research papers.

Various types of policies which impact upon an officer's trust were scrutinized. In analyzing these policies particular note was made of nonessential signature requirements for officers and reports signed by an officer which required corroboration. Documents which required officers to report compliance with other regulations were evaluated. Regulatory requirements for officers to submit reports to lower-ranking personnel and requirements that officers certify they understand long and complicated regulations were analyzed. The policy review analyzed requirements for officer certification which diminished the rightful authority of noncommissioned officers. Army reports requiring more than one officer's signature received particular emphasis as well as the "signature saturation" requirements placed upon a unit commander.

The scope of the TRUST Review was limited by the following constraints. First, the review only addressed Army regulations and was not intended to identify and evaluate command practices which undermine special trust. During the course of the review, several command practices which undermine officer trust surfaced. Some of these practices were promulgated by command directives and others resulted from field misinterpretation of DA policy. These issues are identified in the report to apprise commanders that some field directives and practices undermine officer trust.

Also, the review initially focused on commissioned officers but was later expanded to include warrant officers. Further, it does not assess the degree to which officers perceive their integrity as being jeopardized or undermined by Army regulations. Finally, no detailed analysis was conducted to determine the magnitude of officer trust violations or if existing sanctions are adequate to address trust violations.

SOURCES OF DATA

In addition to HQDA staff and command participation, the review was assisted by several agencies/individuals.

The Army Research Institute was requested to review previous studies which addressed officer special trust, but none was identified. Other services were queried; however, there were no previous or ongoing service efforts relating to regulatory policy which adversely impact upon officer trust and integrity. Field visits were made to the US Army War College and the US Army Command and General Staff College. TRADOC surveyed other Army service schools and obtained advanced course student opinions on grass roots implementation of policy.

ANALYSIS OF DATA

This review was designed to identify undesirable policies impacting upon officer special trust and to eliminate them where feasible. The ultimate objective of the review was to promote an organizational climate within the Army which supports ethical growth. To accomplish these tasks, the review progressed from problem identification to final decision. The five phases of the review were: issue identification; staffing; resolution; evaluation and decision.

Identification

The initial phase was designed to identify all Army regulations which appear to undermine an officer's trust. HQDA staff proponents, major Army commands, other commands and the TRUST Review Group participated in this phase. Additionally, assistance was received from the United States Military Academy and advanced course, Command and General Staff College and Army War College students and faculty.

In May 1977, HQDA staff proponent points of contact were established and briefed. During the same period, points of contact were requested from and identified by MACOMs. HQDA staff proponents were asked to review their regulations and to identify issues which may be degrading to officer

special trust. On 31 May 1977, commands were requested to review Army regulations and to identify those which appear to demean officer trust. Command participation provided operator-level perceptions and supplemented the comments received from HQDA staff proponents.

Command input provided a gauge to the magnitude of the problems associated with a particular regulation or policy. The identification phase involved development of criteria for policy retention or elimination. During this phase, letters, previous studies, articles and papers were reviewed. A bibliography is at Appendix B.

Staffing

At the onset of the staffing phase, formats were developed to facilitate the review input. Policies were classified based on a proposed action to retain, modify or eliminate them, or arrive at a determination that none of these actions was appropriate. The determination category included Army regulation misconceptions, superseded Army regulations and command policies and procedures. Subsequently, issues were analyzed and refined. Staffing recommendations for elimination or retention of policies were evaluated and incorporated as appropriate. At the same time, the criteria for policy retention, elimination or determination were refined and applied to policy issues. Initial positions on the issues were developed by the TRUST Review Group. In arriving at these positions, a concerted effort was made to integrate the perspectives of the HQDA staff, MACOMs and those offered by other sources. This approach was taken to derive a comprehensive perspective to use as a basis for formulating officer trust issue positions. Once issue positions and rationale were formulated, HQDA and MACOM staffing ensued.

Resolution

The resolution phase addressed MACOM and HQDA staff nonconcurrences and incorporated appropriate comments into the issue positions and rationale. Staff conferences were used to refine the rationale for issues that involved nonconcurrences. Throughout the study effort, constant coordination was maintained with Army regulation proponents. To the extent possible, commands were advised of issue position changes as they occurred.

Evaluation

Following the resolution phase, the TRUST Review Group conducted an evaluation of all policies which appear to undermine officer trust. Criteria applied in evaluating policies included legal ramifications, disparity between degrees of trust vested in officers of different ranks, sound

management practices and other overriding considerations. Requirements placed on officers were further reviewed to determine which policies generated overreaction and/or safesiding practices. However, the ultimate criterion in policy evaluation was "what's best for the Army." When final evaluations were made, the TRUST Review was provided to the HQDA staff for comment prior to submission to the Chief of Staff of the Army (CSA).

Decision

This review provides recommendations to the CSA for modification, elimination or retention of policies which are perceived to undermine officer trust. Recommended changes to Army regulations are delineated in Chapter V, "Conclusions and Recommendations." Also, Chapter V lists recommendations for changes which require approval of higher authority.

CHAPTER III

COMMANDERS' VIEWS ON ORGANIZATIONAL CLIMATE

Major commanders were asked to participate in the TRUST Review. They offered numerous specific suggestions and these are discussed in Chapter IV. But they also expressed several views concerning the organizational framework, or climate, within which the officer corps must carry out its responsibilities. The MACOM comments described certain practices and conditions which exist in the Army to some degree, but which we do not want. Their views are summarized in this chapter. Identifying these unwanted practices is useful so that every officer can be on the lookout for them and help as he can to eliminate them.

ORGANIZATIONAL CLIMATE

Several commanders cited overly centralized management, "safe-siding," "over reaction," "zero defects," "can do," and lack of opportunity to fail as conditions which, when they exist, limit an officer's opportunity to fulfill the trust placed in him. One commander stated that "regulatory policies which undermine officer trust are a direct reflection of the Army's overall organizational climate." In his view the organizational environment all too frequently is "one which allows no tolerance for mistakes; places officers in an integrity dilemma of rating subordinates honestly on Officer Evaluation Reports and destroying their careers or embellishing the report in order to ensure that they remain competitive; and places commanders at all levels under pressure to do more with less in the face of dwindling resources without recognizing the fact that some adjustment to mission requirements is needed." Another commander stated that "our present system stifles initiative because of excessive guidance and too much management at all levels of command."

No doubt Army policy imposes restrictions on an officer's opportunity to exercise trust. Some of this is unavoidable, but not all. Several commanders indicated, however, that actions by their headquarters and at even lower levels often go beyond Army policy in creating a restrictive environment. One commander stated that "a significant number of policies, practices and procedures that detract from the recognition of an officer's special trust are not published, but result from local ground rules and command guidance." Other commanders suggested that, as a general rule, unpublished command practices and policies which detract from trust just come into existence in the field.

Sometimes a restrictive management climate induces in subordinates a fear to "tell it like it is." The following comments by commanders are pertinent to this point: "The tendency to oversupervise springs from a superior's fear that any mistakes made in his organization will reflect on him and will adversely affect his career. The concept of no room for error limits constructive dialogue; officers are reluctant to express conflicting views." "If we are to avoid falling into the 'we can do anything with less' trap, the 'tell it like it is' policy must be fully supported from the very top to the bottom of our officer corps." "Leaders, particularly general officers, must not practice the Byzantine ritual of 'killing the bearer of bad news'." In 1977 two-thirds of the more than 2200 officers who responded to the questionnaire of an Army student at the U.S. Army War College indicated they believe that behaving ethically often went unrewarded in field units. That perception may be valid for the whole officer corps; hopefully, it is not well-founded. In any case, this situation suggests that there is often a fear to "tell it like it is."

Centralized management practices and the concomitant need for quantifiable data have often affected adversely an officer's opportunity to exercise trust. Many observers suggest that there is an imbalance between professional judgement and quantification in the centralized decision-making process: That the human element in decision-making is subordinated to cost-benefit analysis and statistical data. Where this imbalance is present, it does not accord enough importance to the intangible human variables. Discounting these variables then leads to the perception that individual experience is not important in Army decisions.

ETHICAL EDUCATION

Several commanders believe that the Army needs definitely to incorporate systematic instruction in professional military ethics into the curriculum at all Service schools. One commander recommended that "all individuals joining the Army should initially be granted an educational opportunity to understand the Army's expectations and obligations. The expectations are twofold; first, what does the Army expect of an officer and second what should an officer expect of the Army?"

This conviction was corroborated by respondents to the questionnaire on ethics referred to earlier. Two-thirds of those responding perceived ethics training in Service schools to be lacking altogether or generally ineffective. Three-fourths of them believed there should be more emphasis on teaching professional military ethics in Service schools, and the majority of them feel a need to emphasize training in ethics in Army field units. The substance of their views is that integrity and military competence are closely related and inadequate performance in one area contributes to inadequate performance in the other.

A principal ingredient in an officer's professional education must be ethics. The TRUST Review Group feels that the Service schools should address "officership" as a composite of unique roles, responsibilities, and high standards of conduct. Commissioned officers must be aware of their constitutional obligation to function as direct agents of the President and thus as symbols of Presidential authority throughout the Army.

PUNISHMENT

Major commanders focused on punishment by indicating that if the officer ethical education program is to be effective it must include a viable system of reward and punishment. There must be positive inducement to act ethically. This inducement may range from a simple "pat on the back" to a comment on an evaluation report. Also, punishment must be applied to unethical conduct. It may be that the system is perceived as rewarding accomplishment of short term, highly quantifiable and often trivial tasks while ignoring those long term, nonquantifiable tasks that are essential to the Army. This perception must be changed.

In June 1977, 151 Command and General Staff College students were administered a questionnaire which addressed ethical expectations. The students' responses indicated that their actions against violators of ethics would be more severe than their "bosses." In addition, these students responded that they "should be" more stringent on violators than they "would be." These responses bolster the finding of the USAWC questionnaire (referred to earlier) that Army leadership is perceived as only occasionally taking appropriate action against officers who act unethically. This perception must be corrected.

Many officers of all grades perceive the Army as being too easy on individual offenders. Additionally, some major commanders suggested that the Army reacts to single unethical acts by creating a rule to prevent recurrence of the particular acts rather than prosecuting individual offenders. As an example, according to one commander "long ago the bad check artist should have been driven from the temple; instead it was must easier for the Army to design a worldwide stamp which proclaims to the world that a commissioned officer is so dishonest that legal stipulations must be signed by him before a check will be cashed." The same person pointed out that "the major impact of an unethical act is transferred to the institution and the officer corps as a whole, rather than to the individual who committed the act. As a result, the ethical and nonethical officer are being treated as if both were unethical."

Both positive and negative incentives to be worthy of special trust and confidence are necessary. The prerogatives, privileges, and responsibilities vested in officers are not meant to reflect elitism; rather they are to serve as a symbol of the trust which the Nation reposes in those

who meet the demands of officership. In the words of one commander, "one of the most effective ways to foster and reinforce officer responsibility and commitment is to emphasize and reinforce each member's sense of identification as part of a select group in which the consequences of individual conduct, good or bad, devolve upon all members." Most commanders emphasized that the presumption of integrity in each officer must be balanced by effective, swift, but just punishment for officers who abuse trust.

Throughout the years, the Army officer corps has met its special trust obligations and discharged its duties with dedication and integrity. To ensure the highest standards, those few officers who violate special trust must be punished. There are several means of obtaining ethical conduct. Among those frequently used are the chain of command, specialized agencies such as the Provost Marshal and Inspector General, peer pressure and self-discipline. Two necessary ingredients to achieve ethical conduct are an understanding of the importance of conformity and the skill to make situational decisions. Regardless of the means which are used, punishment must be swift and just. The officer corps must possess the capability and willingness to "police" itself.

SUMMARY

Comments provided by MACOMs and other data gathered by the Review Group describe several features of the Army's organizational climate which transcend any single Army policy and which undermine exercise of officer trust. It is clear that the Army must promote an atmosphere which encourages integrity and worthiness of special trust and confidence. While being concerned with creating this atmosphere, however, the Army as an institution cannot bear all the responsibility for officer integrity. As an institution it can seek to eliminate restrictive management, over reaction, safe-siding, "can do," and "zero defects," but each officer must be concerned for his own integrity. A second theme in the comments of commanders is that greater efforts must be made to teach ethics in the Army's education system. Finally, individuals not worthy of special trust and confidence must be justly punished.

CHAPTER IV

ISSUES

This chapter contains an analysis of the policies and practices which were perceived to undermine an officer's special trust. Each policy or practice was designated an "issue" and evaluated to ascertain its impact upon officer special trust. The issues were analyzed to determine the feasibility of their elimination.

Issue proposed actions were divided into three categories: retain, modify/eliminate and determination. When a policy or practice was an accurate interpretation of the regulation and a sound management practice, the issue was categorized as "retain." Inappropriate or unwarranted policies that degraded officer trust were classified as "modify/eliminate." The final classification was designated "determination." This category encompasses issues which were:

1. A misinterpretation of Army policy;
2. Resolved through a change or elimination prior to completion of this review; or
3. Promulgated by a local or command directive rather than Army regulation.

Determination issues were addressed to promote Army awareness of the parameters of officer special trust.

Figure 4-1, "Army Regulation Command Review," depicts summary statistics of the review conducted by major commands. Figure 4-1 lists HQDA staff proponents and their total number of regulations. Major commands are listed in the left-hand column. Their identified issues are cross-indexed to the staff proponents based on the regulations containing the policy issues. MACOMs identified a total of 198 issues.

Figure 4-2, "Army Regulation Issue Overview," provides a breakdown of issues by staff proponent. It depicts the number of issues received from the Army staff and MACOMs; the composite number of issues by proponent (i.e., redundancy between command and staff issues is eliminated); and the proposed issue action (i.e., retain, modify/eliminate or determination).

Issue sheets depict the source which identified the issue, the Army regulation, its proponent, the policy which is perceived to undermine trust, the proposed action and rationale, staffing considerations and the finding.

ARMY REGULATION COMMAND REVIEW

ARS	22	40	103	74	116	138	93	101	81	164	68	23	33	6	4	19	3	5	2	173	3	115	26	20	4	7	1	1444
TRADOC	4	1						2	1	1	1			1					2	1		6	1					26
FORSCOM	10	2	1	4	4			7	2	3						1					11	8					59	
HSC				1				3															1				5	
USACC	2				2																	2	1				7	
DARCOM	1				2	1		3														1	2				10	
MTMC	1				1			1														1	1				5	
MDW																						2	2				4	
USACIDC	2																					1			3		6	
USAINSCOM	1				1	2	1	1														1	1	3			10	
USAREUR	3				1	2		3														2	2				13	
USARJ	2																					3					5	
USAEIGHT	4	1			6	4		4															1				20	
EUCOM								4																1			6	
ALFSE	2	1			1		1	3														4	1	1			13	
*USASCH																											0	
USAREC	1				1			1														2					5	
USMA	1							3																			4	
TOTAL	0	0	34	5	2	14	23	8	2	35	3	4	0	1	1	0	0	0	2	1	0	36	0	0	24	3	0	198

*REFLECTED IN FORSCOM INPUT

Figure 4-1

ARMY REGULATION ISSUE OVERVIEW

PROPOONENT	NUMBER OF ARS	ISSUES		COMPOSITE	RETAIN	CATEGORIES		*DETERMINATION
		STAFF	COMMAND			MOD/ELIM		
OSA	22							
CSA	40							
DCSPER	103	5	34	27	9	9	9	9
ACSI	74	5	5	8	4	1	1	3
DCSOPS	116	2	2	3		3		
DCSLOG	138	4	14	13	1	9		3
COA	93	25	23	33	12	15		6
TSG	101	2	8	8	5	1		2
COE	81	2	2	3	1	1		1
TAG/TAGCEN	164	9	35	23	8	6		9
TIG	68	1	3	3				3
TJAG	23		4	4		1		3
DCSRDA	33							
OCPA	6		1	1				1
CCH	4		1					
CAR	19	1		1		1		
NGB	3							
CMH	5							
OCLL	1							
TRADOC	2		2	2		2		
DARCOM	173	1	1	2				2
MDW	3							
MILPERCEN	115	27	36	52	27	12		13
USACC	26							
MTMC	20							
AAFES	4		24	11	2	3		6
USACIDC	7		3	3		2		1
TOTAL	1444	84	198	197	69	66		62

* Includes: Army Regulation Misconceptions
Command Directives
Regulations Revised During Review

Figure 4-2

Army Regulation: AR 140-1, "Army Reserve Mission,
Organization and Training"
Appendix D, Figure 3

Proponent: CAR

Source(s): Review Group

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 140-1 requires that a Research and Development (R&D) MOBDES officer sign a statement that he would be available immediately for active duty in event of mobilization, that he will be required to perform 12 days AT and that he will agree to remain in the Ready Reserve for three years. Other MOBDES officers are not required to sign similar statements.

Proposed Action and Rationale:

Eliminate: The need for MOBDES officers to acknowledge service obligations should be consistent among the various MOBDES specialties. Since other MOBDES officers are not required to acknowledge service obligations in a manner similar to the R&D MOBDES officer, the requirement should be deleted.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The requirement that a MOBDES officer sign a statement acknowledging service obligations is unnecessary.

Army Regulation: AR 20-1, "Inspector General Activities and Procedures"

Proponent: TIG

Source(s): TRADOC

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

In preparing for Inspector General inspections, some officers who are highly motivated to pass the inspections submit or prepare false reports or documents.

Proposed Action and Rationale:

Determination: Army inspection policy does not dictate false reporting; however, the manner in which inspection results are handled by an individual's commander should deter the impression that a "zero defects" performance is necessary for success. The problem is not regulatory and an officer who knowingly submits an incorrect report should be punished.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

Record falsification is not prescribed in Army regulations. The "zero defects" syndrome must be eliminated and commanders must promote a climate which enhances officer integrity. Violators of integrity must be punished.

Issue: TIG-2

Army Regulation: AR 20-3, "Department of the Army Special Subjects for Inspection"

Proponent: TIG

Source(s): FORSCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

During Inspector General inspections, officers in the rank of colonel or below are required to display clothing and individual equipment for serviceability and accountability, as prescribed in AR 20-3.

Proposed Action and Rationale:

Determination: Army regulations do not require the display of clothing and individual equipment; however, local commanders may prescribe display for IG inspections. Only in unusual situations should officers be required to display clothing and individual equipment.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

Army policy does not require officers to display individual clothing and equipment. Except to satisfy unit readiness or for some other cogent reason, commanders should not require officers to display such items.

Army Regulation: AR 600-55, "Motor Vehicle Driver Selection Testing and Licensing"

Proponent: TIG

Source(s): FORSCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

To obtain a military driver's license, an officer is required to take a Battery II Test and to have an interview.

Proposed Action and Rationale:

Determination: AR 600-55 does not prescribe an interview and a Battery II Test for personnel requesting a military driver's license to operate an Army motor vehicle. There are various categories of licensing with different requirements. The interview, Battery I Test and Battery II Test were designed to screen enlisted personnel who are being considered for a driver's Military Occupational Specialty (MOS). Army personnel requiring a license to drive a military sedan on an intermittent basis can be issued an incidental driving permit. An officer possessing a valid state driver's license who wishes to drive a military sedan may be issued the incidental driving permit without an interview or a Battery II Test. The incidental driving permit is good for a maximum period of one year.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

Officers are not required to take a Battery II Test or have an interview to get a military driving license.

Army Regulation: AR 360-5, "Public Information Policies"
Paragraph 3-3

Proponent: OCPA

Source(s): TRADOC, CGSC Student

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Officers are restricted from expressing personal opinions about Army matters.

Proposed Action and Rationale:

Determination: AR 360-5 provides guidelines for official and unofficial discussions with media personnel. Officers are encouraged to interact with civilian media; however, their conversations should be limited to unclassified matters of which they have personal knowledge and experience. Chief of Staff of the Army Memorandum, subject: "Speaking Up/ Speaking Out," dated 15 June 1977, further supports officers speaking out, but requests that once a command decision has been made that the officer corps give the decision its wholehearted support.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

Army policy encourages officers to converse with others on Army matters but limits conversations to unclassified matters of which they have personal knowledge and experience. A policy change is not required.

Army Regulation: AR 380-5, "DA Supplement to DOD 5200.1R; Security"
Paragraph 2-19

Proponent: ACSI

Source(s): CGSC Student

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 380-5 prescribes that the person locking and the person checking a safe initial DA Form 672, "Safe or Cabinet Security Record." While the need for security is acknowledged, this procedure presents a unique situation when an officer works alone after normal duty hours. To meet the prescribed criteria, an officer must falsify DA Form 672 or violate security requirements.

Proposed Action and Rationale:

Retain: The requirement to have a second person check a security container which stores confidential or higher material is a proven security measure. When working alone, a duty officer or guard could perform the double-check.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s):

EUCOM - Elimination of the requirement to have a second person check a security container endorses the position that an officer's signature needs no certification.

USMA - The requirement for a second person to check security containers should not be imposed when an officer secures the container. The degree of protection this affords the officer is not considered sufficient justification not to trust an officer to perform this simple action.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s):

The need for maximum security of classified documents overrides the officer special trust consideration. The double-check serves to protect both the officer and national security.

Finding:

A second person should check the locking of a safe containing classified material.

Army Regulation: AR 380-5, "DA Supplement to DOD 5200.1R; Security"
Paragraph 2-44

Proponent: ACSI

Source(s): TRADOC

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 380-5 prescribes a debriefing of officers who terminate active duty or are placed on temporary separation status for more than 60 days. An oral debriefing must be accomplished prior to the officer completing and signing DA Form 2962, "Security Termination and Debriefing Certificate." The certificate attests to understanding the provisions of safeguarding defense information.

Proposed Action and Rationale:

Modify: The requirements to present an oral debriefing and that the officer understand security safeguard measures are valid; however, officer certification is unnecessary. An officer should simply sign a statement that the aforementioned have ensued.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s):

EUCOM - The requirement for an officer to sign a statement that he or she has been debriefed concerning the safeguards of defense information is not appropriate. A part of an officer's special trust is to possess such knowledge and such should be assumed. Under no circumstances should an officer be required to sign a statement that he or she has been debriefed concerning a matter which an officer routinely understands.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s):

In the interest of national security, it is important that an officer be debriefed concerning the safeguards of defense information and acknowledge an understanding of this sensitive obligation.

Finding:

The requirement for an oral debriefing and a written acknowledgement of that briefing on DA Form 2962 is necessary. This form was changed 1 September 1977 to remove the certification requirement.

Army Regulation: AR 380-5, "DA Supplement to DOD 5200.1R; Security"

Proponent: ACSI

Source(s): AWC Student

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

An officer must certify that he has read and understands AR 380-5.

Proposed Action and Rationale:

Determination: AR 380-5 does not prescribe that officers certify to reading and understanding the regulation.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

Army policy does not require an officer to certify that he has read and understands AR 380-5.

Army Regulation: AR 380-13, "Acquisition and Storage of Information Concerning Non-Affiliated Persons and Organizations"

Proponent: ACSI

Source(s): ACSI, EIGHTH ARMY, FORSCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Appropriate activities will maintain a copy of AR 380-13 in a policy book along with a document which reflects that all assigned personnel have thoroughly familiarized themselves with, understand and will comply with the provisions thereof. Additionally, each major Army command, agency or activity subject to the regulation will submit an annual report covering the preceding fiscal year to HQDA. This report will reflect that an annual inspection of headquarters and subordinate elements was conducted to ensure compliance with the provisions of AR 380-13, and, if appropriate, corrective action taken. The report will specify that the files of the reporting command, agency, or activity and those of subordinate elements do not contain information the retention of which is prohibited.

Proposed Action and Rationale:

Retain: At this time, current litigation involving Department of the Army prohibits requirement changes. The sensitivity of the subject at the national level demands that the Army exhibit total understanding/compliance with the regulation.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s):

EUCOM -The proposed action and rationale with emphasis on the sensitivity of the subject area at national level implies that we should extend the special trust and confidence to officers only in areas that are not sensitive. If in fact, we are to exercise special trust then certainly sensitive matters should be included -- even if such requires that we do so in spite of the litigations.

HQDA Staff or MACOM Comment(s):

TRADOC - Concur with the proposed action since current litigation involves the Department of the Army. However, upon completion of litigation, this requirement should be reviewed for possible elimination.

Consideration of Nonconcurrency(s)/Comment(s):

In order to implement the spirit and intent of AR 380-13, an extensive educational program is required. The provisions of AR 380-13 assist educational processes. The current litigation dictates temporary retention of AR 380-13 requirements; however, these requirements represent overmanagement and should be revised.

Finding:

At this time, the controls to ensure understanding and compliance with the "Acquisition and Storage of Information Concerning Non-Affiliated Persons and Organizations" are necessary. Upon completion of litigation, these controls should be revised.

Army Regulation: DOD 5200.1R; "Security"

Proponent: ACSI

Source(s): AWC Student

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

When an officer destroys classified documents, a "disinterested" person must witness the transaction.

Proposed Action and Rationale:

Retain: DOD 5200.1R requires that destruction of classified material must be witnessed. In the interest of protecting the officer and the national defense, a witness is required for destruction of material classified secret or higher. Management considerations override other implications.

Requirement Imposed by Higher Authority: DOD 5200.1R, "Security"

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The destruction of classified material should be witnessed by a "disinterested" person.

Army Regulation: AR 380-200, "Armed Forces Censorship"
Paragraph 22

Proponent: ACSI

Source(s): CGSC Student

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

In areas where armed forces censorship is in effect, an officer's personal communications are subject to censorship.

Proposed Action and Rationale:

Retain: AR 380-200 states that officer personal mail is subject to primary censorship (unit level) only when directed by higher authority. However, officer mail is routinely subjected to secondary censorship at principal gateways and communications points. Officer mail censorship is only evoked under emergency conditions. Overriding security implications dictate censorship requirements.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

When armed forces censorship is in effect, an officer's personal mail should be censored.

Army Regulation: Draft DA Circular 604-XX, "Personal Security Clearance - Request for Personnel Security Investigations"
Appendix A

Proponent: ACSI

Source(s): ALFSE

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Totally completing a DD Form 398, "Statement of Personal History," and providing fingerprints each time a security clearance is updated are nonproductive.

Proposed Action and Rationale:

Eliminate: DA Circular, "Personal Security Clearance and Request for Personnel Security Investigations," governs the use of DD Form 398. Currently, the submission of supplemental data to update a previous DD Form 398 is authorized when a copy of the previous DD Form 398 is attached. The requirement to resubmit fingerprints is unnecessary and should be eliminated.

Requirement Imposed by Higher Authority: Director of Central Intelligence Directive No. 1/14

HQDA Staff or MACOM Nonconcurrency(s):

USAREUR - Concur with the information pertinent to the statement of personal history. However, this headquarters does not concur with the proposed elimination of resubmission of fingerprints. Fingerprints are the best method of ensuring the identity of the person being cleared or whose clearance is being updated.

TRADOC - A bring-up investigation includes a new check of FBI files for the period not covered since the last investigation. No system exists to use the old fingerprint card to complete a full investigation.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s):

Individuals who initiate a request for security clearance must complete DD Form 398 and provide their fingerprints. During initial clearance procedures, these fingerprints are valuable aids to establish identity for National Agency Checks, and Initial or Special

Background Investigations. The Special Background Investigation requires updating to ensure those individuals requiring special access to classified material are reaffirmed. The current procedure to effect this update is to submit the previous DD Form 398 plus a supplemental DD Form 398 and to submit additional fingerprint cards. The proposed action continues submission of the DD Form 398 but eliminates the resubmission of fingerprints. Persons occupying positions which require recurrent Special Background Investigations (Bring-up) are subject to close daily scrutiny and the repetitious reestablishment of identity through resubmission of fingerprints is not essential. Experience indicates that the use of new fingerprints to reestablish identity in the update process has little value and will not adversely impact on the outcome of update investigations. Currently, no system exists to use the old fingerprints in the reaffirmation process nor is one contemplated because the update process focuses on more current data.

Finding:

The resubmission of fingerprint cards is unnecessary. The Army (ACSI) should request the Director of Central Intelligence to delete the requirement to conduct an FBI technical fingerprint search when conducting a Special Background Investigation (Bring-up).

Army Regulation: AR 381-12, "Subversion and Espionage Directed
Against US Army and Deliberate Security
Violations (SAEDA)"

Proponent: ACSI

Source(s): FORSCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

An officer must indicate by signature that he has read and understands AR 381-12.

Proposed Action and Rationale:

Determination: AR 381-12 does not prescribe that officers verify by signature that they have read and understand the regulation.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

Army policy does not require an officer's signature to verify that he has read and understands AR 381-12.

Army Regulation: DA Pamphlet 351-20, "Announcement of Army
Correspondence Courses"
Paragraph 4a(4)

Proponent: TRADOC

Source(s): FORSCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Officer correspondence course applications must be forwarded to the appropriate school by the applicant's commander.

Proposed Action and Rationale:

Modify: Currently, DA Pamphlet 351-20 requires that correspondence course applications be forwarded through the applicant's commanding officer. It should be revised to permit applications to be forwarded through either the applicant's commanding officer or immediate commissioned staff supervisor. This measure ensures that the applicant's initiative and effort are noted by the commander or immediate staff supervisor. Consequently, it provides a service to the officer.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

It is in the best interests of the officer to forward correspondence course applications through his unit commander or staff supervisor. This ensures that the applicant's effort and initiative are noted.

Issue: TRADOC-2

Army Regulation: AR 351-20, "Army Correspondence Program"
Paragraph 13a

Proponent: TRADOC

Source(s): Review Group

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 351-20 requires a student to certify that he has not used or received unauthorized assistance on examinations.

Proposed Action and Rationale:

Eliminate: An officer certification that he has not received unauthorized examination assistance implies that an officer would intentionally violate standard correspondence course procedures.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

Officer certification that he has not received unauthorized assistance on examinations is unnecessary.

Army Regulation: AR 195-3, "Acceptance and Accreditation of Criminal Investigative Personnel"
Paragraph 2-6a(2)(c)

Proponent: USACIDC

Source(s): USACIDC

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Enlisted criminal investigator applicants must be interviewed by Criminal Investigation Command officers of a specified rank.

Proposed Action and Rationale:

Eliminate: AR 195-3 prescribes that only officers of a specified rank can conduct enlisted applicant interviews for enlisted special agent positions. This stipulation discounts the ability of other Criminal Investigation Command officers who are in equally suitable positions to conduct interviews.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The requirement limiting enlisted applicant interviews for criminal investigative positions to officers of specified rank is not necessary. Lower ranking officers occupying equally suitable positions possess the knowledge and expertise to conduct enlisted applicant interviews for enlisted special agent positions. This requirement was eliminated by AR 195-3 dated 11 July 1977. The authority to conduct applicant interviews was extended to warrant officers, lieutenants and captains who occupy specified positions.

Army Regulation: AR 195-4, "Use of CIDC Funds for Criminal Investigative Activities"
Paragraph 1-7b

Proponent: USACIDC

Source(s): USACIDC

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 195-4 states that approving officers for Military Police Investigator (MPI) claimants for reimbursement of CID funds normally will be field grade supervisors.

Proposed Action and Rationale:

Eliminate: The requirement that field grade officers normally approve MPI reimbursements is not necessary. Company grade officers are familiar with reimbursement requirements and should be afforded approval authority.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The requirement that field grade officers normally approve MPI reimbursements is not necessary; company grade officers can perform the same function.

Army Regulation: AR 195-4, "Use of CIDC Funds for Criminal Investigative Activities"
Paragraph 3-4b

Proponent: USACIDC

Source(s): USACIDC

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 195-4 requires a commissioned officer functioning as a CID Fund Custodian to sign "I have read and understand the provisions of AR 195-4."

Proposed Action and Rationale:

Eliminate: The requirement that an officer sign to indicate that he has read and understands the provisions of AR 195-4 undermines the special trust placed in commissioned officers and is an unnecessary administrative procedure.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The requirement for an officer to sign that he has read and understands the provisions of AR 195-4 is unnecessary.

Army Regulation: AR 50-6, "Chemical Surety Program"
Paragraph 2-40d

Proponent: DCSOPS

Source(s): DCSOPS

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 50-6 requires a supervisory level individual, designated by the commander, to certify in writing that security personnel assigned to duties involving the protection of chemical surety material are proficient and qualified.

Proposed Action and Rationale:

Eliminate: The certification requirement for chemical security supervisors indicates a lack of confidence in the chain of command. Written certification is not necessary to prove the proficiency and qualification of security personnel.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

Supervisors should not be required to certify in writing that security personnel assigned to chemical security duties are proficient and qualified.

Army Regulation: AR 50-6, "Chemical Surety Program"
Paragraph 3-5c

Proponent: DCSOPS

Source(s): DCSOPS

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 50-6 requires immediate supervisors to certify in writing that military and civilian personnel assigned to critical chemical surety positions are qualified to perform their chemical surety duties.

Proposed Action and Rationale:

Eliminate: The certification requirement for chemical surety supervisors indicates a lack of confidence in the chain of command. Written certification is not necessary to prove that individuals are qualified to perform chemical surety duties.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

Supervisors should not be required to certify in writing that military and civilian personnel assigned to critical chemical surety positions are qualified.

Army Regulation: AR 220-1, "Unit Readiness Reporting"

Proponent: DCSOPS

Source(s): CGSC Student, USAREC, FORSCOM, AWC Student

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Unit Readiness Reporting promotes unethical practices.

Proposed Action and Rationale:

Modify: Unit Readiness Reporting is designed to reflect the condition of a unit based upon established criteria. The report provides essential management data to Army decision-makers and the status of units to JCS. Therefore, the report should be retained. However, pressures should not exist which would prompt individuals to manipulate data to obtain higher readiness categories. The Strategic Studies Institute Study on "US Army Unit Readiness Reporting" concluded that pressures to use broad permissible judgmental and managerial flexibility beyond the intended spirit have sometimes led to perceived compromises of integrity. Modifications to AR 220-1 should be made to correct reporting and integrity discrepancies.

Requirement Imposed by Higher Authority: JCS Publication 6

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

HQDA (DCSOPS) is revising AR 220-1 to improve credibility at the unit level and to preserve integrity.

Army Regulation: AR 670-5, "Uniform and Insignia for Male Personnel"

Proponent: DARCOM

Source(s): TIG

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

A number of officers working in the Pentagon and other facilities do not wear their uniform during duty hours except possibly one day per week. These officers usually have been given an option of wearing the uniform and it appears they prefer civilian attire. This is viewed by other officers as degrading.

Proposed Action and Rationale:

Determination: Times, places and occasions for wearing the uniform may be determined on an individual/group basis. An officer who elects to wear civilian attire may be satisfying a particular requirement. This situation should not be viewed as inappropriate or degrading.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s):

USACC - Concur with the recommendation that times, places and occasions for wearing the uniform be determined on an individual/group basis. AR 670-5 should be changed to reflect that policy.

USMA - Recommend this comment be considered more carefully and that a more detailed rationale be used to support the optional wear of civilian clothing on duty.

Consideration of Nonconcurrency(s)/Comment(s):

Army policy does prescribe general guidelines concerning wear of the uniform. AR 670-5 provides that commanders and department heads may prescribe wear of civilian attire when requirements dictate. Specific times, places and occasions for wearing of civilian attire need not be prescribed. This judgment should remain with the commander or staff/agency head.

Finding:

The wearing of civilian attire at certain times and places may be necessary based on situational requirements.

Army Regulation: AR 670-5, "Uniform and Insignia for Male Personnel"

AR 670-30, "Female Personnel"

Proponent: DARCOM

Army Regulation: AR 600-20, "Army Command Policy and Procedures"

Proponent: TAGCEN

Source(s): TRADOC

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

It appears that Judge Advocate General Corps (JAGC) and Medical Corps (MC) officers do not adhere to uniform and appearance standards. Dual dress standards are demoralizing and degrading.

Proposed Action and Rationale:

Determination: AR 670-5 prescribes that dress standards are applicable to all grades and branches. Commanders should ensure that all officers adhere to established dress standards.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s):

TJAG - Dress and appearance standards apply to all Army personnel and enforcement is a command responsibility. If commanders believe that JAGC and MC officers over whom they exercise command are not complying with the dress and appearance standards, command action must be initiated.

USARJ - Commanders must ensure adherence to dress standards; any officer who doesn't measure up should be eliminated.

Consideration of Nonconcurrency(s)/Comment(s):

It is the commander's responsibility to ensure that all officers adhere to the prescribed uniform and appearance standards. Generalizations of any officer specialty should not be made based upon the actions of a few members of that specialty.

Finding:

To preserve discipline and esprit de corps all officers must conform to Army standards and obligations. Commanders must address individual uniform and appearance breaches as required.

Army Regulation: AR 27-20, "Claims"

Proponent: TJAG

Source(s): FORSCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 27-20 requires a witness to an officer's signature on a claim against the government. This practice seems to detract from the credibility of the officer's claim.

Proposed Action and Rationale:

Eliminate: DD Form 1842, "Claim for Personal Property," requires a witness. This requirement serves no useful purpose. A person who makes a fraudulent claim against the government may be prosecuted without the signature of a witness. DD Form 1842 is used by all services for all claimants. Unilateral modification of the form is impracticable in view of single-service claims responsibility in certain areas. If the witness requirement were changed by the Army, an Army officer would have to complete the witness form in some claims offices but not in others. Moreover, claims clerks in Army claims offices would have to complete the witness form for some claimants but not for others. Consequently, the witness requirement should apply to all individuals of all services.

Requirement Imposed by Higher Authority: DOD 5515.3, Settlement of Claims Under 10 USC 2733 and 2734 as amended.

DOD 5518.8, Single Service Assignment of Responsibility for Processing Claims.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The witness requirement for DD Form 1842 is not necessary. It should be eliminated for both officer and enlisted claimants. Since the form is utilized by all services, TJAG should initiate action to standardize the form throughout the services.

Issue: TJAG-2

Army Regulation: AR 27-20, "Claims"

Proponent: TJAG

Source(s): FORSCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 27-20 requires written proof to substantiate a claim against the government for over \$25.00. This basic limit should be raised for officers.

Proposed Action and Rationale:

Determination: AR 27-20 does not require "written proof" for all claims over \$25.00. Many claims up to \$750.00 are handled under "small claims" procedures without written proof. The requirement for proof of claims not settled as small claims is necessary for an accurate estimate of the loss. These management practices are sound.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

AR 27-20 prescribes sound procedures for administering claims and should not be changed.

Army Regulation: Uniform Code Military Justice (UCMJ)
Article 30, "Preferral of Charges"

Proponent: TJAG

Source(s): TRADOC

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Under the provisions of Article 30, an officer is required to swear to his or her written statement.

Proposed Action and Rationale:

Determination: The requirement of swearing to a written statement is not prescribed by the Uniform Code of Military Justice (UCMJ); however, this requirement is often imposed by regulation. The provisions and authority for swearing to written statements are prescribed in Article 136, UCMJ. These provisions specify who is authorized to administer the oath but do not require sworn statements. In certain cases, sworn statements are admissible in Article 32 investigations.

Requirement Imposed by Higher Authority: 10 USC 801-940

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

Article 30, Uniform Code Military Justice addresses swearing to charges, not written statements. In some cases, Army regulations require sworn statements which are useful in several areas and do not undermine officer trust.

Army Regulation: Uniform Code of Military Justice (UCMJ)
Article 30, "Preferral of Charges"
Title 10, Section 830

Proponent: TJAG

Source(s): FORSCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

An officer preferring charges under the provisions of the Uniform Code of Military Justice must swear to the truth of charges.

Proposed Action and Rationale:

Determination: The Uniform Code of Military Justice prescribes that charges must be sworn. The requirement of swearing to charges does not demean an officer's trust; rather it is accomplished to impress upon the officer the seriousness of preferring charges. Swearing to charges is a common procedure in both the civilian and military criminal justice systems.

Requirement Imposed by Higher Authority: 10 USC 801-940

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

Swearing to charges has a statutory basis and does not demean officer special trust.

Army Regulation: AR 210-6, "Furniture and Household Equipment Support for Family Housing and Bachelor Housing" Paragraph 1-8c

Proponent: COE

Source(s): COE

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

The installation commander or an authorized official must certify each procurement action for housing furnishings. He certifies that the action is advantageous to the government and that there are no known excess furnishings which are suitable for the intended use.

Proposed Action and Rationale:

Eliminate: The requirement that installation commanders certify housing furnishing requests represents overmanagement. Adequate controls are provided in individual directives and through review of Furnishing Report RCS ENG-235; DA Form 3848-R, "Family Housing Furnishings;" and DA Form 3849-R, "Bachelor Housing Furnishings."

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

It is not necessary for installation commanders to certify housing furnishing requests.

Army Regulation: AR 210-50, "Family Housing Management"
Paragraph 3-7

Proponent: COE

Source(s): FORSCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

When officers clear government quarters, these quarters are inspected by enlisted personnel and civilians.

Proposed Action and Rationale:

Retain: AR 210-50 states that occupants will be held pecuniarily responsible for willful or negligent loss or damage to government property. This damage or loss, if any, must be ascertained. Also, individual officers and their families hold varying standards of household maintenance; therefore, an inspection system is essential to ensure compliance with overall standards. It is appropriate that enlisted personnel and civilians conduct quarters inspections.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s):

TRADOC - Current procedures for clearance of family quarters should be retained for protection of individual officers.

USARJ - Agree that enlisted personnel and civilians may conduct quarters inspections; however, there should be some level of expertise required for this duty which should be spelled out in regulations.

Consideration of Nonconcurrency(s)/Comment(s):

AR 210-50 provides adequate guidance to conduct an effective family housing inspection program. Commanders must ensure that inspection personnel are sufficiently qualified to perform their duties.

Finding:

Government quarters should be inspected as a part of the clearing process. Qualified enlisted and civilian personnel should be authorized to conduct the inspection.

Army Regulation: AR 210-52, "Transient Quarters"

Proponent: COE

Source(s): Review Group, ALFSE

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

An officer occupying transient quarters must sign a hand receipt for furniture and his departure may prompt a check by enlisted or civilian personnel to ascertain if property has been stolen.

Proposed Action and Rationale:

Determination: DA policy does not require an officer who uses transient facilities to hand receipt for furniture.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s):

USAREC - Although DA policy does not require this procedure, it is common practice at many installations. Follow-up action should be initiated to develop appropriate policy and standardize it Army-wide.

Consideration of Nonconcurrency(s)/Comment(s):

To the extent possible, Army policy should prescribe "what" not "how." Commanders must be aware that officer hand receipts for transient quarters furniture and conducting an inventory as a part of the departure procedure undermine an officer's trust and are major irritants.

Finding:

DA policy does not prescribe that officers occupying transient quarters sign a hand receipt for furniture. Commanders must be made aware of this irritant.

Army Regulation: AR 37-52, "Per Diem Allowances"
Paragraph 9b

Proponent: COA

Source(s): COA

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 37-52 requires that an administrative memorandum from the director or commander of a maneuver or exercise be furnished to support a service member's travel voucher.

Proposed Action and Rationale:

Retain: This memorandum provides the beginning and closing dates of the exercise, statement as to accommodations used and duty performed. The information is used by the finance and accounting officer and expedites proper payments.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s):

TRADOC - A per diem voucher submitted by an officer is considered sufficient documentation.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s):

Frequently the official beginning and closing dates of an exercise and the available accommodations are not known to officers, especially when CONUS-based troops are deployed OCONUS. The memorandum provides the required information and ensures equity of payment to all exercise participants.

Finding:

The director or commander of a maneuver or exercise should provide an administrative memorandum which stipulates dates, available accommodations and duties performed.

Army Regulation: AR 37-101-1, "Field Organization and Operating Instructions Under the Joint Uniform Military Pay System - Army (JUMPS-Army)" Paragraph 8-7

DA Pamphlet 600-8, "MILPO Management and Administrative Procedures

Proponent: COA

Source(s): MILPERCEN

Policy, Practice or Procedure which Degrades an Officer's Special Trust

DA Pamphlet 600-8 requires a Military Personnel Officer to certify on DA Form 4188-R, "Verification of MPRJ and PFR," "that the above information has been verified from documentation in the member's MPRJ (DA Form 201) and/or DA Forms 2, 2-1, 20 and 66."

Proposed Action and Rationale:

Modify: Remove the MILPO certification from DA Form 4188-R and accept the personnel officer's signature on this form as evidence of proper authentication.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s):

USAREC - DA Forms 4188-R are used by unit commanders to inform the FAO of changes affecting pay entitlements of service members. Certification by the personnel officer serves to eliminate errors by verifying the information against documentation contained in the MPRJ. This verification does not diminish special trust, but does serve to reduce pay errors.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s):

DA Form 4188-R certification does not improve the accuracy of data provided to the Finance and Accounting Office. Verification of data provided by the personnel office to the FAO, with authentication by the personnel officer, is considered an efficient and effective administrative control procedure.

Finding:

Military Personnel Officer certification on DA Form 4188-R is unnecessary. The personnel officer's signature provides proper authentication.

Issue: COA-3

Army Regulation: AR 37-101-1, "Field Organization and Operating Instructions Under the Joint Uniform Military Pay System - Army (JUMPS-Army)" Paragraph 8-4

DA Pamphlet 600-8, "MILPO Management and Administrative Procedures"

Proponent: COA

Source(s): MILPERCEN

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

DA Pamphlet 600-8 requires a military personnel officer to sign and submit a unit transmittal letter to the FAO stating, "I have reviewed the above listed document, verified that the required copies are included and that entries appropriately reflect true document contents."

Proposed Action and Rationale:

Modify: Rescind that portion of DA Pamphlet 600-8 that requires certification and accept the officer's signature on the transmittal letter as evidence of proper authentication.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The military personnel officer should not be required to certify the unit transmittal letter which forwards data to the FAO.

Army Regulation: AR 37-101-1, "Field Organization and Operating Instructions Under the Joint Uniform Military Pay System - Army (JUMPS-Army)"
Figure 5-10

AR 37-104-3, "Military Pay and Allowance Procedures (JUMPS-Army)"
Figure 4-3

Proponent: COA

Source(s): TRADOC

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

To submit a pay inquiry, an officer must obtain a unit commander's signature.

Proposed Action and Rationale:

Eliminate: AR 37-104-3 prescribes the use of DA Form 2142, "Pay Inquiry." The form requires the signature of the commander. An officer should be permitted to make a pay inquiry without command approval.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

An officer should not be required to obtain approval to submit a pay inquiry.

Army Regulation: AR 37-104-3, "Military Pay and Allowance Procedures (JUMPS-Army)"
Paragraph 30203a

Proponent: COA

Source(s): COA

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 37-104-3 states that when an individual in pay grade O-4 or higher elects not to occupy permanent government bachelor quarters, this election must be approved by appropriate authority before BAQ can be paid.

Proposed Action and Rationale:

Eliminate: The Department of Defense Military Pay and Allowances Entitlements Manual authorizes an election. No requirement exists for approval by a "higher authority."

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

Officers in pay grade O-4 or higher should not be required to obtain approval if they elect not to occupy permanent government bachelor officer quarters.

Army Regulation: AR 37-104-3, "Military Pay and Allowance Procedures (JUMPS-Army)"
Paragraph 30405

Proponent: COA

Source(s): COA

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

A statement must be completed by an officer to support payment of Temporary Lodging Allowance (TLA). The statement must show the dates and address of the lodging and the number of dependents.

Proposed Action and Rationale:

Retain: The principal use of the statement is to provide justification to support payment. The required statement is attached to DA Form 2139, "Military Pay Voucher," and submitted to USAFAC. Payments are not authorized without the statement.

Requirement Imposed by Higher Authority: Joint Travel Regulation
Volume I, Paragraph M4303

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The requirement for officers to complete a statement to support payment of Temporary Lodging Allowance is necessary.

Army Regulation: AR 37-104-3, "Military Pay and Allowance Procedures (JUMPS-Army)"
Paragraph 30302, Figure 3-6

Proponent: COA

Source(s): COA

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

DD Form 1561, "Statement to Substantiate Payment of Family Separation Allowances," must be certified by the member to substantiate eligibility for the Family Separation Allowance. Certification as to location of dependents, marital status and that the dependent is not a member of the Armed Forces on active duty is required.

Proposed Action and Rationale:

Retain: The principal use of DD Form 1561 is to provide the FAO with a means to evaluate the member's request. It also provides an audit trail for validating propriety of payment and serves as a substantiating document.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

Certification to support payment for Family Separation Allowance is necessary.

Army Regulation: AR 37-104-3, "Military Pay and Allowance Procedures (JUMPS-Army)"
Paragraph 30214b, Figure 3-4

Proponent: COA

Source(s): COA

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Completion of DD Form 137, "Application for Basic Allowance for Quarters for Members with Dependents," requires certification of the relationship and specification of data pertaining to an adopted or illegitimate child. This form is forwarded to Commander, USAFAC, for approval or disapproval.

Proposed Action and Rationale:

Modify: The purpose of DD Form 137 is to provide information to establish and evaluate a member's request for approval of dependency. This purpose may be served without certification on DD Form 137.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The Army (COA) should recommend to DOD the elimination of the certification statement on DD Form 137. The certification statements are not necessary.

Army Regulation: AR 37-104-3, "Military Pay and Allowance Procedures (JUMPS-Army)"
Paragraph 70102, Figure 7-1

Proponent: COA

Source(s): COA

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

All members are required to complete Form W-4, "Employee's Withholding Allowance Certificate," to establish legal residence and number of exemptions for federal and state tax purposes.

Proposed Action and Rationale:

Retain: This information is used by the FAO to input data elements to the Master Military Pay File. It provides the authority to withhold federal tax and, when applicable, state tax.

Requirement Imposed by Higher Authority: 26 USC 3402(f), (sec 3402(f), IRC of 1954)

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

Completion of Form W-4 by officers is necessary to establish legal residence and number of exemptions for federal and state tax purposes.

Army Regulation: AR 37-104-3, "Military Pay and Allowance Procedures (JUMPS-Army)"
LOI 77-15

Proponent: COA

Source(s): COA

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

All members who have designated certain states as their home of record, (e.g., New Jersey and New York), are required to complete a Declaration of State Tax Withholding Status (USAFAC Form 2870).

Proposed Action and Rationale:

Retain: This information is required to determine the correct state tax withholding status. The declaration is filed as a permanent document in the Personal Financial Record to support state tax withholding or non-withholding. If the form were not completed, state tax would be withheld unless non-withholding status was obvious.

Requirement Imposed by Higher Authority: 5 USC 5517 (PL 94-455,
Section 1207(a))

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

In some cases, completion of USAFAC Form 2870 is necessary to facilitate determination of state tax withholding status.

Army Regulation: AR 37-104-3, "Military Pay and Allowance Procedures (JUMPS-Army)"
LOI 77-13R

Proponent: COA

Source(s): COA

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

All members are required to complete DD Form 2058, "State of Legal Residence Certificate," upon initial service entry and when changing the designated state of legal residence.

Proposed Action and Rationale:

Retain: This information is required to determine the state of legal residence for the purpose of withholding state income tax.

Requirement Imposed by Higher Authority: 5 USC 5517 (PL 94-455, Section 1207(a))

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

Officers should complete DD Form 2058 to establish or change their state of legal residence.

Army Regulation: AR 37-104-3, "Military Pay and Allowance Procedures (JUMPS-Army)"
Paragraph 30214, Figure 3-3

Proponent: COA

Source(s): COA

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Completion of DA Form 3298, "Authorization to Start or Stop BAQ Credit," requires officer certification to the relationship of claimed dependent, that dependent is not a member of the armed forces and that notification will be provided to the finance officer in the event of dependency status change.

Proposed Action and Rationale:

Modify: The purpose of DA Form 3298 is to provide information to establish the member's dependents. This information is essential to process BAQ entitlements. DA Form 3298 should be modified by removing the terminology "I certify" and "I certify that" currently required of both the service member and the approving authority. This terminology is nonessential and degrading.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

Officers should complete DA Form 3298 to identify dependents for BAQ entitlements. The terminology "I certify" is not necessary.

Army Regulation: AR 37-104-3, "Military Pay and Allowance Procedures (JUMPS-Army)"
Paragraph 30216a

Proponent: COA

Source(s): TRADOC

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 37-104-3 requires an officer to provide a marriage certificate or other documentary evidence to support a claim for Basic Allowance for Quarters (BAQ).

Proposed Action and Rationale:

Eliminate: This issue was previously recommended for retention; however, the following rationale substantiates elimination:

TACGEN - An officer's signature when claiming dependents should be sufficient to document payment of BAQ. This is critical when a reservist goes on active duty for short periods. A reservist may come on duty annually for as many as 25 to 30 times in a period of 20 years. Each time the marriage certificate must be shown.

FORSCOM - An officer should know if he is legally married and his certification that he is, in fact, married should be sufficient to substantiate payment for Basic Allowance for Quarters.

TRADOC - An officer's signature on DA Form 3298, "Authorization to Start or Stop BAQ Credit," should be sufficient to establish dependency for payment of BAQ.

USMA - The requirement to produce a marriage certificate to support a claim for quarters allowance degrades the officer's special trust. The response which justifies the policy by stating it "is necessary" avoids the question of why an officer's word is insufficient certification for a routine pay action.

USACC - Marital information is provided and certified under this AR by the officer on DA Form 3298 which is part of the Finance Record. Penalty for false/incorrect statements are also delineated on this form. To require an officer to further verify this information does, in fact, undermine the officer's trust.

USASCH - An officer's statement that he is married should be sufficient to authorize BAQ.

In addition, the Army Regulation requirement for marriage certificate documentation to support BAQ only applies to BAQ initiation. The officer's signature is accepted to discontinue BAQ.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s):

COA - The marriage certificate is a source document for the establishment of the entitlement. The responsibility for ensuring that disbursements are made only for established entitlements rests with the Finance and Accounting Officer, not the payee. The proper documentation of entitlement to military allowances is not considered a violation of trust; it is a management practice widely accepted throughout the government and approved by the General Accounting Office (AR 37-104-3, to implement the JUMPS System, was approved for publication by the GAO).

HQDA Staff or MACOM Comments: None.

Consideration of Nonconcurrency(s)/Comment(s):

The DOD Pay and Allowances Entitlements Manual requires that dependency status be approved before entitlement to BAQ is authorized. The procedures to implement this guidance are left to the discretion of the individual service. The Army disbursement officer, who normally makes this determination, must have a method to substantiate the claim for BAQ. Currently, documentation such as a marriage certificate or other evidence is required for determination. This determination could be made on the basis of an officer's signature on a modified DA Form 3298, i.e., an officer could attest marriage certificate possession. In those cases where the marriage is of questionable legality and must be referred to the USAFAC or the Comptroller General for determination, then additional documentation should be provided. A penalty statement is printed directly above the service member's signature on DA Form 3298 which reads, "making a false statement or claim against the U. S. Government is punishable by court-martial. The penalty for willfully making a false claim or a false statement in connection with claims is a maximum fine of \$10,000 or maximum imprisonment of five years, or both, (184 USC 287,1001)." It is the officer's responsibility to provide the FAO correct dependency data. If an officer does not fulfill this responsibility, he is subject to fine or imprisonment.

Finding:

An officer's signature should be sufficient to substantiate BAQ entitlement.

Army Regulation: AR 37-104-3, "Military Pay and Allowance Procedures (JUMPS-Army)"
Figure 3-6

Proponent: COA

Source(s): EIGHTH ARMY

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

DD Form 1561, "Statement to Substantiate Payment of Family Separation Allowance," requires the signature of the initiator and that of the personnel officer.

Proposed Action and Rationale:

Retain: The initiator's signature is used to substantiate family separation allowance data while the personnel officer's signature substantiates additional data placed on the form.

Requirement Imposed by Higher Authority: DOD Military Pay and Allowance Entitlements Manual

HQDA Staff or MACOM Nonconcurrency(s):

TRADOC - The officer concerned can provide all the information required on DD Form 1561.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s):

The personnel officer's participation in processing Family Separation Allowance is a quality control measure to improve data accuracy. The dependency data are critical to a service member in an unaccompanied status.

Finding:

The personnel officer's participation in processing applications for Family Separation Allowance is a quality control measure which provides a service to the officer.

Army Regulation: AR 37-104-3, "Military Pay and Allowance Procedures (JUMPS-Army)"
Paragraph 10512 and 10515

Proponent: COA
(TSG Procedural Proponent)

Source(s): COA

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 37-104-3 requires medical and dental officers to make a statement to substantiate payment of special continuation pay. The statement reads: "I have received a copy of DA Message ... and have read it. I understand that its provisions are made a part, by reference, of the service agreement entered into under this program."

Proposed Action and Rationale:

Modify: Acceptance of continuation pay changes the service agreement and the finance officer requires documentation to process continuation pay. Consequently, the requirement to acknowledge continuation pay and a change in the service agreement is necessary; however, the need to sign the statement "I have received..." should be eliminated.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s):

USMA - It is important that recipients of continuation pay understand the terms of the continuation agreement. Signing the statement of receipt and understanding ensures that the individual concerned is provided with the essential information describing the terms of the agreement. The statement "I have received..." should be retained.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s):

There is full agreement that recipients of continuation pay understand the terms of the continuation agreement and acknowledge such in writing. However, language such as "I have received a copy of DA Message... and have read it" is not necessary. Therefore, this terminology should be eliminated.

Finding:

The continuation pay acknowledgement should not contain the statement "I have received DA Message (Subject/DTG) and have read it." This portion is nonessential and degrading.

Army Regulation: Draft AR 37-104-10, "Financial Administration -
JUMPS-RC Army"
Paragraph 2-23

Proponent: COA

Source(s): COA

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

A reserve officer claiming administrative duty pay must certify that he assumed command of the unit, that he is not a technician and that the strength of the unit is of a certain number. Further, the member's entitlement to administrative duty pay must be certified by the next superior commanding officer.

Proposed Action and Rationale:

Retain: "GAO Policy and Procedures Manual for Guidance of Federal Agencies" stipulates that payroll transactions will be supported by properly authorized documents. Certification substantiates member entitlement. Since the next superior officer has the authority to withhold entitlement, a certification at that level is necessary.

Requirement Imposed by Higher Authority: "GAO Policy and Procedures Manual for Guidance of Federal Agencies"
Title 6, Section 16

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

A reserve officer claiming administrative duty pay should provide required documentation.

Army Regulation: Draft AR 37-104-10, "Financial Administration - JUMPS-RC Army"
Paragraph 2-24

Proponent: COA

Source(s): COA

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

All reserve officers must complete a certificate claiming entitlement to clothing allowance and certifying that specific criteria for eligibility have been met. Also, these criteria are verified by another officer who must sign the certificate.

Proposed Action and Rationale:

Modify: "GAO Policy and Procedures Manual for Guidance of Federal Agencies" stipulates that all payroll transactions must be supported by authorized documentation. An officer's certification, without another officer's verification, is sufficient to substantiate clothing allowance payment.

Requirement Imposed by Higher Authority: "GAO Policy and Procedures Manual for Guidance of Federal Agencies"
Title 6, Section 16

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

A reserve officer's claim for clothing allowance should not require another officer to verify the claim.

Army Regulation: AR 37-106, "Travel and Transportation Allowances"
Paragraph 9-93c and 9-94c

Proponent: COA

Source(s): COA

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

When dependent travel by privately-owned conveyance to or from Alaska, Canada, the island portion of Newfoundland, Mexico or Central America (including the Panama Canal Zone) is not specifically authorized in orders, AR 37-106 requires CONUS or OCONUS commander approval to support a travel allowance claim. This requirement is also imposed by paragraph 6-4d, AR 55-46, "Travel of Dependents and Accompanied Military and Civilian Personnel To, From, or Between Oversea Areas" (MILPERCEN).

Proposed Action and Rationale:

Eliminate: This approval is not required for payment at finance and accounting offices and serves no useful purpose.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s):

MILPERCEN concurs in rescinding paragraph 6-4d, AR 55-46.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

It is not necessary for commanders to approve dependent travel by privately-owned conveyance to or from Alaska, Canada, the island portion of Newfoundland, Mexico or Central America (including the Panama Canal Zone) to support a travel allowance claim.

Army Regulation: AR 37-106, "Travel and Transportation Allowances"
Paragraph 3-29d

Proponent: COA

Source(s): COA

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

When not specifically authorized in orders, AR 37-106 requires Commander, USAFAC, approval for POV travel to home of selection for service members whose active duty is terminated by retirement, discharge with severance pay, or involuntary release to inactive duty with readjustment pay. This approval is required to support a claim for travel allowance when travel is between CONUS and Alaska, the island portion of Newfoundland or Central America (including the Panama Canal Zone).

Proposed Action and Rationale:

Eliminate: This approval is not required for payment at finance and accounting offices and serves no useful purpose.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

There is no valid requirement for service members to obtain approval from Commander, USAFAC, to support a travel allowance claim.

Army Regulation: AR 37-106, "Travel and Transportation Allowances"

Proponent: COA

Source(s): Review Group, ALFSE, USACC, TRADOC, EIGHTH ARMY,
FORSCOM, AWC Student, USAREUR

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 37-106 states that an officer must obtain a statement of nonavailability of government quarters and mess to support TDY travel payment.

Proposed Action and Rationale:

Eliminate: AR 37-106 prescribes that officers traveling TDY must use government quarters and mess when available. Although use of government quarters and mess by officers is essential to conserve funds, it is unnecessary for them to affix statements of nonavailability to travel vouchers. DD Form 1351-2, "Travel Voucher or Subvoucher," should be modified to provide space to indicate the availability/nonavailability of government quarters and mess. This change, coupled with travel voucher submission processes, alleviates the need for statements of nonavailability.

Requirement Imposed by Higher Authority: Joint Travel Regulations
Volume I, Paragraph M4451

HQDA Staff or MACOM Nonconcurrency(s):

USARJ - The nonavailability statement is essential since the certificate on the travel voucher only certifies that government quarters and/or mess were or were not used as opposed to available or not available. The determination of availability of mess and/or quarters must rest with the installation commander.

USAREC - The requirement to provide statements of nonavailability of government quarters is a sound management practice. An officer's pay entitlements should be documented whether those entitlements are accruing from a promotion or as a result of TDY expenses. Documentation of pay entitlements is reasonable and does not infringe upon an officer's special trust.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s):

Pay transactions must be documented and officers must ascertain the availability of government quarters and mess; however, statements of nonavailability are not required to process travel vouchers. DD Form

1351-2 could be modified to indicate quarters and mess availability and the officer could attest to such. Previous proposals to eliminate the requirement for officer and senior NCO statements have been disapproved because of General Accounting Office (GAO) objections. GAO stated that statement removal eliminated the normal checks and balances that ensure government facilities are used when available. Eight sources identified "the normal checks and balances" of statements of nonavailability as detrimental to officer trust. An officer's word and action can ensure that travel vouchers reflect appropriate use of government mess and quarters. The proposal to eliminate statements of nonavailability of government quarters and mess requires OSD approval.

Finding:

The Army (DCSPER) should recommend to the Per Diem, Travel and Transportation Allowance Committee that the requirement to provide statements of nonavailability of government quarters and mess for officers be eliminated.

Army Regulation: AR 37-106, "Travel and Transportation Allowances"

Proponent: COA

Source(s): FORSCOM, AWC Student, USAREUR, DARCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

An officer must provide lodging receipts to support travel voucher payment.

Proposed Action and Rationale:

Eliminate: AR 37-106 was revised by DA message 282256Z September 1976, "Lodging Receipts," which required receipts for lodging to support payment of TDY travel. This requirement implies that an officer cannot be trusted to apply only for reimbursement for actual expenses. The travel voucher shows lodging expenses and this document is signed by the officer. It should be sufficient substantiation for reimbursement.

Requirement Imposed by Higher Authority: Joint Travel Regulation

HQDA Staff or MACOM Nonconcurrency(s):

USARJ - It is essential that a lodging receipt(s) is made available to determine the total quarters cost for proper computation of travel entitlements. Lodging receipts are required for officers on TDY/PCS in CONUS/OCONUS and for civilian employees on TDY/PCS in CONUS only. A lodging receipt should be required for all personnel on TDY/PCS regardless of being military or civilian employees.

USAREC - The requirement to provide lodging receipts is a sound management practice. An officer's pay entitlements should be documented whether those entitlements are accruing from a promotion or as a result of TDY expenses. Documentation of pay entitlements is reasonable and does not infringe upon an officer's special trust.

USMA - Recommend retention of this requirement for all personnel. Submission of receipts for lodging expenses has assisted other efforts to conserve travel funds. Relinquishment of the requirement for one class of travelers may lead to requests to extend the privilege to all travelers and thus a valuable control might be lost. The JTR requires receipts for other travel expenses over \$15.00; the proposed revision could eventually impact on this requirement as well.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s):

Lodging receipts are not required for computation of travel entitlements. Data required to determine lodging reimbursement can be provided by the officer on DD Form 1351-2, "Travel Voucher or Subvoucher." Officer pay entitlements should be documented; however, the officer's signature should be acceptable evidence of documentation. It is not intended that the elimination of lodging receipts for officers be applied to other personnel. An officer is capable of determining what lodging expenses are authorized and should be trusted to apply for reimbursement of authorized expenses. There is no systematic way of checking the honesty of officers on this activity and it will be difficult to know if trust is being abused. However, officers must be afforded the opportunity to exercise trust and the risk is justified.

Finding:

The Army (DCSPER) should recommend to the Per Diem, Travel and Transportation Allowance Committee that the requirement for lodging receipts to support an officer's travel claim be left to the discretion of the Services.

Army Regulation: AR 37-106, "Travel and Transportation Allowances"

Proponent: COA

Source(s): CGSC Student

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Officers traveling TDY in another member's POV receive TDY funds for that travel. These funds are not properly earned.

Proposed Action and Rationale:

Retain: Military personnel who do not use government transportation and travel by other means for their convenience are provided an allowance of seven cents per mile - the maximum authorized by law. This allowance is payable without regard to whether the member drives a POV or rides as a passenger in a POV. In practice, many who ride as passengers share the cost of the trip with the POV owner and incur other expenses. Consequently, travel funds should be provided for POV passengers.

Requirement Imposed by Higher Authority: Title 37, USC, Section 404
Joint Travel Regulations

HQDA Staff or MACOM Nonconcurrency(s):

DHRD - Military personnel who ride as passengers should not receive travel funds. These funds are not properly earned.

HQDA Staff or MACOM Comment(s):

USAREC - Different rates of reimbursement for military and civilian members appear discriminatory. Recommend equal reimbursement for both categories.

Consideration of Nonconcurrency(s)/Comment(s):

There is an unjustifiable difference in the mileage rates at which military and civilian personnel are reimbursed. Unlike civilians, military personnel are not paid at actual expense levels. Consequently, driver and passenger reimbursement are appropriate. The Army has submitted a legislative proposal to OSD which would remove the legal mileage rate of seven cents and authorize the Service Secretaries to establish an appropriate rate.

Finding:

Military passengers should be paid a travel allowance.

Army Regulation: AR 37-106, "Travel and Transportation Allowances"
Paragraph 1-27b(4)

Proponent: COA

Source(s): COA

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 37-106 requires that an official designated by the commander approve officer or dependent travel by privately-owned conveyance incident to retirement when the travel is between the continental United States and Alaska, Newfoundland or Central America (including the Canal Zone) and the mode of travel is not specifically authorized in the orders.

Proposed Action and Rationale:

Eliminate: AR 55-46, "Travel of Dependents and Accompanied Military and Civilian Personnel To, From, or Between Oversea Areas," states that the commander's approval will be used to support a claim for travel allowance upon arrival at the destination. This approval is not required for payment at FAO.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s):

MILPERCEN concurs in rescinding paragraph 6-4d, AR 55-46.

Consideration of Nonconcurrency(s)/Comment(s):

Both AR 37-106 and AR 55-46 will be changed.

Finding:

The requirement to approve officer travel by privately-owned conveyance incident to retirement when the mode is not specifically authorized in orders is not necessary.

Army Regulation: AR 37-106, "Travel and Transportation Allowances"
Paragraph 1-47e

Proponent: COA

Source(s): COA, INSCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 37-106 prescribes that when an automobile is rented for official business at government expense, all officers, except generals, must furnish a specific itinerary and mileage for all unofficial use. Generals furnish only the total official mileage.

Proposed Action and Rationale:

Eliminate: The requirement to furnish a specific itinerary should not apply to any officer. The requirement to furnish total official mileage should be sufficient.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s):

USAREC - Officers may use the rental car for personal business as well as official business; however, the government should not pay for that portion of the rental car mileage dedicated to personal use. The itinerary requirement is not a reflection against an officer's special trust -- it simply serves to document pay entitlements. This is a sound management practice and should be continued.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s):

Documentation of the entitlement is furnished by the officer submitting the total official mileage. A specific itinerary is not essential for this documentation.

Finding:

A specific itinerary and all unofficial mileage should not be required to document entitlements. Only total official mileage is appropriate to provide reimbursement.

Army Regulation: AR 37-106, "Travel and Transportation Allowances"
Paragraph 1-47d

Proponent: COA

Source(s): COA, INSCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 37-106 requires all officers, except generals, to make a statement that the entire use of a rented vehicle was for official reasons.

Proposed Action and Rationale:

Eliminate: Evidence for payment of a rental car is attached to the travel voucher. The requirement to submit a statement that the vehicle was used for official business is not necessary. The elimination of the statement does not eliminate the requirement that the vehicle be used only for official business (31 USC 638a(c)(2)).

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s):

USAREC - Officers may use the rental car for personal business as well as official business; however, the government should not pay for that portion of the rental car mileage dedicated to personal use. The statement of official use is not a reflection against an officer's special trust -- it simply serves to document pay entitlements. This is a sound management practice and should be continued.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s):

A statement that the entire use of the rented vehicle was for official use is unnecessary. If a portion of the mileage is for unofficial use, the officer should claim only that portion of the mileage relating to official business.

Finding:

A statement that the entire use of the rented vehicle was for official use is unnecessary. The total official mileage should be accepted as evidence of official business.

Army Regulation: AR 37-106, "Travel and Transportation Allowance"
Paragraph 1-27b(3)

Proponent: COA

Source(s): COA

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 37-106 requires an official designated by the commander to approve the travel voucher of individuals in special categories who are required to take physical examinations.

Proposed Action and Rationale:

Retain: A command approved travel voucher is the only substantiating documentation for travel payment to special categories of soldiers who are required to undergo physical examinations.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The command-approved travel voucher is necessary to support travel payment for individuals in special categories who are required to take physical examinations.

Army Regulation: AR 37-106, "Travel and Transportation Allowances"
JTR Volume I, Paragraph M4203-3a

Proponent: COA

Source(s): DARCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

When traveling between assignments, standard mileage tables are used for travel pay entitlements. Actual odometer mileage should be used.

Proposed Action and Rationale:

Retain: AR 37-106 prescribes the use of a standard mileage table for payment consistency between similar travel points. Since speedometers of privately owned cars are seldom calibrated, the mileage table procedure reflects sound management practice.

Requirement Imposed by Higher Authority: Joint Travel Regulation
Volume I, Paragraph M4203-3a

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

Standard mileage tables should be used for travel pay entitlements.

Army Regulation: AR 37-108, "General Accounting and Reporting for Finance and Accounting Offices"
Paragraph 18-3

Proponent: COA

Source(s): EIGHTH ARMY

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 37-108 requires that, as of the end of each FY, the unpaid obligation of each appropriation or fund account be certified at each command level.

Proposed Action and Rationale:

Retain: This certification is required by Public Law 663. It represents sound management practice in a most critical area.

Requirement Imposed by Higher Authority: Public Law 663

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

Sound management practice requires that the unpaid obligation of each appropriation or fund account be certified at each command level.

Army Regulation: AR 230-21, "Accounting Procedures for Nonappropriated Unit Funds, Inmates' Welfare Funds, Stockade Welfare Funds, and Commandants' Welfare Funds"

Proponent: COA

Source(s): Review Group

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 230-21 prescribes accounting and reporting procedures which may undermine an officer's special trust. It seems that both the Custodian and the President of the Unit Fund Council must cosign DA Form 3259-2, "Unit Fund Receipts and Expenditure Record."

Proposed Action and Rationale:

Eliminate: AR 230-65, "Nonappropriated Funds Accounting Procedures for Revenue-Producing Sundry and Welfare Funds," dated 1 August 1977 superseded AR 230-21 and the requirement for two officer signatures. "Cash, Property, and Reconciliation Record," (see Figure 9-1 AR 230-65 for format) will be used in lieu of the DA Form 3259 series and requires no signatures.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

A revision to AR 230-65 has eliminated the issue.

Army Regulation: AR 735-11, "Accounting for Lost, Damaged,
and Destroyed Property"
Table 2-1

Proponent: COA

Source(s): MTMC, FORSCOM, EIGHTH ARMY

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Multi-verification by commissioned officers is required to process an Inventory Adjustment Report resulting from a Report of Survey.

Proposed Action and Rationale:

Eliminate: AR 735-11 requires the submission of DA Form 444, "Inventory Adjustment Report," in lieu of a Report of Survey if negligence does not appear to be a factor. This form requires the signature of the accountable officer, a certification by the unit commander (or his representative) and a forwarding statement by the next higher level commander to the approving authority. Rescind the requirement for unit commander certification and accept the accountable officer's signature on DA Form 444 as evidence of proper authentication; however, continue the practice of obtaining the signature of the reviewing and approving authority.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s):

TSG - The Inventory Adjustment Report, DA Form 444, was introduced as a cost-efficient substitute for the Report of Survey, DD Form 200. The Report of Survey wasted many man-hours on nonproductive investigations and had become ingrained in logistical channels. The property book Inventory Adjustment Report essentially eliminated all the nonproductive investigations and returned responsibility for property concern and security to command channels. Elimination of this procedure is inadvisable because a commander's visibility of his command responsibility for property and physical security would become relegated and possibly hinder, in violation of the spirit, if not the letter, of title 10, USC 4832. The accountable officer's signature is essential because this is also the property accounting document and the signature verifies posting to the property accounting records.

USAREUR - By eliminating unit commander certification, particularly on lost, damaged, or stolen property, it appears to weaken the chain of responsibility linking the commander with his equipment.

TRADOC - Reference regulation is written for a TOE concept where the property book officer is under the unit commander. This is not the case with installation property under a consolidated property book where equipment is hand-receipted to the unit. If this requirement is eliminated, the unit commander would have no knowledge for administrative or disciplinary controls over the individual(s) responsible for the loss or damage.

HQDA Staff or MACOM Comment(s):

MDW - Concur in proposed action to rescind the requirement for unit commanders to provide a certification on DA Form 444. Inventory Adjustment Reports should continue to be reviewed by unit commander so he is fully aware of actions being taken by his accountable officer.

Consideration of Nonconcurrency(s)/Comment(s):

In October 1977, a Property Accountability Study will be initiated by ODCSLOG based upon guidelines from CSA. In conjunction with the property accountability problem, a new DD Form has been designed in accordance with DODI 7200.10M which will supersede DA Form 444 and eliminate the signature of the commander. The new DD Form requires signatures of the initiator, approving official, and reviewing official. Comments on this issue will be provided ODCSLOG for their consideration during the conduct of the study.

Finding:

Changes to property accountability procedures should be deferred pending completion of the Property Accountability Study.

Army Regulation: AR 735-11, "Accounting for Lost, Damaged,
and Destroyed Property"
Paragraph 3-27

Proponent: COA

Source(s): USACC, FORSCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Officer affidavits to support the facts involving a Report of Survey must be sworn to or affirmed before summary court officers, an adjutant, officers authorized by UCMJ, a notary public or a civil court officer. Additionally, the affidavit must be authenticated by this official.

Proposed Action and Rationale:

Eliminate: AR 735-11 prescribes an affidavit by the responsible officer or other individuals having knowledge of the facts. Eliminate the requirement for all affidavits in preparation of a Report of Survey and accept an officer's signed statement as sufficient documentation of his knowledge of the facts. By eliminating the affidavits, the requirement for authentication is eliminated.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s):

TRADOC - As the present DD Form 200, "Report of Survey," is configured, the affidavit portion is often completed by enlisted personnel or civilians. If this practice is to continue, block 15 of the form should be modified to allow for multiple entries, i.e., for officers, one signature would suffice. In other cases, two signatures would be required.

Consideration of Nonconcurrency(s)/Comment(s):

In October 1977, a Property Accountability Study will be initiated by DCSLOG based upon guidelines from CSA. Comments on this issue will be provided DCSLOG for study consideration.

Finding:

Changes to property accountability procedures should be deferred pending completion of the Property Accountability Study.

Army Regulation: Joint Travel Regulations (JTR)

Proponent: COA

Source(s): TRADOC

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Joint Travel Regulations (JTR) documentation requirements for officers differ by grade.

Proposed Action and Rationale:

Eliminate: The language of an officer's commission expresses special trust and confidence in that officer. Policies and practices cited in the JTR that differentiate this trust by virtue of grade contradict the basic tenets of an officer's commission.

Requirement Imposed by Higher Authority: Joint Travel Regulations

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

JTR policies and practices that differentiate trust by virtue of grade should be eliminated.

Army Regulation: N/A

Proponent: COA

Source(s): TRADOC

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Discontinue the needless obligation of funds at year-end to avoid losing the funds.

Proposed Action and Rationale:

Determination: Needless fund obligations should be nonexistent. Although fund obligation is required by the end of each fiscal year, proper planning, programing and real time management should preclude year-end expenditures for marginally required items.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s):

FORSCOM - Although "needless" fund obligations are not made, the artificial deadline contributes to poor management, premature granting of contracts, poorly prepared contract specifications and ultimately, less effective use of limited resources. This situation comes about for two reasons:

-- The long lead time required to procure readiness-related items. CBR equipment is a good example. If equipment is not received on schedule, other use must be made of the funds and often on short notice.

-- The requirement for prudent managers at all levels to anticipate the unexpected and retain a small reserve for contingencies. This necessity of good management will always result in release of additional funds near the end of the fiscal year. Legislation should be sought to permit a carry-over of 5 to 10% of the Annual Funding Program for a period of three months. This would permit managers to use available funds for the highest priority requirements and increase the efficiency and effectiveness of the purchasing and contracting activity.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s):

Section 818, General Provisions, Public Law 95-111, DOD Appropriations Act of 1978 prohibits more than 20% of annual funds being spent in the last two months of the fiscal year. This prohibition, coupled with sound management and prudent budget execution throughout the entire

fiscal year, should preclude "needless" fund obligations at the end of a fiscal year. There is not a requirement for 100% obligation of annual appropriations; however, there is a requirement for prudent use of funds provided. In the case of long lead time items, MACOMs should, as a normal course of prudent management, establish contingency plans for optimum alternative uses of these funds. Based on the current congressional climate, proposed legislation would not be favorably considered.

Finding:

By utilizing sound financial planning and programing, needless obligation of funds at year-end should not occur.

Army Regulation: AR 40-1, "Composition, Mission, and Functions of the Army Medical Department"
Appendix E & F

Proponent: TSG

Source(s): Review Group

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 40-1 requires an officer in the Army Medical Department who desires off-duty employment to sign and have witnessed by his commanding officer a Statement of Affirmation of military duty obligations. This requirement is in addition to the officer formally applying for authorization to participate in off-duty employment.

Proposed Action and Rationale:

Eliminate: AR 40-1 was developed as a tri-service effort to obtain uniform policy regarding off-duty employment. Congress has indicated to DOD that a common DOD policy is desirable. TSG has initiated action with the ASD (Health Affairs) to incorporate essential elements of the affirmation statement into the application for off-duty employment. This will eliminate a separate affirmation statement of service obligation.

Requirement Imposed by Higher Authority: ASD (Health Affairs)

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The Statement of Affirmation of military duty obligations is not necessary. The Army Medical Department officer's application to participate in off-duty employment should include a statement affirming military duty obligations.

Army Regulation: AR 40-2, "Army Medical Treatment Facilities
General Administration"
Paragraph 7-16f

Proponent: TSG

Source(s): FORSCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 40-2 requires that a "disinterested officer" conduct drug inventories.

Proposed Action and Rationale:

Retain: The checks and balances of a controlled substance accounting system dictate that the inventory be conducted by an individual other than the responsible officer.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

A "disinterested officer" conducting drug inventories is a sound management practice which eliminates conflicting interests.

Army Regulation: AR 40-3, "Medical, Dental and Veterinary Care"
Paragraph 4-13

Proponent: TSG

Source(s): FORSCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 40-3 prescribes that officers show their identification card to obtain prescription drugs from the pharmacy.

Proposed Action and Rationale:

Determination: AR 40-3 does not require persons entitled to medical care to present an identification card to obtain prescriptions in Army medical treatment facilities. A forthcoming revision to AR 40-2, "Army Medical Treatment Facilities General Administration," will require that a system be established in Army medical treatment facilities to ensure accurate identification of outpatients at the time they receive prescription drugs. This requirement is for patient safety and is a criterion for accreditation by the Joint Commission on Accreditation of Hospitals.

Requirement Imposed by Higher Authority: Joint Commission on Accreditation of Hospital Standards

HQDA Staff or MACOM Nonconcurrency(s):

USMA - The policy should be modified to require personnel, except officers in uniform, to produce appropriate identification.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s):

The policy of positive identification when dispersing drugs is essential to the safety of all military personnel and their dependents. The Joint Commission on Accreditation of Hospitals establishes standards for identification and the Army must adhere to these standards to maintain accreditation.

Finding:

Officers should show required identification to obtain prescription drugs from the pharmacy. Every precaution must be exercised to preclude unauthorized distribution and unsafe use of drugs.

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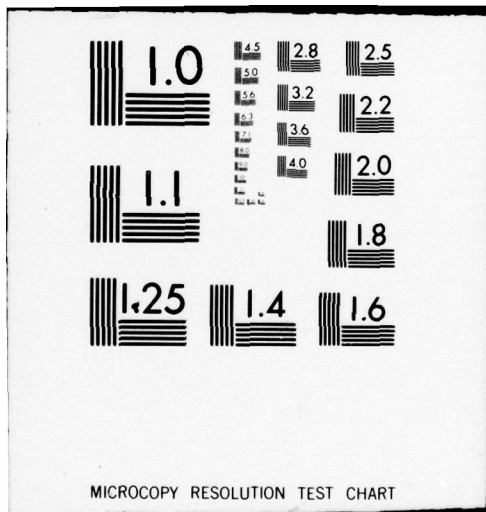
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Army Regulation: AR 40-3, "Medical, Dental, and Veterinary Care"
Paragraph 2-24

Proponent: TSG

Source(s): TRADOC

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

In order for medical personnel to provide emergency medical treatment for minors, medical procedures require the consent of a parent or legal guardian or someone designated with power of attorney to act for the parent.

Proposed Action and Rationale:

Retain: Parental consent (including consent by means of a power of attorney) is required for medical treatment of minors legally incapable of giving their own consent. However, where a genuine emergency requires immediate action to prevent the loss of life or serious permanent injury, medical treatment is given without parental consent when the parent or guardian cannot be contacted within the time available.

Requirement Imposed by Higher Authority: Various federal and state laws.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

Parental consent/power of attorney for emergency treatment of minors should be provided except in those cases where the parents or guardian are not available. Compassion requires that life-saving treatment be given an injured child even if the parent or guardian cannot be reached to provide consent.

Army Regulation: AR 40-121, "Uniformed Services Health Benefit Program"
Paragraph 3-1a(4)(a) and 5-9a(1)

Proponent: TSG

Source(s): EUCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

A medical officer must validate the emergency status of an accident when an officer files a CHAMPUS claim.

Proposed Action and Rationale:

Retain: AR 40-121 prescribes medical care at service facilities unless certain conditions, such as an emergency, exist. When submitting a CHAMPUS claim on DA Form 1863-1, "Services and/or Supplies Provided by Civilian Hospitals," an emergency condition must be validated by the physician. The medical emergency should be validated by qualified medical personnel rather than by recipients.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

Validation of the emergency status of an accident by a medical officer is necessary when a CHAMPUS claim is filed by an officer.

Army Regulation: AR 40-337, "Central Hospital Fund"

Proponent: TSG

Source(s): TSG

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

OTSG Regulation 40-1, "Central Hospital Fund," implements provisions of AR 40-337 concerning bonding of officers serving as president and custodian of the Central Hospital Fund.

Proposed Action and Rationale:

Retain: This requirement is in consonance with good business practices and is generally accepted by other professions of comparable stature. The bonding protects both the fund and the individual.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s):

FORSCOM - Finance and Accounting Officers who handle hundreds of thousands of dollars are not bonded. Bonding should not be necessary for an officer.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s):

Finance and Accounting Officers are financial management specialists who manage appropriated funds of the Army. The appointed members of the Central Hospital Fund manage a nonappropriate instrumentality for the benefit of patients hospitalized in Army facilities and are not "financial managers." These individuals and fund recipients are entitled to bonded protection.

Finding:

Officers serving as president and custodian of the Central Hospital Fund should be bonded to protect themselves and the fund.

Army Regulation: AR 40-400, "Patient Administration"
Paragraph 5-116

Proponent: TSG

Source(s): TRADOC, FORSCOM, DARCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

In order to obtain adult dependent medical records from an Army medical treatment facility, an officer must provide the records custodian with a written release from the individual concerned.

Proposed Action and Rationale:

Retain: AR 40-400 states that adult dependent medical information/records may not be obtained without the written consent of the dependent; however, minor dependent medical records/information may be obtained by the parent or legal guardian. The Privacy Act of 1974 requires release authorization by the individual to whom the information pertains.

Requirement Imposed by Higher Authority: Privacy Act of 1974

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s):

USACC - As the Privacy Act of 1974 requires release authorization by the individual to whom the information pertains, the following procedure will preclude the feeling of distrust. A standardized, signed release be placed in consenting adults' medical records granting the military sponsor full access for PCS clearance, emergencies, and other normal requirements for said medical information/medical records. This procedure will not require additional effort by the medical facility since a blanket signed privacy statement is included in adult medical records.

ALFSE - Permit the sponsor to receive sealed medical records of the spouse rather than getting a release statement or forcing the spouse to personally receive the records.

Consideration of Nonconcurrency(s)/Comment(s):

The release procedures of medical records is governed by the Privacy Act of 1974. Receipt of the spouse's sealed medical records violates Federal law and cannot be implemented. A standard blanket release statement has some merit; however, it presents the problem of coercion. Medical records contain private information which the dependent

might not want to disclose. Also, a situation could develop after the blanket release statement was prepared whereby the dependent desired to withdraw the blanket release. The sponsor would expect an explanation which may lead to family difficulties.

Finding:

To comply with the Privacy Act of 1974, adult dependents must provide a written release of their medical records before the sponsor may obtain them from Army medical treatment facilities.

Army Regulation: AR 600-6, "Individual Sick Slip"

Proponent: TSG

Source(s): FORSCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

In order to visit a medical treatment facility, an officer must obtain the signature of the unit commander (or his representative) on DD Form 689, "Individual Sick Slip."

Proposed Action and Rationale:

Eliminate: AR 600-6 requires an officer to initiate DD Form 689 and obtain the unit commander's (or his representative's) signature prior to arriving at the medical treatment facility (direct reporting may be authorized by local policy). This policy is an unnecessary administrative procedure and should be eliminated.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

An officer should not be required to obtain a signature from his unit commander (or the commander's representative) on DD Form 689 in order to visit a medical treatment facility.

Army Regulation: AR 30-1, "The Army Food Service Program"
Figure 3-6

Proponent: DCSLOG

Source(s): EIGHTH ARMY

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 30-1 requires an officer to sign DA Form 3034, "Cooks Worksheet," which verifies the types and quantities of food to be prepared and served.

Proposed Action and Rationale:

Eliminate: This requirement degrades the responsibility placed in the dining facility manager who is normally a noncommissioned officer in the grade E-7. An officer's signature should not habitually be required to place emphasis on a particular area.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s):

DCSLOG - The DA Form 3034 is prepared by the food service sergeant and serves as the basic management guide for all food preparation. It provides an audit trail for the accountability of subsistence after it has been issued to the dining facility. The signing of the form by the Food Service Officer is not considered degrading to an officer's special trust.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s):

Department of the Army policy should not routinely require officer signatures on management documents to emphasize areas of interest and to authenticate work performed by senior noncommissioned officers in their assigned areas of expertise. The dining facility manager should be held responsible for providing a complete audit trail for accountability of subsistence after it has been issued to the dining facility. The food service officer can adequately manage food service operations without daily authentication of the "Cooks Worksheet."

Finding:

The requirement for an officer's signature on the "Cooks Worksheet" should not be mandatory. Officers can effect proper food service management by reviewing the "Cooks Worksheet" as well as other documents. The signature requirement is not necessary.

Army Regulation: AR 30-1, "The Army Food Service Program"
Paragraph 4-27

Proponent: DCSLOG

Source(s): EIGHTH ARMY

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

An officer must verify on DA Form 3032, "Dining Facility Guest Register," the number of meals consumed.

Proposed Action and Rationale:

Determination: This requirement has been eliminated in a revised edition of AR 30-1 dated 31 March 1977.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The requirement that an officer verify the number of meals consumed on a DA Form 3032 is not necessary and has been eliminated.

Army Regulation: AR 30-19, "Army Commissary Store Operations"
Paragraph 4-6b

Proponent: DCSLOG

Source(s): HSC, TRADOC, FORSCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 30-19 prescribes that an officer in uniform must present his identification card for entrance to the commissary.

Proposed Action and Rationale:

Retain: Commissary purchases can only be made by personnel who are on active duty for periods greater than 72 hours. The most feasible method of identification is to check the color codes of identification cards, ascertain active duty status and initiate further entrance justification, if required.

Requirement Imposed by Higher Authority: DOD 1330.17

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The requirement for an officer in uniform to present his identification card for entrance to the commissary is a valid procedure to ascertain duty status and corresponding entitlements.

Army Regulation: AR 30-46, "Subsistence Report and Field Ration Request"

Proponent: DCSLOG

Source(s): EIGHTH ARMY

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

An officer is required to sign DA Form 2970, "Subsistence Report and Field Ration Request," which is used to requisition types and quantities of food.

Proposed Action and Rationale:

Determination: The requirement has been eliminated in a revised edition of AR 30-1 dated 31 March 1977. The noncommissioned or DA civilian dining facility manager is authorized to sign the Subsistence Report and Field Ration Request.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The authority to sign the DA 2970 may be delegated to the noncommissioned officer or DA civilian directly charged with mess operations.

Army Regulation: AR 55-2, "Assignment and Duties of Troop Commander and Transportation Officer on Military and Commercial Vessels and Aircraft
Figure 3-2

Proponent: DCSLOG

Source(s): Review Group

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 55-2 prescribes that troop commanders on military and commercial vessels/aircraft render the following statement: "As troop commander, you are expected to perform this important duty in a manner that will reflect creditably upon you and the military service."

Proposed Action and Rationale:

Eliminate: The commission charges officers with "carefully and diligently" discharging all duties. Other documentation is not required.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

Instructions reminding troop commanders on vessels and aircraft to perform their duties in a manner that will reflect creditably upon them and the military service are unnecessary.

Army Regulation: AR 55-71, "Transportation of Personal Property and Related Services"
Change 4, Paragraph 5-2(a)(1)

Proponent: DCSLOG

Source(s): Review Group

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 55-71 requires an officer to certify that items being shipped as professional books, paper and equipment (PBP&E) are necessary in the performance of official duties. In addition, the transportation officer is directed to "satisfy himself" that only items qualifying as PBP&E are included.

Proposed Action and Rationale:

Modify: The requirement in AR 55-71 for a transportation officer to "satisfy himself that only items qualifying as PBP&E are included" impugns officer trust. The officer's certificate satisfies the requirements of M8004, JTR and other management restrictions are not necessary.

Requirement Imposed by Higher Authority: Joint Travel Regulations
Paragraph M8004

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The requirement for transportation officers to double-check PBP&E after an officer has certified that the PBP&E are necessary in the performance of official duties is unnecessary. The action to eliminate transportation officer double-checks does not require modification of Joint Travel Regulations. The JTR only addresses the certification requirement.

Army Regulation: AR 56-9, "Watercraft"
Chapter 4

Proponent: DCSLOG

Source(s): DCSLOG

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 56-9 prescribes that, when approved by a general officer, alcoholic beverages may be brought on board and consumed by passengers on a vessel engaged in authorized recreational cruises. It prescribes that the crew may not consume alcoholic beverages.

Proposed Action and Rationale:

Modify: The decision to bring alcoholic beverages on board a vessel should be vested with the commander of the vessel or the vessel master when so delegated. Vessel size, type of recreational activity and type of passengers (adult/child) should be considered.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The decision to bring alcoholic beverages on board a vessel should be vested with the vessel commander.

Army Regulation: AR 210-130, "Laundry/Dry Cleaning Operations"
Paragraph 2-8a

Proponent: DCSLOG

Source(s): Review Group, USAREUR

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

In accordance with AR 210-130, commanders are required to sign the statement: "The above named individuals are assigned to this unit and have submitted a request for payroll deduction laundry service."

Proposed Action and Rationale:

Eliminate: The noncommissioned officer who has primary responsibility for monitoring laundry service should be permitted to render the statement.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s):

USAREUR - DA Form 3136, "Laundry/Dry Cleaning Roster and Statement," accompanies a unit's payroll deduction laundry bundles to the servicing plant on the first turn-in of a month. It is used as a backup document for the manager's monthly statement of funded reimbursement earnings. The DA Form 3136 must be accurate. A shortfall in the collection of funded reimbursement versus earned funded reimbursements causes the requirement for OMA funds, unprogramed for this purpose, to be used to compensate for this shortfall. From May 1974 to January 1977, no statement had been required on the DA Form 3136 (AR 210-130, 2 April 1974). The unit supply sergeant, the NCO who is the unit's primary operator in the laundry service area, was required by AR 210-130 to prepare and submit correct and accurate DA Forms 3136. The requirement was not met. The prior fiscal year shortfall in USAREUR alone was \$1 million. This is attributed to inadequate control of laundry payroll deduction records at unit level. It was found that the delegation of trust, as it were, did not produce the desired result. Accordingly, the current AR 210-130, 15 December 1976, contains the requirement for the statement on DA Forms 3136 to be signed by the commander. The reason for this requirement is to elevate control of laundry payroll deduction records to a higher level to assure greater accuracy.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s):

It is doubtful that unit commanders check each member's request for payroll deduction for laundry service. This task should be accomplished by another individual and verified by the noncommissioned officer who has laundry service responsibility. Escalating the signature responsibility to the unit commander level serves to highlight the importance of laundry service accountability; however, the commander can effect the importance of the task by other means. Action should be taken to correct the essence of the problem and restore unit laundry responsibility to unit noncommissioned officers. If accountability deficiencies occur, they should be addressed and corrected on a case-by-case basis.

Finding:

The requirement for a commander to sign a statement verifying that members of his unit who are using governmental laundry service have submitted a request for a payroll deduction, is unnecessary.

Army Regulation: AR 700-84, "Issue and Sale of Personal Clothing"
Paragraph 6-11

Proponent: DCSLOG

Source(s): EIGHTH ARMY, FORSCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

A unit commander or his commissioned or warrant officer representative must verify an AWOL soldier's clothing inventory which was conducted by an E6 or higher.

Proposed Action and Rationale:

Eliminate: Instructions in AR 700-84 require that the unit commander or his commissioned/warrant officer representative verify the inventory performed by an E6 or higher. Commanders or their representatives should not be subjected to verifying an AWOL soldier's inventory when this responsibility has been delegated to a senior noncommissioned officer. This requirement impugns the veracity of the NCO and places an unnecessary burden on the unit commander.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The requirement for a unit commander or his commissioned/warrant officer representative to verify an AWOL soldier's clothing inventory which was conducted by an E6 or higher is an unnecessary administrative procedure.

Army Regulation: AR 710-2, "Material Management for Using Units, Support Units, and Installations"

DA Form 581, "Request for Issue and Turn-In of Ammunition"

Proponent: DCSLOG

Source(s): FORSCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Upon completion of range firing, the officer in charge must sign a statement on DA Form 581 that live rounds, unfired primers, explosives or other dangerous material are not mixed with expended cartridges.

Proposed Action and Rationale:

Modify: Ensuring that explosives are separated from expended cartridges is a valid safety requirement; however, the officer in charge should have the prerogative to delegate this task and signature authority to a noncommissioned officer.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

Officer certification of DA Form 581 is not necessary; officers should be authorized to delegate this authority to noncommissioned officers.

Army Regulation: AR 710-2, "Material Management Using Units, Support Units, and Installations"
Paragraph 2-2b

Proponent: DCSLOG

Source(s): DCSLOG, FORSCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

A higher level commander must cite complete justification for a restricted Federal Supply Class (FSC) item requisitioned on a high priority supply request by a subordinate commander.

Proposed Action and Rationale:

Eliminate: Requiring one commander to further justify a priority request for restricted FSC items from a subordinate commander violates the trust charged to the subordinate.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s):

USAREC - Nonconcur with the proposal to eliminate the requirement for high priority requisitions submitted by unit commanders. This is not a violation of trust charged to unit commanders. It is a sound management practice which disciplines the supply system, precludes routine placement of high priority demands that are not justified, and enables the higher level commander to positively influence those high priority requisitions that are especially critical to unit readiness. Further, the higher level commander, by virtue of position, is frequently aware of justification information that is unknown at the lower level.

USASCH - Disagree with proposal to eliminate higher level commander approval for high priority requisitions for controlled items. The items upon which controls have been placed for submission of high priority requisitions are those which do not have a significant impact on training or readiness. Submission of high priority requisitions for these noncritical items without higher level controls is contrary to supply discipline and good management practices.

USAREUR - As written, the policy seems to be taken out of context with the intent of AR 710-2. A commander or TDA chief must always verify expenditures or requisitions impacting on his unit's readiness. Noting paragraph 2-2b and appendix C, the only time one commander further justifies a subordinate commander's request is for uncommon items generally not mission related. Therefore, recommend retention of paragraph 2-2b, AR 710-2 as written.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s):

Good supply discipline involves a proper balance between training and control. Supply discipline training is difficult and some commanders tend to compensate by exercising excessive control. Subordinate commanders can exercise proper judgment in requisitioning restricted FSC items. Those failing to exercise proper judgment should be counseled or disciplined.

Finding:

The requirement for one commander to further justify a priority request for restricted FSC items from a subordinate commander is unnecessary. The subordinate commander should be charged with the responsibility of exercising proper supply discipline and sound management practices.

Army Regulation: AR 710-2, "Material Management Using Units, Support Units, and Installations"
Paragraph 1-8

Proponent: DCSLOG

Source(s): FORSCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 710-2 requires a monthly ten percent property inventory. Accountability can be accomplished without imposing this requirement.

Proposed Action and Rationale:

Determination: AR 710-2 does not prescribe ten percent inventory procedures; however, general guidelines for ten percent inventories are suggested in Training Circular 38-1, "Division Logistics System." AR 710-2 requires an annual physical inventory of all receipted property. Although ten percent inventories are not specifically prescribed, they serve as a valuable aid in property accountability for some organizations.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s):

USARJ - This is not a problem. It should be a commander's prerogative to conduct periodic inventories. He alone is responsible for all the property in his organization and should be permitted to schedule periodic inventories whenever and wherever needed.

USASCH - To use the 10% inventory as an effective management procedure, formal verification is considered necessary to maintain credibility.

USAREUR - No visible impact on Special Trust and Confidence. Recommend system remain as is, i.e., 100% inventory every year. Good management dictates 10% per month, but it is unenforceable on a regulatory basis.

Consideration of Nonconcurrency(s)/Comment(s):

The ten percent or cyclic inventory has been a useful management tool. The consolidation of property book accountability at division level under the Division Logistics System makes the ten percent inventory most useful in accounting for unit and organizational equipment. Supply accountability is a serious problem and the ten percent or cyclic

inventory is designed to aid commanders in managing their materiel resources. Both ten percent and full inventories should be verified by the accountable officer and the hand receipt holder.

Finding:

Army regulations do not require a monthly ten percent property inventory. Training Circular 38-1 recommends such an inventory as an effective management procedure for maintaining proper accountability. Commanders may utilize ten percent inventories as deemed appropriate.

Army Regulation: AR 710-2, "Material Management for Using Units, Support Units and Installations" Paragraph 2-2(c)

Proponent: DCSLOG

Source(s): EIGHTH ARMY, FORSCOM, INSCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 710-2 requires the commander to authenticate assignment of priority designators 01 through 08. There are no provisions for delegating this authority. This policy reflects a lack of trust in the battalion materiel readiness officer.

Proposed Action and Rationale:

Modify: A commander's authentication of priority designators is an unnecessary administrative procedure which adversely reflects upon the materiel readiness officer. Battalion materiel readiness officers or other appropriate personnel in TDA units should be vested with the authority to authenticate priority designators. They are intimately aware of maintenance/supply problems and receive command guidance in the performance of their duties. Commanders manage application of resources across the entire supply spectrum.

Requirement Imposed by Higher Authority: DOD Directive 4140.17-M

HQDA Staff or MACOM Nonconcurrency(s):

DARCOM - One of the most crucial matters a commander controls is the materiel readiness for his organization. The requirement that the battalion commander authenticate priority designators ensures that he is aware of and is in fact exercising his responsibility to manage this critical area. This authority should not be delegated and the requirement should be retained.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s):

The DOD requirement for commanders to approve high priority requisitions came about because the high priority rate grew to over 50% of all requisitions. Command emphasis has reduced the rate to about 25%. However, command emphasis can be obtained without command authentication of priority designators.

Finding:

A commander can exercise his responsibility of managing materiel readiness without authenticating priority designators. Battalion materiel readiness officers or other appropriate TDA personnel should be vested with the authority to authenticate these designators. DOD Directive 4140.17-M requires modification to implement the change.

DCSPER Policy Documents: "Colonel Level Command Selection System Procedures"

"Lieutenant Colonel Level Command Selection System Procedures"

Proponent: DCSPER, MILPERCEN

Source(s): USARJ

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

When an officer is not selected for command, there often reigns an impression that he lacks proficiency.

Proposed Action and Rationale:

Determination: There is vast disparity between those afforded command opportunity and those qualified for command. Unfortunately, only the officers who possess specialties with command opportunity and are "best" command-qualified are command-selected. Two factors affect command opportunity: Number of eligibles in relation to number of commands and length of command tours. An officer may be in the top third and still not command. This situation disappoints those officers who are fully qualified to command but are not selected. Officers should not view those who are not command-selected with less than full professional respect. For the benefit of the officer corps, those who harbor this attitude must realize that all qualified officers are subjected to reduced opportunity and many will not be command-selected.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

An officer's nonselection to command should not reflect on his professional competence. The Army must change its attitude toward "success" and "failure." Every officer will not be selected for higher education, command or promotion to the highest grades.

Army Regulation: N/A

Proponent: N/A

Source(s): INSCOM, MDW, USARJ, EIGHTH ARMY

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Officers who violate trust should be counseled and dealt with appropriate to the situation.

Proposed Action and Rationale:

Determination: There are legal and administrative procedures which can be enacted against officers who violate special trust. Commanders should employ appropriate measures against any officer who violates trust.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

To preserve the integrity of the officer corps, commanders must use available legal and administrative sanctions against those who violate officer special trust.

Army Regulation: FM 19-30, "Physical Security"
Paragraph 5-24

Proponent: DCSPER

Source(s): TRADOC

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Officer briefcases are inspected prior to entering/exiting certain buildings. This procedure is viewed as unnecessary.

Proposed Action and Rationale:

Determination: FM 19-30 does not preclude commanders from exempting officer briefcases from inspection when entering restricted areas. Since positive identification to enter restricted areas is required, installation commanders should limit the practice of inspecting officer briefcases to the most critical areas and situations in which security requirements override other considerations.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

FM 19-30 does not preclude commanders from exempting officer briefcases from inspection when entering restricted areas.

Army Regulation: DOD Directive 1400.20-1M, "Department of Defense Program for Stability of Civilian Employment Program" Chapter 3

Proponent: DCSPER

Source(s): TRADOC

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

DOD Directive 1400.20-1M requires installation commanders to issue at least annually a support statement for the Civilian Employment Stability Program. The stability program requires the use of a "stopper list" which lists DOD employees whose positions have been downgraded or abolished through RIF or base closure.

Proposed Action and Rationale:

Eliminate: DOD Directive 1400.20-1M cites command responsibility for the Stability of Civilian Employment Program. This directive provides sufficient guidance for implementation of the program. Installation commanders and their civilian personnel officers are familiar with stability program procedures and recognize that individuals cited on a stopper list are entitled to priority placement consideration. The requirement to issue a support statement is unnecessary.

Requirement Imposed by Higher Authority: DOD Directive 1400.20-1M

HQDA Staff or MACOM Nonconcurrency(s):

FORSCOM - Nonconcur with rationale. Commanders' annual statement is not viewed as an adverse reflection on trust, it is a reminder to subordinate managers and supervisors of the commander's personal interest and support for the program.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s):

Army policy should not require commanders to publish recurring statements in support of particular programs. This routine application of support could detract from high priority programs.

Finding:

The requirement for installation commanders to issue at least annually a support statement for the Civilian Employment Stability Program is unnecessary. Action to delete this requirement will require DOD approval.

Army Regulation: AR 50-5, "Nuclear Surety"
Paragraph 2-29

Proponent: DCSPER

Army Regulation: AR 50-5, "Nuclear Surety"
Paragraph 3-5b

Proponent: MILPERCEN

Source(s): TRADOC

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 50-5 requires battalion commanders to certify that required instruction and training in nuclear surety were accomplished.

Proposed Action and Rationale:

Eliminate: The requirement for a commander to certify that instruction and training were accomplished is not necessary. The required training is essential and should be conducted; however, the certification requirement should be eliminated.

Requirement Imposed by Higher Authority: DOD Directive 5210.41

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The requirement for commanders to certify that nuclear surety training was accomplished is unnecessary. Since DOD Directive 5210.41 requires certification of technical proficiency commensurate with nuclear surety job or duty requirements, DOD approval is required to change AR 50-5.

Army Regulation: AR 190-11, "Physical Security of Weapons,
Ammunition and Explosives"
Paragraph 2-13

Proponent: DCSPER

Source(s): FORSCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Some officers cannot enter arms rooms unless they are accompanied by another individual.

Proposed Action and Rationale:

Modify: AR 190-11 prohibits unaccompanied officer access to arms storage facilities unless they are among the seven personnel designated by the unit commander on the unaccompanied access roster. This policy is degrading to officers who are not on the access roster, yet may have a need to enter the facility. Officers with a need to enter arms facilities and who have obtained approval of the unit commander should be permitted unaccompanied access.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The prohibition of unaccompanied officer access to arms storage facilities unless they are on the unaccompanied access roster degrades officer trust. Officers with a need to enter arms facilities and who obtain unit commander approval should be permitted unaccompanied access. This procedure would not require major command approval to augment the access roster.

Army Regulation: AR 190-5-1, "Registration of Privately Owned Motor Vehicles"
Paragraph 3-3

Proponent: DCSPER

Source(s): FORSCOM, DCSPER

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 190-5-1 requires officers to produce proof of ownership, state registration, driver's license and safety inspection to register an automobile.

Proposed Action and Rationale:

Eliminate: Registration requirements for officers pose an unnecessary administrative burden; an officer's word should be sufficient proof of required documentation.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s):

TIG - Retain requirement for proof of safety inspection.

USACC - The elimination of the requirement for an officer to present required documents can and should be accomplished by revising DA Form 3626. However, since vehicular inspection is a federal requirement, the officer should be required to have a copy of the vehicle inspection in the vehicle at all times when the registration is not collocated with vehicle inspection.

Consideration of Nonconcurrency(s)/Comment(s):

State laws and Army regulations require a person to possess a driver's license and current registration documents; to comply with state or installation safety inspection requirements; and to comply with the financial responsibility laws of the state in which the installation is located. There are no federal or state laws that require a person to show proof of compliance to a registration clerk when registering his automobile on an Army installation. It is present Army policy that these documents be shown; however, that policy is being changed to provide that officers will not be required to do so. Maintaining

proof of vehicle inspections in vehicles is not necessary. Most states require proof of compliance to be affixed to the windshield of a car. In those cases where inspections are conducted by the Army, installation authorities affix a decal denoting compliance.

Finding:

The requirement that officers produce proof of ownership, state registration, driver's license and safety inspection to register an automobile is not necessary.

proof of vehicle inspections in vehicles is not necessary. Most states require proof of compliance to be affixed to the windshield of a car. In those cases where inspections are conducted by the Army, installation authorities affix a decal denoting compliance.

Finding:

The requirement that officers produce proof of ownership, state registration, driver's license and safety inspection to register an automobile is not necessary.

Army Regulation: AR 190-22, "Search, Seizure and Disposition
of Property"
Paragraph 3-2

Proponent: DCSPER

Source(s): EIGHTH ARMY

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 190-22 states that when transporting private property which may have been government-owned, the officer may prevent confiscation by signing a letter attesting to ownership. As a person of integrity, his word and possession of property should be proof of ownership.

Proposed Action and Rationale:

Retain: Customs service personnel require proof of ownership for articles which may have been government-owned. In lieu of bills of sale or other evidence of ownership, customs authorities will accept officer certification to proof of ownership. Consequently, the certification process is a service to the officer.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

Officer certification to establish proof of ownership of articles that once may have been government-owned is a service to officers and should not be viewed as degrading.

Army Regulation: AR 190-41, "Customs Law Enforcement"

Proponent: DCSPER

Source(s): CGSC Student

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Customs officials examine and inspect DOD personnel at clearing stations. An officer's word concerning his possessions is not acceptable.

Proposed Action and Rationale:

Determination: DOD Regulation 5030.49R, "Customs Inspection," prescribes the procedures for examining baggage, parcels and personal possessions of DOD personnel. The use of military police at clearing stations is a service which reduces the time of processing at debarkation and embarkation. The inspection is not intended to be demeaning or a discredit to the officer corps.

Requirement Imposed by Higher Authority: DOD Regulation 5030.49R

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The use of military police at clearing stations to check DOD personnel is a service which reduces processing time for all service members. This procedure is not demeaning to officers.

Army Regulation: AR 210-16, "Bachelor Housing Management"
Paragraph 1-7

Proponent: DCSPER

Source(s): TRADOC, FORSCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Installation commanders are conducting quarterly inspections of bachelor officer quarters.

Proposed Action and Rationale:

Modify: AR 210-16 specifies bachelor officer quarters inspections. Although inspections are necessary, bachelor officers should be afforded similar consideration as married officers. Commanders should ensure that occupants of bachelor officer quarters are afforded clean, comfortable and appropriately furnished quarters. Common use areas should be inspected to ensure that they are appropriately maintained and that the safety, health and welfare of occupants are assured. Other areas should not be inspected unless unusual circumstances exist.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The requirement to inspect bachelor officer quarters is necessary; however, inspections should be limited to common use areas unless unusual circumstances dictate otherwise.

Army Regulation: AR 210-16, "Bachelor Housing Management"

Proponent: DCSPER

Source(s): FORSCOM, ALFSE

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

While on temporary duty, officers are required to pay key/towel deposits when using installation bachelor officer quarters.

Proposed Action and Rationale:

Determination: AR 210-16 does not prescribe key/towel deposits. At some installations, command policy prescribes these deposits.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s):

TIG - Should be directed to not require them. Guests who abuse should be held responsible.

TRADOC - Concur; additionally, the regulation should prohibit such deposits.

Consideration of Nonconcurrency(s)/Comment(s):

Army policy should afford a commander the greatest possible latitude in managing his command. Generally, Army policy should prescribe "what" not "how."

Finding:

AR 210-16 does not prescribe requirements for officers to pay key/towel deposits. Installation commanders should be cognizant of the irritant effect that key/towel deposits have on the officer corps.

Army Regulation: AR 210-50, "Family Housing Management"
Paragraph 10-13e

Proponent: DCSPER

Source(s): FORSCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

DD Form 1746, "Application for and Assignment to Military Family Housing," requires that an officer obtain dependent verification by another officer when submitting an advance application for family housing.

Proposed Action and Rationale:

Eliminate: The "second signature" requirement does not verify dependents; it is affixed to DD Form 1746 in the "Remarks" section to verify that an advance housing application was submitted at the losing installation. However, authentication of an officer's advance housing application by a personnel officer is an unnecessary administrative requirement that implies distrust.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The second officer signature on DD Form 1746 is an unnecessary administrative requirement that is degrading to officer trust.

Army Regulation: AR 600-21, "Equal Opportunity Program in the Army"

Proponent: DCSPER

Source(s): ALFSE

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Attendance at race relations training should be voluntary for officers with over ten years service.

Proposed Action and Rationale:

Retain: AR 600-21 charges MACOMs with establishing equal opportunity programs consistent with command needs and local conditions. Specific numbers and types of classes are not prescribed. Periodic training on an as required basis for officers with over ten years service is consistent with DOD policy and serves to alert officers to revised equal opportunity procedures/developments.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s):

USAREC - Concur with the DA proposed action to retain the current mandatory training requirements outlined in AR 600-21. (Equal Opportunity Program in the Army.) The suggestion that the program be modified to allow for optional voluntary training for officers with over 10 years service seems arbitrary and not well thought out. Nothing magical happens to officers at 10 years of service (or any other benchmark) that would serve to eliminate their need for continuous exposure to equal opportunity training. Further, if our most senior officers (those with 10 or more years service) are given an opportunity to "opt out" of equal opportunity training, this would clearly convey the message that EO training is unimportant. When it comes to a program as vital and essential as the Army Equal Opportunity Program, we simply cannot settle for less than full, enthusiastic support from the Officer Corps.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

Periodic training on an as required basis for officers with over ten years of service is consistent with DOD policy and promotes an awareness of recent equal opportunity developments.

Army Regulation: AR 600-21, "Equal Opportunity Program in the Army"

Proponent: DCSPER

Source(s): TRADOC

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Commanders are required to publish an RR/EO policy letter.

Proposed Action and Rationale:

Determination: The revised edition of AR 600-21 dated 20 June 1977, eliminated the requirement for commanders to publish an RR/EO policy letter.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The requirement for a commander to publish an RR/EO policy letter is not necessary and has been eliminated.

Army Regulation: AR 600-21, "Equal Opportunity Program in the Army"
Paragraph 2-10c

Proponent: DCSPER

Source(s): USAREUR

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 600-21 stipulates that commanders who impose restrictive sanctions for off-post housing discrimination must keep the sanction in effect for at least 180 days.

Proposed Action and Rationale:

Modify: Commanders who have authority to impose restrictive sanctions for off-post housing should be vested with the authority to lift these sanctions when deemed appropriate. DOD Directive 1100.16 prescribes that, unless waived by the Secretary of the Army, the restrictive sanctions must remain in effect for at least 180 days. In some geographical areas such as Europe, off-post housing is in short supply. Therefore, if a sanctioned landlord demonstrates a genuine willingness to abide by the equal opportunity program, the commander should be vested with the authority to lift the sanction prior to 180 days.

Requirement Imposed by Higher Authority: DOD Directive 1100.16

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

Commanders vested with sanction authority should be authorized to lift the sanction without higher level approval. Since the 180 day sanction is required by paragraph D2b(2), DOD Directive 1100.16, DOD approval is required to change AR 600-21.

Army Regulation: AR 600-42, "Race Relations Education for the Army"
Paragraph 146

Proponent: DCSPER

Source(s): USAREUR

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 600-42 requires that unit commanders schedule race relations seminars not less frequently than once monthly during prime-time training. This procedure is too restrictive on unit commanders.

Proposed Action and Rationale:

Determination: AR 600-42 was superseded on 20 June 1977 by AR 600-21, "Equal Opportunity Program in the Army." AR 600-21 requires commanders to assess the equal opportunity climate in their organization and provide equal opportunity education on an as-needed basis consistent with command needs and local conditions. The individual commander determines the frequency and nature of the instruction.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

Commanders are provided full latitude to determine the frequency and nature of equal opportunity instruction.

Army Regulation: AR 600-50, "Standards of Conduct"
Paragraph 1-8

Proponent: DCSPER

Source(s): MTMC

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 600-50 requires an explanatory report within 48 hours for a meal accepted by DA personnel who attend a civilian-sponsored function of mutual concern to government and industry.

Proposed Action and Rationale:

Modify: The requirement to provide a written report within 48 hours of any meal consumed at industry expense is a regulatory policy which reflects unfavorably upon the officer corps. As a protective measure, there may be a need for officers to initiate dialogue with superiors prior to acceptance of meals.

Requirement Imposed by Higher Authority: DOD Directive 5500.7

HQDA Staff or MACOM Nonconcurrency(s):

TRADOC - Concur with elimination of the 48-hour report. Nonconcur with prior consultation requirement. Standards of Conduct should be clearly stated so that misunderstandings are rare or nonexistent. It is incumbent upon the officer to avoid conflict of interest situations. In any doubtful case, the officer is bound to decline any offering.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s):

There is sufficient Army policy and ethical guidelines to provide a firm foundation for ethical decisions; however, some sound decisions may appear doubtful to those not familiar with the particulars. Consequently, it is in the best interests of the Army and the officer to consult with a superior prior to meal acceptance.

Finding:

The requirement for an explanatory report within 48 hours for a meal accepted by DA personnel who attend a civilian-sponsored function of mutual concern to government and industry is degrading. However, there is a need for officers to initiate dialogue with superiors prior to meal acceptance. Revised AR 600-50 deletes the requirement for a 48-hour report if the concerned officer initiates dialogue with his superiors prior to acceptance of the meal.

Army Regulation: AR 600-50, "Standards of Conduct"
Paragraph 1-19a

Proponent: DCSPER

Source(s): FORSCOM, USACIDC, USMA

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 600-50 requires semi-annual action to bring standards of conduct to the attention of officers. This requirement reflects overreaction and is degrading to the officer corps.

Proposed Action and Rationale:

Eliminate: Bringing "standards of conduct" to officer attention on a semi-annual basis is a superficial requirement. Although the semi-annual requirement should be eliminated, there exists a temporary need to ensure that officers are provided ethical parameters for various situations. Although officer ethical conduct is impractical to codify, the Army should develop a well-integrated pre- and post-commissioning ethics educational program.

Requirement Imposed by Higher Authority: DOD Directive 5500.7
Paragraph XV

HQDA Staff or MACOM Nonconcurrency(s):

USAREC - Draft AR 600-50 was forwarded to HQ USAREC on 15 July 1977 for review and comment. Paragraph 1-4a contains the requirement that all DA personnel (to include officers) be reminded, at least semi-annually, of their duty to comply with standards of conduct in AR 600-50. It is recommended that this requirement be retained.

USMA - Although a semi-annual review of the AR may be too frequent, the guidelines set forth are so detailed and specific that some periodic review should be required. Too many well-intentioned officers give the appearance of improper conduct; knowledge of this regulation protects officers from inadvertent violations.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s):

During the course of this review numerous commanders commented on the need for a professional ethics educational system for the officer corps. Currently, the Army may not have a systematic and well-integrated ethics

program. As a result, there is a temporary need for the officer corps to be made cognizant of standards of conduct. An integrated ethics educational program which addresses pre- and post-commissioning may be required.

Finding:

Bringing "standards of conduct" to officer attention on a semi-annual basis should temporarily be retained. Retention would assist in filling a possible ethics educational void.

Army Regulation: AR 600-50, "Standards of Conduct"
Paragraph 2-1c

Proponent: DCSPER

Source(s): FORSCOM, USACC

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 600-50 requires officers in the grade of O-5 or higher, where responsibilities include judgments concerning contracting, auditing or any activity which has significant economic impact on non-federal enterprises, to complete a statement of financial worth.

Proposed Action and Rationale:

Retain: This requirement protects both the officer and the government. It highlights officer investments which could present a conflict of interest.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The requirement to complete a statement of financial worth is a valid practice which protects both the officer and the government.

Army Regulation: AR 600-50, "Standards of Conduct"
Paragraph 3-4b

Proponent: DCSPER

Source(s): USACC, FORSCOM, USACIDC

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 600-50 requires retired Regular Army officers to file a Statement of Employment within 30 days after retirement. The retired reserve officer is not required to file this statement.

Proposed Action and Rationale:

Retain: The requirement for a Statement of Employment to be filed is statutory and implements the provisions of 18 United States Code 207 which sets forth employment limitations to include post-employment prohibitions for retired Regular officers. As long as Regular and reserve officer status are differentiated, the requirement is valid.

Requirement Imposed by Higher Authority: 18 United States Code 207;

DOD Directive 5500.7

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s):

USAREC - Concur that the provision of 18 United States Code 207 requires retired Regular Army officers to file a statement of employment, but does not require the same of USAR officers. However, it raises the question as to why USAR officers are exempt. Perhaps they should not be. Recommend further review of this issue.

Consideration of Nonconcurrency(s)/Comment(s):

The requirement of retired Regular officers to file Statements of Employment while retired reserve officers do not is one of the issues being reviewed by the House Investigations Subcommittee in its hearings on "double dipping."

Finding:

Statutory requirements demand that Regular Army officers file a Statement of Employment; DOD Directive 5500.7 requires that this filing be accomplished within 30 days after retirement. The current House Investigations Subcommittee review or enactment of DOPMA could standardize post-retirement employment conditions for all officers.

Army Regulation: AR 600-85, "Alcohol and Drug Abuse Prevention and Control Program"

Proponent: DCSPER

Source(s): DARCOM, FORSCOM, EIGHTH ARMY

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 600-85 requires officers who are directly involved with alcohol and drug treatment to have a urine test a minimum of two times per month. AR 600-85 implements DODI 1010.1 which requires all military and civilian staff personnel supporting the alcohol and drug abuse program to be classified as "high risk" personnel and to be tested a minimum of twice monthly.

Proposed Action and Rationale:

Eliminate: Officers should not be subjected to test control procedures which habitually challenge their integrity. Credibility of the Alcohol and Drug Abuse Prevention and Control Program (ADAPCP) should not depend on the commissioned clinical directors' submission to periodic urine testing.

Requirement Imposed by Higher Authority: DODI 1010.1

HQDA Staff or MACOM Nonconcurrency(s):

TSG - The requirement for officers who are clinical directors of the drug abuse program to undergo urine tests is a method to give credibility to the program and to demonstrate to program participants the integrity of the rehabilitation staff. Urine testing is a requirement for all members of the rehabilitation staff. It does not apply to other personnel engaged in the program. Recommend that the current requirement be retained.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s):

Commissioned clinical directors should not be required to demonstrate their credibility and integrity through urine testing. In addition, the screening process for commissioned officers filling the position of clinical directors (less than 10) should preclude most illicit drug use.

Finding:

The requirement for ADAPCP commissioned clinical directors to undergo periodic urine testing is unnecessary. Program credibility and integrity should not depend on the officer urine test requirement. DOD Instruction 1010.1 requires modification to implement this change.

Army Regulation: AR 600-85, "Alcohol and Drug Abuse Prevention and Control Program"

Proponent: DCSPER

Source(s): FORSCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

The requirement for officers to participate in command-directed urinalysis is demeaning.

Proposed Action and Rationale:

Retain: AR 600-85 states that commanders may direct a service member to be tested when the individual is suspected of drug abuse. This practice applies to both officers and enlisted men. When suspicion of drug abuse exists, an officer should be tested. Since the AR does not prescribe officer testing in general, it should not be changed.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The requirement for all service members to participate in command-directed urinalysis when suspicion of drug abuse exists is valid.

Army Regulation: AR 600-85, "Alcohol and Drug Abuse Prevention Program"
Paragraph 3-8a and 5-8(c)2

Proponent: DCSPER

Source(s): USAREUR

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 600-85 states that all individuals with a urine positive reading on a urinalysis must be referred to the Alcohol and Drug Abuse Prevention Program (ADAPCP) for evaluation by a physician. The commander should be authorized to investigate and evaluate all urine positives and refer only those individuals who require medical or ADAPCP assistance.

Proposed Action and Rationale:

Retain: Medical personnel possess the expertise to provide a diagnosis on urine positives and have authority to screen medical files. Automatic referral of drug cases should not be viewed as usurping command prerogatives. This procedure serves as an aid to the commander in discharging his various responsibilities.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s):

USACIDC - The "Proposed Action and Rationale" contains the phrase "..., serves as an aid to the commander in discharging his various responsibilities." The provision fails to recognize the fact that in many cases a simple interview with the individual concerned would reveal an authorized prescription for the category of drug which was reflected as "positive" through urinalysis. The commander should be provided the opportunity to avail himself of this "aid" of referral, but should not be required to do so.

Consideration of Nonconcurrency(s)/Comment(s):

Normally, commanders do not have the medical expertise to diagnose improper/abusive use of alcohol or other drugs. Proposals which seek to make the confirmation of alcohol or drug abuse a command decision could give the impression that the program is disciplinary in nature, rather than a health care program.

Finding:

The requirement that all individuals with urine positives be referred to ADAPCP for evaluation is valid.

Army Regulation: AR 601-100, "Appointment of Commissioned and Warrant Officers in the Regular Army"

AR 601-106, "Temporary Appointment in the Army of the United States of Reserve Components Officers Entering on Active Duty"

Proponent: DCSPER

Source(s): USARJ

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 601-100 and AR 601-106 create the perception that inequities exist between RA and Reserve commissions. These inequities influence officer treatment and promote the concept that the type of commission indicates an officer's worth.

Proposed Action and Rationale:

Determination: Regular Army and Reserve commissions provide different service tenure, promotion status (RA/AUS) and obligations. The differences are promulgated by law. Because of the variances, inequities exist; however, they do not indicate an officer's worth. If approved by Congress, the Defense Officer Personnel Management Act (DOPMA) will eliminate the problem.

Requirement Imposed by Higher Authority: Title 10, United States Code

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

Different Army policies govern the service tenure, promotion status and obligations of Regular Army and Reserve officers; however, they do not indicate the worth of individual officers. DOPMA is designed to correct inequities.

Army Regulation: AR 601-280, "Regular Army Reenlistment Program"
Paragraph 4-15

Proponent: DCSPER

Source(s): EIGHTH ARMY

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Warrant officers may not administer enlistment/reenlistment oaths.

Proposed Action and Rationale:

Retain: AR 601-280 prohibits a warrant officer from administering enlistment/reenlistment oaths. Title 10 US Code 502 is the basis for the AR. An enlistment/reenlistment oath is a significant event in which a commissioned officer should participate.

Requirement Imposed by Higher Authority: Title 10 USC Code 502

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s):

TRADOC - Concur; consideration should be given to allowing a warrant officer who commands a unit to administer enlistment/reenlistment oaths.

Consideration of Nonconcurrency(s)/Comment(s):

An enlistment/reenlistment oath is a significant event in which a commissioned officer should participate. Only commissioned officers serve as direct agents of the President. Officers should exercise their responsibilities as direct extensions of the Commander-in-Chief's authority by administering enlistment/reenlistment oaths.

Finding:

Commissioned officers should exercise their responsibilities as agents of the Commander-in-Chief by administering enlistment/reenlistment oaths.

Army Regulation: AR 614-30, "Oversea Service"
Paragraph 3-3a

Proponent: DCSPER

Source(s): MILPERCEN

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Temporary deferment from overseas assignments requires the applicant to include complete justification, e.g., affidavits from doctors, lawyers, church officials, American Red Cross and death certificates. These affidavits are in addition to the commander's signature on the request.

Proposed Action and Rationale:

Retain: Documentation to support temporary overseas deferment is required for commander assessment. Affidavits from appropriate personnel provide the commander with the means to assess deferments. The commander's signature provides necessary authentication.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s):

TRADOC - Concur; extensive documentation should not be routinely required. Only that documentation actually necessary should be furnished, as judged on a case-by-case basis.

Consideration of Nonconcurrency(s)/Comment(s):

The documentation requirements cited in paragraph 3-3a, AR 614-30 are necessary for proper case review. The documentation guidance is sufficiently broad to enable the applicant and commander to determine the number and type of supporting documents. Without appropriate documentation, the commander is not provided the data which he needs to make an objective, comprehensive assessment.

Finding:

Documentation requirements cited in AR 614-30 are necessary for deferment requests and do not undermine the commander's signature.

Army Regulation: AR 614-30, "Oversea Service"

Proponent: DCSPER

Source(s): MILPERCEN

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

The requirements for the unit AG to review and forward under signed statement that he has personally reviewed oversea deferment requests, that they are correct, justified and meet established criteria, are unnecessary.

Proposed Action and Rationale:

Eliminate: The unit Adjutant General should review oversea deferment requests; however, the signed statement that he has personally reviewed the requests should be eliminated.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s):

DCSPER - Concur. This item will be eliminated in the next change to the AR; however, it is not considered as an item that should be part of Officer Special Trust.

Consideration of Nonconcurrency(s)/Comment(s):

Unit Adjutants General review oversea deferment requests as an integral part of assigned tasks and responsibilities. Consequently, it is degrading to a unit Adjutant General to sign that he has personally accomplished these reviews.

Finding:

The requirement for the unit Adjutant General to review oversea deferment requests is valid; however, a statement attesting to the review is not necessary.

Issue: TAG-1

Army Regulation: AR 65-1, "Army Postal Operating Instructions"

Proponent: TAGCEN

Source(s): EIGHTH ARMY

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Custodians of postal effects must have a witness when opening or forwarding money order reports/stamp requisitions.

Proposed Action and Rationale:

Retain: AR 65-1 requires a witness when the postal custodian opens or forwards money order reports/stamp requisitions. The regulation provides additional protection to personnel involved in postal transactions. Although witnessing the postal custodian's duties may seem demeaning, the protection it affords is beneficial.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The requirement that postal custodians have a witness present when opening or forwarding money order reports/stamp requisitions protects the officer.

Army Regulation: AR 210-10, "Administration"
Chapter I, Paragraph 1-22

Proponent: TAGCEN

Source(s): DARCOM, FORSCOM, INSCOM, HSC, USMA, EIGHTH ARMY

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

For items listed on DA Form 137, "Installation Clearance," some installations require an officer to obtain initials/signatures from other personnel who are often of a lower rank.

Proposed Action and Rationale:

Determination: AR 210-10 does not prescribe that officers obtain initials/signatures on DA Form 137. The regulation states that E-7's and above may clear the installation by initialing or signing the form. At their discretion, installation commanders may require officers to secure initials/signatures to clear certain facilities.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s):

USMA - Degradation of the special trust occurs because of the fact of the requirement, not because of the source of the requirement to secure initials on the DA Form 137. TAG policy should make clear that officers have the prerogative of signing the form themselves. Installation commanders should follow the policy so specified.

Consideration of Nonconcurrency(s)/Comment(s):

Commanders should not be prohibited from implementing administrative controls to operate and manage installation facilities when conditions necessitate. However, commanders must be made aware that installation clearance procedures which prescribe restrictive controls are irritants to the officer corps.

Finding:

Army policy permits officers to clear an installation by initialing their own form; therefore, installation commanders should adhere to DA policy unless unusual local circumstances prevail.

Army Regulation: AR 210-65, "Alcoholic Beverages"
Paragraph 2-3

Proponent: TAGCEN

Source(s): EUCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

E-9's have unlimited Class VI rations while officers below the grade of O-6 have limited rations. Officers should be trusted not to blackmarket alcoholic beverages and to consume alcoholic beverages with moderation.

Proposed Action and Rationale:

Determination: AR 210-65 does not place limits on Class VI rations. This is a MACOM prerogative. The AR prescribes that major commanders require installation commanders to issue local regulations to ensure strict compliance with mandatory provisions of the AR. All officers should be afforded similar Class VI rations. Local regulations which grant trust on a given issue to senior noncommissioned officers while denying the same trust to officers degrades officer special trust.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

DA policy does not grant unlimited Class VI rations to E-9's while denying that privilege to officers below the grade of O-6. Local regulations which specify such a policy degrade officer special trust.

Army Regulation: AR 230-60, "The Management and Administration of the US Army Club System"
Paragraph 6-11

Proponent: TAGCEN

Source(s): DARCOM, CGSC Student

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Check cashing privileges are limited to authorized officer club patrons.

Proposed Action and Rationale:

Retain: Club privileges and benefits are provided solely for officers who volunteer to join a club and who are willing to abide by club regulations and by-laws. In March 1977, TAGCEN, IAW request by DCSPER reviewed check cashing policies and conducted a study to determine the feasibility of permitting non-club members to cash checks in Army clubs. The results of the study to include comments by MACOMs support the current policy.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s):

TRADOC - Concur; consideration should be given to allow limited exception by local commanders, i.e., an enlisted person may be granted an AER loan by check with no other facilities open on post at the time.

USARJ - Officers on PCS/TDY or leave should be allowed club privileges because of their patronage only.

Consideration of Nonconcurrency(s)/Comment(s):

Paragraph 4-2d of AR 230-60 states that members of any military club who are temporarily away from their installation are automatically extended reciprocal membership in other clubs. Installation commanders may grant officers on PCS use of club facilities for whatever period is appropriate. AR 230-60 is being changed to reflect that second-party check cashing may be accomplished by clubs in amounts and under conditions determined by the installation commander. As a result, installation club systems would be able to cash AER checks for enlisted persons when local situations dictate.

Finding:

Except in unusual circumstances, officer club privileges and benefits should be limited to officers who voluntarily join a club.

Army Regulation: AR 230-60, "The Management and Administration of the US Army Club System"
Paragraph 6-11(c)

Proponent: TAGCEN

Source(s): DARCOM, CGSC Student

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Second party checks cannot be cashed at the officers' club. This restriction indicates that an officer cannot be trusted to stand behind a check which he endorses.

Proposed Action and Rationale:

Eliminate: AR 230-60 prohibits cashing of second party checks. Officers can be expected to stand behind checks that they endorse. AR 230-60 is being revised to accommodate second party check cashing.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s):

TRADOC - Concur; any additional expense incurred by the club system in collecting dishonored second party checks would ultimately be borne by club members. This expense would be far outweighed by the service and convenience extended to the member.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The prohibition of second party check cashing at officer clubs should be eliminated. This is a service that officers' clubs should perform for their members and officers should be expected to stand behind their endorsement.

Army Regulation: AR 230-60, "The Management and Administration of the US Army Club System"
Paragraph 6-12b

Proponent: TAGCEN

Source(s): FORSCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 230-60 stipulates that officers must normally pay their club bills by the 15th day following the month of indebtedness. If the bill is not paid, a report is rendered to the installation commander.

Proposed Action and Rationale:

Eliminate: The requirement to report "delinquent" club bills to the installation commander does not consider officer unavailability or incapacitation. As a result, it may create unnecessary professional embarrassment. Club managers should only report officers who have had sufficient opportunity to pay club bills yet demonstrated an unwillingness to pay.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The requirement to report "delinquent" club bills to an installation commander by the 15th day following the month of indebtedness, does not consider officer unavailability or incapacitation. The requirement could create unjustifiable professional embarrassment.

Army Regulation: AR 230-60, "The Management and Administration of the US Army Club System"
Paragraph 1-12 and 2-15

Proponent: TAGCEN

Source(s): EUCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

The Advisory Council to the Officers Open Mess should be eliminated and control reverted to the Board of Governors.

Proposed Action and Rationale:

Retain: AR 230-60 prescribes the establishment of Advisory Councils. These councils make recommendations to the installation commander/club officer concerning house rules and the scope, character, program and operating objectives of club activities, services and facilities. While Boards of Governors were empowered to immediately change most club policies without referral to the command group, Advisory Councils promote command awareness of club problems and ensure that the commander's staff plays an integral part in club management. The current intricacies of club management dictate a comprehensive approach to problem-solving.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The current intricacies and complexities of club management require a comprehensive approach to problem-solving. Advisory Council procedures ensure that a comprehensive staff approach is used to resolve club problems.

Army Regulation: AR 230-60, "The Management and Administration of the US Army Club System"
Paragraph 4-1c(2)

Proponent: TAGCEN

Source(s): TRADOC

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Officers, regardless of club membership, are required to attend command social functions at officer open messes. Since non-club members would receive club privileges for which they did not pay, this compromises their integrity.

Proposed Action and Rationale:

Determination: AR 230-60 states that personnel who are eligible for active membership but who voluntarily reject membership are authorized to attend command-sponsored functions conducted in the club facility. AR 230-60 further states that installation commanders should prescribe club house rules for attendance at unit or command functions and which functions may be classified "command." Consequently, officer integrity is not violated.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

Officers who are non-club members may, under the provisions of AR 230-60, attend command social functions at officer open messes without compromising their integrity.

Army Regulation: AR 310-1, "Publications, Blank Forms, and Printing Management"
Paragraph 2-8

Proponent: TAGCEN

Source(s): FORSCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

The proliferation of certification requirements commencing with the words "I certify that" degrades the significance of the officer's signature.

Proposed Action and Rationale:

Determination: AR 310-1 states that certifications such as "I certify that," will not be included in any Department of the Army publications or forms unless they are required by law or agencies external to the Department of Defense or are essential to the conduct of the business of government. It further stipulates that certifications will not be established below Headquarters, Department of the Army, unless approved by the major commander or head of the HQDA staff agency concerned as essential to the conduct of government business. Sufficient policy exists to prevent certification proliferation.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

Adequate policy exists to prevent certification proliferation; however, excessive certification requirements have developed. This review will eliminate identified nonessential certification requirements.

Army Regulation: AR 340-18-1, "Army Functional Files System"

Proponent: TAGCEN

Source(s): USMA

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 340-18-1 cites standards of conduct procedures which are inaccurate.

Proposed Action and Rationale:

Eliminate: AR 340-18-1 provides a standards of conduct example that "individuals periodically read applicable directives and sign a document indicating that the directives are understood." The requirement to sign a document indicating that the directives are understood is inaccurate and should be eliminated.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The standards of conduct example is inaccurate and should be changed.

Army Regulation: AR 340-21, "The Army Privacy Act"
Paragraph 2-5b(3) and 2-8a

Proponent: TAGCEN

Source(s): TAGCEN

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Individuals seeking access to personal files must furnish verification of identity. When a person does not have suitable documentation (driver's license, ID card), the individual is required to provide a signed statement asserting his identity. When access is sought by mail, a signed notarized statement similar to that expressed above may be required.

Proposed Action and Rationale:

Retain: The Privacy Act establishes requirements for an agency to protect the confidentiality of records, provides for the agency to develop rules defining procedures for identifying an individual who requests personal records and stipulates criminal penalties for the willful disclosure of information to a person not entitled to receive it. The Director of the Office of Management and Budget has provided detailed guidance to the Executive Department for implementing the Privacy Act. Specific provisions for the verification of the identity of requestors are included. The language in AR 340-21 essentially parallels OMB guidelines. Identification procedures provide an overriding, desirable effect and should be retained.

Requirement Imposed by Higher Authority: Office of Management and Budget Directive, "Privacy Act Implementation Guidance and Responsibilities"
9 July 1975

DOD Directive 5400.11

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

Identity verification procedures for service members seeking access to personal files are necessary.

Army Regulation: AR 340-21, "The Army Privacy Program"
Paragraph 4-4

Proponent: TAGCEN

Source(s): ALFSE

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

To ensure accurate identification, officers must provide their social security number in nearly all official transactions within DOD. The SSN release forms which officers sign are redundant. To preclude repetitious signing of release forms, an officer should post SSN release only once with the Department of the Army.

Proposed Action and Rationale:

Determination: AR 340-21 does not require an officer to sign a statement for release of SSN. The regulation states that "any Army official who requests an individual to disclose his SSN will inform that individual whether disclosure is mandatory or voluntary of the statutory or other authority (including regulations) which specifically allows or requires that the number be solicited, and what uses will be made of it."

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

Regulations do not require officers to sign SSN release statements.

Army Regulation: AR 600-10, "The Army Casualty System"
DD Form 93/DA Form 41, "Record of Emergency Data"

Proponent: TAGCEN

Source(s): EUCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

DD Form 93 requires that officers initial their social security number on item 2b.

Proposed Action and Rationale:

Modify: AR 600-10 provides guidance on completing DD Form 93/DA Form 41, "Record of Emergency Data." The instructions for item-by-item preparation of the form are contained on the reverse side of the duplicate copy. A statement on the form requires the service member to initial item 2b to verify that the social security number is correct. Since the officer is required to sign the form to attest to its accuracy and the MILPO clerk further verifies its accuracy, the requirement to initial the social security number is an unnecessary administrative procedure.

Requirement Imposed by Higher Authority: DD Form 93 and implementing instructions.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

AR 600-10 should be modified to delete the requirement for all service members to initial their social security number on the "Record of Emergency Data" card. There are sufficient checks and administrative procedures to eliminate this requirement for all ranks and yet maintain quality control. This action requires DOD approval.

Army Regulation: AR 600-10, "The Army Casualty System"
Paragraph 11-3 and 11-6

Proponent: TAGCEN

Source(s): MILPERCEN, EUCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

The records supervisor/military personnel officer must verify the completeness and entries on DA Form 41/DD Form 93, "Record of Emergency Data," made by officers. Since a lower ranking individual must check the completed form, it may appear to undermine an officer's special trust.

Proposed Action and Rationale:

Retain: MILPO personnel are trained to provide administrative assistance in the completion of DA Form 41/DD Form 93 and accurate, complete and up-to-date entries are essential to both the Army and the officer. This is a quality control procedure which serves the best interests of the officer.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The requirement that MILPO personnel verify the completeness and entries on DA Form 41/DD Form 93 is a sound management practice.

Army Regulation: AR 600-20, "Army Command Policy and Procedures"
Paragraph 5-29

Proponent: TAGCEN

Source(s): FORSCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 600-20 states that officers may not support, campaign or solicit votes for an issue or a political candidate.

Proposed Action and Rationale:

Retain: A clear separation must exist between legislative and executive agencies. In order to avoid ethical or legal situations which could adversely impact upon the Army, officers should not become politically involved. This concept is supported by the Army's time-tested control by civilian authority.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

Officers should not become politically involved in campaigns or with issues and candidates.

Army Regulation: AR 606-5, "Identification Cards, Tags, and Badges"

Proponent: TAGCEN

Source(s): MILPERCEN, FORSCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

The personnel affairs specialist (MILPO) verifies the accuracy of personal information contained in the request for ID cards and tags. Since lower ranking individuals must check an officer's form, it may appear to undermine officer trust.

Proposed Action and Rationale:

Retain: AR 606-5 prescribes that the personnel affairs specialist verify information contained in a request for ID cards and tags. This "quality control" procedure ensures that the name, SSN and other items are identical to entries on DA Forms 2, 2-1 and 201. This information is critical to positive identification of injured, wounded, ill or deceased personnel and PW. Sound management dictates procedure retention.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACCM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The requirement that MILPO personnel verify the accuracy of personal information contained in the request for ID cards and tags is a sound management practice.

Army Regulation: AR 608-2, "Servicemen's Group Life Insurance"

Proponent: TAGCEN

Source(s): MILPERCEN

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 608-2 prescribes that the records supervisor/military personnel officer must verify and witness the accuracy and completeness of the entries on DA Form 41/DD Form 93, "Record of Emergency Data."

Proposed Action and Rationale:

Retain: MILPO personnel are trained to provide administrative assistance in the completion of DA Form 41/DD Form 93. There must be accurate, complete and up-to-date entries on the forms. The witness to the statement permits legal use of the documents. In the event of an emergency, the witness' signature can be used to validate the documents.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The requirement that MILPO personnel verify and witness the accuracy and completeness of entries on DA Form 41/DD Form 93 is a sound administrative practice.

Army Regulation: AR 608-16, "Check Cashing"
Paragraph 6a, Figure 1

Proponent: TAGCEN

Source(s): TAGCEN, USAREUR, MTMC, DARCOM, USAREC, HSC, ALFSE,
EIGHTH ARMY, FORSCOM, USMA

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Check writers at the commissary must sign a stamped statement on the back of checks which consents to collection of the face value of the check if the check is dishonored.

Proposed Action and Rationale:

Determination: Message, "Interim Change to AR 608-16," 081530 August 1977, eliminated the use of the consent statement for all individuals except Navy and Marine enlisted personnel. Regardless, at appropriated fund activities the pay of Army and Air Force officers and enlisted personnel may be withheld without their consent (Table 7-7-5, Rules 3 and 6, DODPM). Consequently, a need for a consent statement for Army personnel who cash checks at Army commissaries is nonexistent. Conversely, the pay of Navy and Marine officers and enlisted personnel may not be withheld without a consent statement (Table 7-7-5, Rules 3, 4 and 5, DODPM).

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s):

MDW - DOD should publish a regulation which authorizes involuntary collection for all authorized patrons of the PX and commissary.

TJAG - This action leaves Army and Air Force officers' pay subject to involuntary collection action for dishonored checks, but not the pay of Navy or Marine Corps officers.

Consideration of Nonconcurrency(s)/Comment(s):

In September 1975, Department of the Army forwarded proposed legislation to DOD which would permit involuntary collection of dishonored checks for military personnel of all services. This proposal is still being studied by DOD (MRA&L (MPP)).

Finding:

The requirement for officers to sign a consent statement was eliminated by Message, "Interim Change to AR 608-16," 081530 August 1977. The DOD Pay Manual only authorizes involuntary collection of funds for dishonored checks at appropriated fund activities for Army and Air Force personnel. DOD policy should be standardized.

Army Regulation: AR 608-16, "Check Cashing"
Paragraph 6a, Figure 1

Proponent: TAGCEN

Source(s): TAGCEN, USAREUR, MTMC, DARCOM, USAREC, HSC, ALFSE,
EIGHTH ARMY, FORSCOM, USMA

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Check writers at the post exchange must sign a stamped statement on the back of checks which consents to collection of the face value of the check if the check is dishonored.

Proposed Action and Rationale:

Determination: Message, "Interim Change to AR 608-16," 081530 August 1977, eliminated the use of the consent statement for all individuals except Navy and Marine enlisted personnel. Consequently, all officers are exempt from involuntary collection action for dishonored checks at nonappropriated fund activities. Army and Air Force enlisted personnel may have the amount of a dishonored check withheld from their pay without their consent (Table 7-7-5, Rules 3 and 6, DODPM).

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s):

MDW - DOD should publish a regulation which authorizes involuntary collection for all authorized patrons of the PX and commissary.

TJAG - This action leaves pay of all officers free from involuntary collection action for dishonored checks.

Consideration of Nonconcurrency(s)/Comment(s):

In September 1975, Department of the Army forwarded proposed legislation to DOD which would permit involuntary collection of dishonored checks for military personnel of all services. This proposal is still being studied by DOD (MRA&L (MPP)).

Finding:

The requirement for officers to sign a consent statement was eliminated by message, "Interim Change to AR 608-16," 081530 August 1977. The DOD Pay Manual authorizes involuntary collection of funds for dishonored checks at nonappropriated activities for Army and Air Force enlisted personnel but not Navy and Marine enlisted personnel. DOD policy should be standardized.

Issue: TAG-20

Army Regulation: AR 608-16, "Check Cashing"
Paragraph 6b

Proponent: TAGCEN

Source(s): TRADOC, FORSCOM, HSC

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 608-16 states that agents at check-cashing facilities will ensure that the check-writer's name is not on the dishonored checklist.

Proposed Action and Rationale:

Eliminate: DCSLOG has approved a TRADOC request to conduct a six month trial period in which Army officers' personal checks in commissaries will be cashed without reference to a dishonored checklist. This study will commence on 1 October 1977 at all CONUS commissaries.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The requirement for agents at check-cashing facilities to ensure that an officer's name is not on the dishonored checklist is an unnecessary administrative procedure that is degrading to officers. A DCSLOG study on the effect of eliminating use of dishonored checklists for officers at CONUS commissaries began on 1 October 1977 and was discontinued on 3 February 1978. CSA on 15 March 1978 approved the implementation of a more comprehensive test that will permit all authorized commissary patrons at two selected CONUS installations to cash checks without being subjected to the dishonored checklist procedure. Second test began in May 1978.

Army Regulation: AR 608-20, "Voting By Personnel of the Armed Forces of the United States"

Proponent: TAGCEN

Source(s): CGSC Student

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 608-20 specifies assignment of voting assistance officers down to battalion level and voting counselors below battalion level. As part of their duties, voting officers must sign that they have counseled an officer who requests voting materials. This requirement seems inappropriate.

Proposed Action and Rationale:

Determination: AR 608-20 does not require a voting assistance officer to verify that counseling has ensued. The regulation requires the responsible officer, NCO or civilian who is serving as voting counselor to attest the Federal Post Card Application (SF 76). This is a requirement of some state laws.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

AR 608-20 does not require voting assistance officers to verify that counseling has ensued.

Army Regulation: AR 621-5, "General Education Development"

Proponent: TAGCEN

Source(s): USAREUR

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 621-5 stipulates that an officer's application for tuition assistance must be signed by his unit commander. The unit commander's signature indicates that the officer will be able to attend academic instruction.

Proposed Action and Rationale:

Eliminate: The requirement for a unit commander to indicate by his signature that a subordinate officer is able to attend academic sessions is unnecessary. AR 621-5 is being revised to eliminate this requirement for officers.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s):

TRADOC - Concur; recommend addition of: "Officers may attest to official reason for dropping course, i.e., extended illness, transfer, emergency leave or military duty."

Consideration of Nonconcurrency(s)/Comment(s):

Revised edition of AR 621-5 will permit officers to attest to reasons for dropping a course. This action will preclude officers from refunding tuition assistance.

Finding:

The requirement for a unit commander's signature to attest that a subordinate officer is able to attend academic sessions should be eliminated.

Army Regulation: United States Code
Title 38, Section 1671
Veterans Administration

Proponent: TAGCEN

Source(s): USAREUR

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Officers applying for educational benefits under the GI Bill must have their commander's signature on their application form.

Proposed Action and Rationale:

Determination: VA Form 22-1990A, "Application for Program of Education and Training for Individuals on Active Duty," prescribes commander certification of service status to ensure educational benefits are warranted. This requirement assists in ensuring that GI Bill benefits are allocated in accordance with the law.

Requirement Imposed by Higher Authority: VA Form 22-1990A implementing provisions of Chapter 34, Title 38, USC.

HQDA Staff or MACOM Nonconcurrency(s):

TAGCEN - This office nonconcur with the recommendation to retain the requirement for an officer's commander to sign VA Form 22-1990A, "Application for Program of Education and Training for Individuals on Active Duty." This does not appear to be a statutory requirement. Recommend that DA/DOD request that the Veterans Administration waive this requirement.

TJAG - Delete this item. An examination of statutes is outside the scope of this review.

USMA - The requirement for the commander's countersigning of the GI benefit application which TAGCEN acknowledges "May degrade an officer's signature" should be considered in light of what standards exist for former service members applying for GI Bill benefits. If civilian applications are considered with only the individual's signature, the requirement for a counter-signature for active duty officers is demeaning.

TRADOC - Nonconcur; the commander does not determine eligibility; VA does. VA is also responsible for ensuring that benefits are properly allocated, not commanders. The commander's signature serves no useful purpose and should not be required.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s):

The Veterans Administration is charged with the responsibility of gathering appropriate documentation to ensure that applicants applying for VA educational benefits warrant the benefits. The administrative requirements for a prior service member's application are more extensive than an active duty member. A prior service applicant must provide supporting documentation to include a copy of his DD 214, "Discharge Certificate." The active duty member only requires his commanding officer's certification to satisfy VA verification requirements. As a result, the requirement for a commander to verify an active duty applicant's service status on the VA application is an efficient means of validating a member's eligibility and provides a service to the officer.

Finding:

The requirement for a commander to certify the service status of an active duty applicant on VA Form 22-1990A negates the need for additional supporting documents. Consequently, it provides a service to VA benefit applicants.

Issue: AAFES-1

Army Regulation: ESB #274 (55-41), "Uniform Check Cashing Procedures"

Proponent: AAFES

Source(s): FORSCOM, MDW

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

An officer must show an ID card while attired in proper uniform when cashing a check at the PX.

Proposed Action and Rationale:

Retain: The requirement to show identification at the exchange while cashing a check protects the officer as well as the exchange. If an officer loses or misplaces a checkbook, this verification process would prevent another individual from cashing the check.

Requirement Imposed by Higher Authority: ESB #274 (55-41), "Uniform Check Cashing Procedures"

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The requirement for a uniformed officer to show an ID card when cashing a check is a sound procedure.

Army Regulation: ESB #274 (55-41), "Uniform Check Cashing Procedures"
AR 60-10, "General Policies (AFR 147-7)"

Proponent: AAFES

Source(s): MTMC, INSCOM, DARCOM, FORSCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

The post exchange has a \$50.00 limit on check cashing. This limit should be raised in view of economic conditions.

Proposed Action and Rationale:

Retain: ESB #274 (55-41) prescribes a \$50.00 check cashing limit. Other checks for amount of purchase can be rendered for amounts over \$50.00. Check cashing at exchange facilities is offered as a service to all soldiers; however, banking facilities should provide the major service. If the \$50.00 limit were raised, AAFES would be required to increase its "working fund" which represents "idle money." Consequently, these funds would not be available for inventory investment and this would reduce earnings and welfare fund contributions. Because exchange facilities should not act as a bank substitute and other exchange services would be impaired, the \$50.00 check cashing limit should be retained.

Requirement Imposed by Higher Authority: ESB #274 (55-41), "Uniform Check Cashing Procedures"

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s):

ALFSE - An exception should be made for those locations without banking facilities.

USAREC - Concur that the check cashing limit of \$50.00 is reasonable in most cases. However, a higher cash checking limit should be considered in those few areas where banking facilities are not readily available.

Consideration of Nonconcurrency(s)/Comment(s):

A post exchange manager may make an exception to the \$50.00 check cashing limit on a case-by-case basis; however, a sustained practice of this type would contradict the purpose of post exchange operations.

Finding:

The \$50.00 check cashing limit in exchange facilities is appropriate.

Army Regulation: ESB #274 (55-41), "Uniform Check Cashing Procedures"

Proponent: AAFES

Source(s): USAREUR, EUCOM, DARCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Officers are required to augment the personal information printed on the front of their checks. An officer's signature should be sufficient.

Proposed Action and Rationale:

Modify: ESB #274 (55-41) prescribes that checks contain the following information: telephone number; social security number; name and rank; name and rank of sponsor if check writer is dependent; military organization; branch of service; duty station for active duty personnel and their dependents and home address for others. Information which is on the front of the check need not be repeated on the back. Although identification data are used to protect the individual as well as the exchange facility, data requirements are excessive. The rank, name, social security number, branch of service, telephone number and address are sufficient to identify and, if required, locate any individual. This information could be printed on the front of a check, thus negating data requirements on the back.

Requirement Imposed by Higher Authority: ESB #274 (55-41), "Uniform Check Cashing Procedures"

HQDA Staff or MACOM Nonconcurrency(s):

MDW - Nonconcur; proposed modification is acceptable provided information on military organization for active duty personnel is retained. An active duty person can be identified and located faster by his military address than his civilian address. Present confusion lies in the fact that current check cashing stamps do not clearly state that the civilian address is required only for retirees or DOD civilians authorized PX or commissary privileges.

HQDA Staff or MACOM Comment(s):

AAFES - Concur. However, AR 608-16 would have to be changed because as presently written, the exchange is required to furnish the commander of the military unit information regarding returned checks. This information would not be available under the new criteria. In case of dependents, information to identify the sponsor is required because the dependent's social security number is usually not shown in the identification card and there is no central repository identifying dependents.

TAGCEN - A review must be made of changing the requirement for personal information on the reverse of checks to determine its impact on all check cashing facilities.

Consideration of Nonconcurrency(s)/Comment(s):

A duty phone number is the most efficient method to notify an active duty military member of a dishonored check. Consequently, the check cashing stamp should indicate duty phone number for active duty personnel and civilian phone number for other personnel. If required, an individual's military organization could be obtained by telephone. If restoration were not made within the allotted time, the command could be contacted. Keying the check cashing restitution effort to the duty telephone number would, in most cases, require an exchange patron to print their duty phone number on the reverse side of the check.

Finding:

Check cashing identification requirements are necessary for all categories of personnel; however, these requirements should be restricted to essential data.

Army Regulation: ESB #274 (55-41), "Uniform Check Cashing Procedures"

Proponent: AAFES

Source(s): FORSCOM, USAREUR, ALFSE, INSCOM, EIGHTH ARMY

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

There is a requirement that officers' checks be verified as "good" from a master bad-check listing in the exchange.

Proposed Action and Rationale:

Eliminate: ESB #274 (55-41) stipulates that patrons wishing to cash checks be screened against a dishonored check list. An officer should be expected to conduct transactions in an impeccable manner and not be subjected to "dishonored check list screening." Violators of this trust should be dealt with severely.

Requirement Imposed by Higher Authority: ESB #274 (55-41), "Uniform Check Cashing Procedures"

HQDA Staff or MACOM Nonconcurrency(s):

AAFES - Concur that an officer should be expected to conduct transactions in an impeccable manner. However, elimination of this screening for officer personnel would not be compatible with the joint departmental prescribed objective of providing uniform standards of service for all military members, regardless of rank.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s):

On 1 October 1977, DCSLOG will initiate a six-month pilot program of check cashing in commissaries. The program will allow an Army officer's check to be cashed without reference to a dishonored check list. Results of the study will be used to address the exchange check cashing issue.

Finding:

The requirement for agents at check cashing facilities to ensure that an officer's name is not on the dishonored check list undermines officer special trust. A DCSLOG study on the effect of eliminating dishonored check rosters for officers at CONUS commissaries began on 1 October 1977 and was discontinued on 3 February 1978. CSA on 15 March 1978 approved the implementation of a more comprehensive test that will permit all authorized commissary patrons at two selected CONUS installations to cash checks without being subjected to the dishonored check list procedure. Second test began in May 1978 and data derived from this study will be used to address the AAFES check cashing issue.

Army Regulation: ESB #274 (55-41), "Uniform Check Cashing Procedures"

Proponent: AAFES

Source(s): FORSCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Officers are not permitted to cash second party checks at the exchange.

Proposed Action and Rationale:

Determination: ESB #274 (55-41) stipulates that second party checks may be cashed if the amount of the check does not exceed \$50.00; however, local directives could eliminate this service. The service is reasonable and should be afforded to exchange patrons.

Requirement Imposed by Higher Authority: ESB #274 (55-41), "Uniform Check Cashing Procedures"

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

Exchange policy authorizes second party check cashing not to exceed \$50.00. This service should be afforded exchange patrons.

Army Regulation: ESB #274 (55-41), "Uniform Check Cashing Procedures"

Proponent: AAFES

Source(s): FORSCOM, INSCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

The exchange only permits one check cashed per day.

Proposed Action and Rationale:

Determination: ESB #274 (55-41) establishes a \$50.00 check cashing limit for post exchanges. If the \$50.00 limit is not exceeded, an individual may cash more than one check per day. The post exchange is providing a customer service by cashing checks and patrons should not regard the exchange as a bank substitute.

Requirement Imposed by Higher Authority: ESB #274 (55-41), "Uniform Check Cashing Procedures"

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

Exchange policy authorizes the cashing of more than one check per day, provided the total does not exceed \$50.00.

Army Regulation: AR 60-20, "Exchange Service Operating Policies"
Paragraph 3-12a

Proponent: AAFES

Source(s): FORSCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

To enter exchange facilities, officers in uniform are required to show ID cards.

Proposed Action and Rationale:

Determination: AR 60-20 as supplemented by ESB #362 (1-40), 23 February 1977, "Patronage Control and Identification Policy and Procedures," requires all patrons to display identification either at the entrance to a facility or at the point of sale. Oversea commanders and off-shore commanders may prescribe additional identification procedures for exchange facility entry. All uniform personnel may be subject to unannounced identification checks as prescribed by AAFES ESB #362. These checks must be made quarterly. Identification card requirements for exchange entry protect customer privileges by preventing unauthorized use of exchange facilities.

Requirement Imposed by Higher Authority: DOD Directive 1330.9
"Armed Services Exchange
Regulations"

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

In specific instances, the requirement for uniformed officers to show ID cards to enter exchange facilities is valid.

Army Regulation: ESM 40-11, "Special Retail Programs"
Paragraph 4

Proponent: AAFES

Source(s): HSC

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

As patrons exit the exchange, their bags must be stapled.

Proposed Action and Rationale:

Modify: ESM 40-11 prescribes bag stapling procedures. Stapling at exit cashier counters serves little purpose in countering shoplifting and is a time-consuming affront to most exchange patrons. This policy should be eliminated for all patrons. Bag stapling at internal cashier counters expedites service at exit cashier counters, deters shoplifting and should be retained.

Requirement Imposed by Higher Authority: ESM 40-11, "Special Retail Programs"

HQDA Staff or MACOM Nonconcurrency(s):

USAREC - Bag stapling at the PX is not an attack on officer trust. It is a sound management practice employed in civilian shopping facilities as well as military. It is a deterrent to shoplifting because it denies potential shoplifters the opportunity to bypass the check-out counter and easily blend in with other exiting customers. Additionally, the benefit of eliminating the bag stapling practice for officer customers is not readily apparent, e.g., how will the cashiers identify officers who are in civilian attire? Recommend that current procedures be retained.

HQDA Staff or MACOM Comment(s):

AAFES - Concur. Bag stapling at centralized exit check-out counters should be discontinued.

TRADOC - Concur; however, local commanders should have the authority to reinstitute this practice in the interests of controlling shoplifting.

Consideration of Nonconcurrency(s)/Comment(s):

Bag stapling is demeaning to all patrons. AR 608-16 does not require bag stapling. Local commanders may institute procedures to deter shoplifting. There is no evidence that bag stapling at centralized exit check-out counters serves as a positive deterrent to shoplifting.

Finding:

Bag stapling at centralized exit check-out counters is unnecessary and time-consuming. It should be discontinued for all exchange patrons.

Army Regulation: AR 60-20, "Operating Policies"
Paragraph 3-12b(8)

Proponent: AAFES

Source(s): MDW, TRADOC

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Officers' spouses and dependents must have a DD Form 1172, "Uniformed Privilege Card," to gain entry to the post exchange.

Proposed Action and Rationale:

Determination: AR 60-20 does not prescribe an identification card to enter exchange facilities; however, some exchanges require an ID card for entry. When an officer's spouse or dependent does not have an ID card in their possession, an officer's word should be accepted in lieu of the card. This option does not alleviate the need for a valid ID; it should serve only as a courtesy for authorized exchange patrons who for some reason do not possess an ID.

Requirement Imposed by Higher Authority: DOD Directive 1330.9
"Armed Services Exchange
Regulations"

HQDA Staff or MACOM Nonconcurrency(s):

AAFES - Nonconcur with proposed action and rationale. Present system should not be modified unless uniformity of system can be assured for all servicemen regardless of rank.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s):

Numerous exchange facilities do not prescribe entrance identification requirements. These facilities do prescribe "purchase check-out" identification. Consequently, an officer's verification of an authorized exchange patron is not inconsistent with current standard operating policies at numerous exchange facilities. The "purchase check-out" identification would still be required. The feasibility of adopting this for other service personnel should be studied.

Finding:

Officers should be authorized to verify exchange entrance identification requirements for their spouses or dependents.

Army Regulation: AR 60-20, "Exchange Service Operating Policies"

Proponent: AAFES

Source(s): FORSCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Patrons of the exchange must have their bags checked as they enter.

Proposed Action and Rationale:

Determination: AR 60-20 prescribes that local commanders may modify exchange procedures to prevent abuse of exchange privileges. The regulation does not prescribe entry parcel checks; however, this policy may be implemented by an installation commander as a security measure against shoplifting. Most large volume civilian retail outlets employ similar practices and sound management dictates the requirement at some post exchanges.

Requirement Imposed by Higher Authority: DCD Directive 1330.9
"Armed Services Exchange
Regulations"

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

Parcel checks of patrons entering exchange facilities is a valid control measure to discourage shoplifting.

Army Regulation: AR 60-20, "Exchange Service Operating Policies"
Paragraph 4-1

Proponent: AAFES

Source(s): USACC, FORSCOM, EIGHTH ARMY

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

When officers purchase exchange items which cost over \$25.00, they must sign a statement certifying that the merchandise listed on the sales slip is for personal use or a bona fide gift.

Proposed Action and Rationale:

Determination: The requirement to sign a statement that exchange merchandise costing over a set limit is for personal use or a bona fide gift is designed to restrict merchandise use to authorized individuals. This procedure assists in ensuring that exchange privileges for all service personnel are retained. The \$25.00 set limit was raised to \$75.00 by the House Armed Services Committee and implemented by DOD Directive 1330.9, "Armed Services Exchange Regulations."

Requirement Imposed by Higher Authority: The House Armed Services Committee;

DOD Directive 1330.9
"Armed Services Exchange Regulations"

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The requirement for officers to sign a statement certifying that exchange merchandise priced over a set limit is for personal use or a bona fide gift is necessary.

Army Regulation: AR 50-5, "Nuclear Surety"
Paragraph 3-11

Proponent: MILPERCEN

Source(s): CGSC Student

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 50-5 prescribes medical record screens by medical personnel to determine information that may preclude an individual's assignment to a nuclear surety position. The unit commander has the responsibility to ensure assignment standards; however, he does not have the authority to review medical records.

Proposed Action and Rationale:

Retain: A unit commander should not have direct access to medical records. It is the unit commander's responsibility to render nuclear surety assignment decisions based on the individual's overall performance history and capability. An individual's medical condition can only be presented adequately by individuals competently trained to interpret medical data. This procedure provides the commander the information of particular concern without breaching an individual's confidence in matters unrelated to assignment. Any threat to or breach of confidentiality (such as fear of commander access to medical records) will undermine the basic purpose of medical records.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

A commander's review of medical records is improper. Medical information should be provided through medical channels.

Army Regulation: AR 55-46, "Travel of Dependents and Accompanied Military and Civilian Personnel To, From, or Between Oversea Areas"

Proponent: MILPERCEN

Source(s): FORSCOM, TRADOC

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

To be eligible for concurrent travel, officers must show proof of housing availability in an oversea area.

Proposed Action and Rationale:

Modify: AR 55-46 prescribes that officers provide proof of available oversea housing to acquire concurrent travel. The requirement to obtain oversea accommodations prior to acquiring concurrent travel is valid; however, an officer's signed statement should suffice as proof of available housing.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

An officer's signature should suffice as proof of availability of housing in an oversea area.

Army Regulation: DA Circular 55-80, "Port Call Instructions Travelope"

Proponent: MILPERCEN

Source(s): TRADOC

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Officers are required to sign their names on port call travelopes to attest that the enclosed instructional materials are understood.

Proposed Action and Rationale:

Retain: DA Circular 55-80 requires all DA oversea travelers to attest that instructional materials in the travelope are understood. The officer's signature indicates that the travelope has been received. The signature is filed by the MILPO clerk for record-keeping purposes. These procedures underscore the importance of the instructions and serve as receipt acknowledgement. They provide a basis for adjudicating cases in which personnel have missed movement.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

Established procedures are designed to assist the traveler and facilitate record-keeping.

Army Regulation: AR 310-10, "Military Orders"
Paragraph 3-1

Proponent: MILPERCEN

Source(s): AWC Student

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

An officer cannot approve his own TDY travel orders (DD Form 1610, "Request and Authorization for Travel of DOD Personnel").

Proposed Action and Rationale:

Determination: AR 310-10 states the authority to issue travel orders is vested in the CSA and TAG. This authority is delegated to certain commanders and heads of Army staff agencies who may further delegate this authority to their subordinates as necessary. The AR does not prohibit individual travel order approval; however, common practice retains approval authority at a level which ensures appropriate TDY fund management. This procedure reflects sound management.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

Army policy does not prohibit an officer from approving his TDY travel orders; however, TDY approval authority should be placed at a level which ensures appropriate fund management.

Army Regulation: AR 351-16, "Selection, Administration and Assignments for Officer Students to Service Schools"

Proponent: MILPERCEN

Source(s): MDW

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

It appears that Reserve officers on active duty are afforded only token representation at the US Army Command and General Staff College (CGSC).

Proposed Action and Rationale:

Determination: AR 351-16 stipulates school attendance provisions. A Department of Army board reviews the records of all eligible officers and determines attendance with equal regard to all officers. There is not a prescribed quota for any officer category; however, Reserve officer attendance at CGSC is not proportionate to Regular Army officer attendance. Initial entry duty positions, tenure obligations (20 versus 30 years), career opportunities and advanced civilian school selections may diminish the record of a Reserve officer when compared to a Regular Army officer. This situation may prompt selection inequities; however, the Defense Officer Personnel Management Act (DOPMA), if enacted, will correct the situation.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACCM Nonconcurrency(s): None.

HQDA Staff or MACCM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

Selection for attendance at CGSC is a function of a number of variables which have generally operated in favor of Regular Army officers. Pending DOPMA legislation is designed to correct inequities between Regular Army and Reserve officers.

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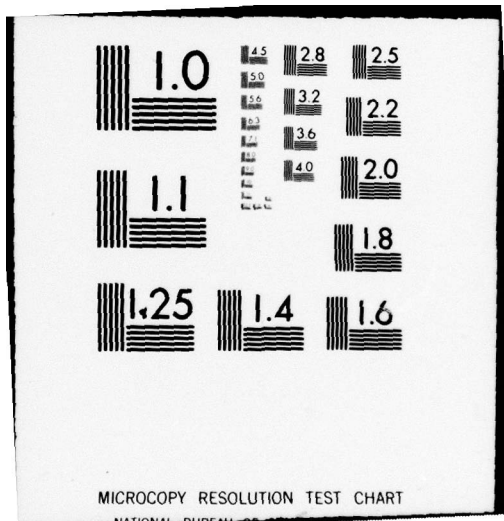
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Army Regulation: DA Pamphlet 600-8, "Military Personnel Office Management and Administrative Procedure"
Procedures 4-23/24

Proponent: MILPERCEN

Source(s): MILPERCEN

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

The personal affairs specialist at a Military Personnel Office (MILPO) verifies the accuracy of personal information contained in a request for replacement of an ID card. A subordinate is often placed in a position to check on the information provided by an officer.

Proposed Action and Rationale:

Retain: The verification of information on an ID card is an administrative process. It is not directed at the trust of an officer. While an officer is expected to ensure the accuracy of an important document, detailed items should be double-checked. This is a quality control procedure which ensures accuracy of name and SSN and that they are identical to entries on DA Forms 2, 2-1 and 201. This information is critical to positive identification of injured, wounded, ill, deceased or PW personnel.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s):

TRADOC - Nonconcur; the requirement to verify the information on an ID card is inconsistent with the expression of trust. It is reasonable to expect that an officer will give his personal attention to ensure the accuracy of such an important document.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s):

The personnel specialist verification of the accuracy of information required for replacement of an ID card is an appropriate quality control measure and a reasonable administrative procedure.

Finding:

The requirement for a personnel specialist to verify personal information on a request for an ID card is valid. It is simply a quality control measure conducted to ensure administrative correctness.

Army Regulation: AR 600-200, "Enlisted Personnel Management System"
Paragraph 7-23

Proponent: MILPERCEN

Source(s): MILPERCEN

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

DA Form 3355-R, "Promotion Point Worksheet," requires the unit personnel officer to certify that:

- a. Administrative points are correctly extracted from appropriate records.
- b. Promotion points are correct.

Proposed Action and Rationale:

Eliminate: The requirement should remain that promotion points are checked and that information provided to the board is correct. The fact that the unit personnel officer is responsible negates the requirement to certify task accomplishment.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s):

DCSPER - DA Form 3355-R, "Promotion Point Worksheet" is in the process of being revised to remove the certification requirement for the unit personnel officer.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The unit personnel officer is responsible for ensuring that administrative and promotion points are correctly specified on the "Promotion Point Worksheet;" the personnel officer's certification of that responsibility is unnecessary.

Army Regulation: AR 600-200, "Enlisted Personnel Management System"
Paragraph 7-29, 1b

Proponent: MILPERCEN

Source(s): MILPERCEN

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

DA Form 3355-R, "Promotion Point Worksheet," requires the unit personnel officer to certify that recomputed promotion scores are correct.

Proposed Action and Rationale:

Eliminate: The recomputation should be continued; however, the certification to task accomplishment should be eliminated.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s):

DCSPER - The regulation and worksheet are in the process of being revised to eliminate the certification requirement.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The unit personnel officer certification to the accuracy of recomputed promotion scores is not necessary.

Army Regulation: AR 600-200, "Enlisted Personnel Management System"
Paragraph 7-30

Proponent: MILPERCEN

Source(s): MILPERCEN

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

DA Form 3355-R, "Promotion Point Worksheet," requires that the commander recommending a soldier for promotion must counsel any soldier not selected for promotion. The commander and soldier must affix initials to the worksheet to attest to counseling.

Proposed Action and Rationale:

Eliminate: The requirement for counseling should continue; however, the requirement to certify that counseling was done should be eliminated. It is unnecessary that an officer initial to attest that counseling was accomplished.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s):

DCSPER - AR 600-200 paragraph 7-30 is in process of being revised to coincide with the revised DA Form 3355-R.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The requirement that a commander affix his initials to the "Promotion Point Worksheet" to attest to counseling is not necessary.

Army Regulation: AR 600-200, "Enlisted Personnel Management System"

Proponent: MILPERCEN

Source(s): FORSCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Personnel who enlist under a bonus program must be utilized in the military occupational specialty (MOS) for which the bonus program is designed. Only under unusual circumstances and with MILPERCEN approval may an individual who receives a bonus be utilized outside his MOS. These requirements restrict personnel utilization to effect mission accomplishment.

Proposed Action and Rationale:

Retain: Chapter 9 of AR 600-200 is being revised; however, the requirement to utilize bonus enlistees in their primary MOS remains. The bonus is only paid for critical skills; consequently, utilization exceptions must be limited to an absolute minimum. Commanders should be cognizant and supportive of the bonus program. It affords critical skill fill and violations could result in loss of the program.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The restrictions imposed upon utilization of bonus enlistees are appropriate and do not reflect adversely upon officer trust.

Army Regulation: AR 600-200, "Enlisted Personnel Management System"
Chapter 2, Appendix IV

Proponent: MILPERCEN

Source(s): CGSC Student

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Appendix IV, AR 600-200 encourages commanders to reclassify soldiers on a voluntary basis from an overage MOS into a shortage MOS. MILPERCEN often denies the commander's recommendation.

Proposed Action and Rationale:

Retain: DA Circular 611-56, "Enlisted Career Force Sustainment Program (Listing of Shortage, Overstrength, and Balanced MOS)," dated 9 February 1977 contains guidance similar to AR 600-200. This document requires commanders to forward reclassification requests to MILPERCEN who assesses Army-wide requirements on a daily basis. Consequently, there may be instances when a reclassification request is denied.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

Because of fluctuating personnel requirements, the need for MILPERCEN to assess commander reclassification action is valid.

Army Regulation: AR 600-200, "Enlisted Personnel Management System"
Paragraph 5-12c(1)

Proponent: MILPERCEN

Source(s): FORSCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

During security inspections, military intelligence officers are not permitted to inspect MOS test material.

Proposed Action and Rationale:

Retain: AR 600-200 prohibits access to test information except for individuals involved in test administration. During a security inspection, there is no requirement for the test materials to be inspected; therefore, inspectors do not need access to test information.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

During security inspections, there is no need for inspection of MOS test materials.

Army Regulation: AR 600-200, "Enlisted Personnel Management System"
Paragraph 7-3b and 7-63b

Proponent: MILPERCEN

Source(s): USACC

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 600-200 stipulates that a field grade commander may promote personnel to pay grade E-5 and E-6 only if the unit is authorized a commander in the grade of lieutenant colonel or higher. Grade distinction for promotion authority should not be made.

Proposed Action and Rationale:

Retain: AR 600-200 prescribes that a field grade commander of an organization which is authorized a commander in the grade of O-5 or higher may promote to E-5 and E-6 pay grades. Because of the significance of E-5/E-6 promotion, promotion authority should be vested with an O-5 or higher command position.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

Promotion to pay grades E-5 and E-6 should be made by unit commanders in authorized O-5 or higher positions.

Army Regulation: AR 600-200, "Enlisted Personnel Management System"
Chapter 8

Proponent: MILPERCEN

Source(s): FORSCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

An officer must inflate the ratings of enlisted personnel in order that they remain competitive for promotion.

Proposed Action and Rationale:

Determination: AR 600-200, Chapter 8, "Evaluation Reports," prescribes adequate procedures to administer the enlisted evaluation system and does not promote the inflation process. Raters have inflated scores to ensure that their subordinates remain competitive. This Army-wide practice must be reassessed throughout every chain of command and a concerted effort initiated to gradually lower the scores. Without this initiative, injustice could occur to quality soldiers who warrant promotion, yet whose reports are grouped in a maze of other individual reports making selection processes difficult at best.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s):

USAREC - Proposed response does not address the basic issue. The present system requires a numerical rating (range from 01 to 125) with a provision that MILPERCEN will publish average scores by grade on a regular basis. The publication of average scores by grade has been a major contributing factor to numerical inflation. For example, the current numerical average scores for the top three grades are: E7 - 121, E8 - 123, and E9 - 123.9. Since the maximum numerical score is 125, there is little room for raters to discriminate between the best, the worst, and the middle of the road. For example, when rating an E8, if the rater deducts one point from perfection and the indorser does likewise, the rated soldier has a "numerically average score" of 123. We have created a problem -- the near perfect "average score." It is unrealistic to blame it all on the raters, and it is equally unrealistic to suggest an Army-wide campaign to gradually lower the average scores. Maybe we don't need numerical scores at all. Perhaps we need numerical scores, but should consider: (1) Redesigning the report form; (2) Eliminating the policy of publishing "average scores,"; and (3) Including a section of "forced choice" evaluations that don't lend themselves

to progressive responses that are neatly categorized as worse, good, better, best and perfect. Recommend that this issue be further evaluated.

Consideration of Nonconcurrency(s)/Comment(s):

MILPERCEN publishes average scores by grade on a quarterly basis for "full disclosure" of rating information to the soldier. Average score disclosures may influence numerical inflation; however, it provides a service to the soldier. Senior noncommissioned officer scores are near perfect; however, discrimination exists for E4's, E5's and lower ranking individuals. Chapter 8, AR 600-200 which was distributed in March 1977 requires a two-part narrative section for rater and endorser in addition to the numerical rating. This narrative is used to discriminate among reports. Forced choice evaluations preclude an outstanding collective group from receiving equally high ratings. Enlisted Evaluation Report procedures receive continuous evaluation. A recent Enlisted Personnel Management System (EPMS) change of providing the soldier's duty performance evaluation by relative percentile ranking has been effected and must be assessed. If the system change does not provide sufficient data for promotion boards and career managers to evaluate each soldier, then a modification should be initiated.

Finding:

Inflation exists in the EER. The procedure of providing EER average scores to the field has contributed to EER inflation and should be reviewed by MILPERCEN. Changes to EPMS may reduce this inflationary trend. Results of the recent changes should be evaluated by MILPERCEN as data become available.

Army Regulation: AR 600-200, "Enlisted Personnel Management System"
Paragraph 2-6b

DA Message DTG 031030Z

Proponent: MILPERCEN

Source(s): MILPERCEN

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

The commander is required to verify that a soldier is capable of performing in an MOS when the soldier's PULHES falls below established MOS standards.

Proposed Action and Rationale:

Retain: Commanders are the best judge of a soldier's capabilities. Consequently, authority to retain and utilize a soldier in his current MOS should rest with the commander. The commander's verification that a soldier is capable of performing in his MOS negates other MOS action.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The requirement for a commander to verify a soldier's ability to perform in his MOS when his PULHES falls below MOS standards is necessary.

Army Regulation: AR 600-240, "Marriage in Oversea Commands"

Proponent: MILPERCEN

Army Regulation: AR 608-3, "Naturalization and Citizenship of
Military Personnel and Dependents"

Proponent: TAGCEN

Pertinent Statute: US Immigration and Naturalization Act of 1952

Source(s): USAREUR

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

PCS orders assigning an officer from an oversea station to the United States and documentation of "sufficient funds" are required to obtain a visa for an officer's foreign or alien spouse.

Proposed Action and Rationale:

Retain: AR 600-240 prescribes that all Army sponsors show evidence of sufficient funds to prevent alien spouses from becoming public charges. The regulation implements provisions of the US Immigration and Naturalization Act of 1952. Since the laws of this Act apply to all US citizens including high level civilian officials, officers should provide the specified documentation. The merits of the Act override personal considerations and the Army regulation is in consonance with the Act.

Requirement Imposed by Higher Authority: US Immigration and Naturalization Act of 1952

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The regulation implements portions of a federal statutory requirement which is relevant to all individuals. It is not viewed as undermining officer special trust.

Army Regulation: AR 600-290, "Passports"

Proponent: MILPERCEN

Source(s): USAREUR

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

American consultates have dual standards for commissioned officers who apply for passports. Regular Army officers may sign a passport request without further documentation. Reserve officers must show a birth certificate, a naturalization certificate or other proof of citizenship.

Proposed Action and Rationale:

Determination: AR 600-290 has been revised to eliminate the former system of permitting Regular Army officers to obtain a passport without proof of citizenship. Previously, a Regular Army officer was permitted to obtain a passport application without providing proof of citizenship. It was believed that all Regular Army officers were required to be citizens; however, based on statute, waivers of citizenship may be granted to Medical and Dental Corps officers who are commissioned Regular Army. The revised regulation requires all Army officers regardless of commission to show evidence of citizenship.

Requirement Imposed by Higher Authority: 10 USC 3285 and 8285;
10 USC Section 591;
10 USC 5571, "Passport Agents Manual," State Department

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The revised AR 600-290 requires all commissioned officers to show proof of citizenship and was published in November 1977. Further review of the above rationale revealed that a portion is incorrect and the Army should in fact be following State Department guidance. The State Department has determined that for their purposes a Regular officer must have already established US citizenship; therefore, they do not require this applicant to furnish additional citizenship evidence. AR 600-290 is being changed to reflect identical requirements as contained in the Passport Agent's Manual. Department of State is responsible for determining documentation requirements for issuance of passports. Department of State Passport Agent's Manual provides that a passport applicant who holds or has held a regular commission (not a Reserve commission) in one of the US Armed Forces, and was born in the US, is exempted from the requirement of submitting citizenship evidence. Officers who hold regular commissions but were born outside the US, reserve officers, and warrant officers must submit other acceptable citizenship evidence.

Army Regulation: AR 608-99, "Paternity Claims"
Paragraph 2f

Proponent: MILPERCEN

Source(s): MILPERCEN

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

In paternity cases, the commanding officer must assure that the military member supports his dependent as pledged. Full explanations to HQDA in cases of breach of promise are required of the commanding officer.

Proposed Action and Rationale:

Eliminate: The commander has the authority and responsibility to ensure that the military member supports dependents; therefore, there is no need for the commander to routinely report to higher headquarters when a military member does not render this support.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

Commanders should not be required to report to higher headquarters if a member of their unit fails to meet dependent support responsibilities.

Army Regulation: AR 614-100, "Officers"
Paragraph 3-4d(3)

Proponent: MILPERCEN

Source(s): USACIDC

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Except in unusual circumstances which permit an outstanding senior captain to be appointed, it appears that acting or detailed inspector generals are required to be in the rank of major or higher. The policy of excluding captains who possess the requisite ability to be inspector generals may be degrading.

Proposed Action and Rationale:

Retain: AR 614-100 stipulates that appointment of officers as inspectors general will be in grade of major and above. The DAIG nomination system allows for the selection of outstanding senior captains to be detailed as inspectors general. Nominations are considered on a case-by-case basis. To be an effective IG, an officer must possess maturity, experience, and a substantial understanding of the Army.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The rank criterion for appointing officers to inspector general positions ensures that a matured, experienced officer addresses Army-wide problems. This procedure reflects sound management practice.

Army Regulation: AR 614-100, "Officers"

Proponent: MILPERCEN

Source(s): TRADOC, MDW

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

MILPERCEN assignment management lacks consistency as officers of similar experience and background are not given equal opportunity for career enhancing assignments.

Proposed Action and Rationale:

Determination: Each officer's assignment management is an individual process based on the officer's background, experience, Army needs and availability for assignment. An assignment which one officer views as "good" could be considered "poor" by another officer. Each officer may submit an Officer's Assignment Preference Statement to express duty desires. These statements are consulted each time an officer is reassigned and an effort is made to comply with the officer's request. Army requirements and officer specialties are overriding considerations.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

Officer assignments are based on multiple factors to include officer desires, background, experience, Army needs and reassignment availability. Officers of similar experience and background are afforded equal opportunity for career enhancing assignments; however, Army requirements and officer specialties are overriding considerations.

Army Regulation: AR 614-101, "Officer and Warrant Officer Reassignment Policy"
Paragraph 3a, b, c

AR 614-200, "Enlisted Personnel Selection, Training and Assignment System Grades E-1 through E-9"
Paragraph 3-4a

Proponent: MILPERCEN

Source(s): MILPERCEN

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

An application for reassignment for extreme family problems must include complete justification, e.g., affidavits from doctors, lawyers, church officials, American Red Cross and other applicable statements or certificates. These documents are in addition to the commander's recommendation.

Proposed Action and Rationale:

Retain: A documentation review by all commanders is necessary to ensure that only those reassignments essential to the needs of the service or those meeting specific criteria in AR 614-101 or AR 614-200 are approved.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s):

ALFSE - To expedite cases, permit an officer to call the appropriate official and submit a record of telephone conversation as justification.

TRADOC - Concur; extensive documentation should not be routinely required. Only that expert documentation actually necessary should be furnished.

Consideration of Nonconcurrency(s)/Comment(s):

Records of telephone conversations may be used to substantiate reassignment applications. Only sufficient documentation to adequately present the case is required.

Finding:

In addition to the commander's recommendation, necessary documentation to support applications for reassignment for extreme family problems is required.

Army Regulation: AR 614-105, "Initial Assignment of Regular Army Accessions"

Proponent: MILPERCEN

Source(s): MDW

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Only a few United States Military Academy graduates are assigned to training centers. The majority of graduates receive TOE unit assignments which are considered career enhancing.

Proposed Action and Rationale:

Determination: All Regular Army officers were afforded initial assignment preferences and many officers chose TOE units. They perceived that TOE duty was more career enhancing; however, assignment success depends more on the individual than the unit. A recent Chief of Staff decision to ensure that RA officer accessions are equally distributed throughout the Army will eliminate any disproportionate assignment of United States Military Academy graduates to TOE units. On 12 September 1976, the Army Chief of Staff confirmed policies which provide that RA accessions should serve in a troop environment and be distributed proportionately among MACOMs.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

Upon graduation, USMA students and other Regular Army officers are afforded choices of branch and initial assignments based on practices established by the Officer Personnel Management Directorate. These practices support a fair distribution of USMA graduates throughout the Army to include both TOE and TDA assignments.

Army Regulation: AR 621-1, "Training of Military Personnel
at Civilian Institutions"
Chapter 4, Pages 4, 5

Proponent: MILPERCEN

Source(s): MILPERCEN

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

DA Form 1618-R, "Application for Detail as a Student Officer at a Civilian Education Institution or at Training with Industry," requires an officer to sign that he or she has read AR 621-1. Additionally, a field grade officer must attest that the officer has read AR 621-1.

Proposed Action and Rationale:

Eliminate: AR 621-1 is currently under revision and changes to DA Form 1618-R are contemplated which would not require the signature of a field grade officer after an officer applicant has signed the application.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The requirement for a field grade officer to attest that a student officer applicant has read AR 621-1 is unnecessary.

Army Regulation: AR 621-108, "Military Personnel for Graduate Level Education"

Proponent: MILPERCEN

Source(s): CGSC Student

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Officers who obtain graduate degrees and then are not utilized in their specialty believe that malutilization or lack of adherence to assignment procedures in AR 621-108 may reflect on their integrity. AR 621-108 prescribes that "officers will be assigned to and serve in an Army Educational Requirements Board (AERB) validated position for a utilization tour, normally three years."

Proposed Action and Rationale:

Determination: AR 621-108 prescribes that officers who obtain a graduate degree through a degree-producing Army Civil Schooling Program will be assigned to and serve in an AERB-validated position for an initial utilization tour. The Commander, MILPERCEN, may exercise deferral authority from initial utilization for reasons of attendance at certain military schools, short tour equity, or command. In unusual circumstances, a MACOM commander may delay or curtail assignments to AERB positions. MILPERCEN must be notified within ten days of such an action. Unauthorized diversions may result in cancellation of subsequent requisitions for the validated AERB position, cancellation of the validation for the position, and/or reassignment of the malutilized officer. Close monitoring of AERB positions is necessary to maximize the return from officers who obtain graduate degrees. Lack of adherence to prescribed procedures could reflect unfavorably upon officer trust and jeopardize the AERB positions.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

AR 621-108 is definitive with regard to assignment of officers who obtain graduate degrees. Local commanders may not always adhere to the provisions of the regulation.

Army Regulation: AR 623-105, "Officer Reporting System"
Chapter 8

Proponent: MILPERCEN

Source(s): ALFSE

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

In some cases, an officer receives a below average officer evaluation rating due to personality differences. AR 623-105 stipulates that an officer may not appeal a low rating based on personality conflict. The officer should be permitted to submit a written statement in his behalf when a personality conflict results in a low rating.

Proposed Action and Rationale:

Determination: AR 623-105 does not prohibit appeals citing alleged personality conflict. However, as with any other appeal, the officer must show conclusively that the conflict resulted in an inaccurate evaluation. In addition to the normal appeal process, AR 624-100 provides that any officer in the primary zone of consideration for promotion may write a letter to the promotion selection board concerning any matter which he feels important in the consideration of his records. Issues relating to personality conflicts may be provided the selection board.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The present system affords an officer the opportunity to appeal an OER which is perceived to be based upon personality conflict. Also, promotion procedures provide that letters addressing personality conflict can be provided to the selection board.

Army Regulation: AR 623-105, "Officer Evaluation Reporting System"

Proponent: MILPERCEN

Army Regulation: AR 600-21, "Race Relations and Equal Opportunity"

Proponent: DCSPER

Source(s): FORSCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 623-105 states that "brigade commanders, or equivalent, will either rate or indorse the race relations/equal opportunity staff officer."

Proposed Action and Rationale:

Eliminate: The importance of the equal opportunity function is recognized; however, rating schemes should not be dictated which influence command/staff operating procedures and relationships. This is in consonance with AR 600-21 which states that the commander should use command assets such as the EEO officer as deemed most appropriate. AR 623-105 prescribes that commanders formulate appropriate rating channels; dictated rating procedures infringe on command prerogatives.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s):

MILPERCEN - AR 623-105, "Officer Evaluation Reporting System," in its revised version will delete the requirement for brigade commanders to rate or indorse the race relations/equal opportunity staff officer.

DCSPER - The revised AR 600-21, "Race Relations and Equal Opportunity," dated 1 September 1977 deleted the requirement for brigade commanders to rate or indorse RR/EEO officers.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

It is not necessary for brigade commanders or their equivalent to rate or indorse RR/EO staff officers.

Army Regulation: AR 623-105, "Officer Evaluation Reporting System"
Paragraph 4-5b(8)

Proponent: MILPERCEN

Source(s): MTMC

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

DA Form 67-7, "US Army Officer Evaluation Report," contains an evaluation item concerning an officer's fulfillment of his responsibilities regarding the equal opportunity program. This evaluation item should be eliminated; a statement is necessary only if the officer failed in this responsibility.

Proposed Action and Rationale:

Retain: The requirement to evaluate an officer's fulfillment of equal opportunity responsibilities is not intended to undermine officer trust. The requirement ensures that equal opportunity program awareness receives consistent acknowledgement throughout the chain of command and supports the equal opportunity practices that are vital to a "people oriented" command. The OER evaluation item is in compliance with equal opportunity objectives prescribed by DOD Directive 1100.15, "Equal Opportunity Program."

Requirement Imposed by Higher Authority: DOD Directive 1100.15
"Equal Opportunity Program"

HQDA Staff or MACOM Nonconcurrency(s):

MTMC - This requirement indicates a lack of confidence in the chain of command/supervision. It undermines the special trust placed in commissioned officers (i.e., that they will, in fact, support the DOD Equal Opportunity Program unless proven otherwise). It is requested that the review group reconsider the proposed action on this issue.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s):

The OER equal opportunity evaluation item is one indicator among many reflecting job performance. Rather than indicating a lack of confidence in the chain of command/supervision, it provides commanders and supervisors the opportunity to evaluate an officer in this critical area. It is intended not only to highlight instances of neglect, but also to recognize those officers who affirmatively support equal opportunity in the Army.

Finding:

The Officer Evaluation Report item pertaining to officer fulfillment of equal opportunities does not demean officer trust.

Army Regulation: AR 623-105, "Officer Evaluation Reporting System"

Proponent: MILPERCEN

Source(s): ALFSE, TRADOC, USARJ, FORSCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

DA Form 67-7, "US Army Officer Evaluation Report," has been used to inflate officer ratings and has reduced the opportunity to give an officer a realistic evaluation.

Proposed Action and Rationale:

Determination: Raters have inflated scores to ensure that their subordinates remain competitive. This Army-wide practice must be curtailed through a major systems change. MILPERCEN is currently evaluating several methods of reducing the impact of inflation through the design of a new OER system.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

Officer Evaluation Reports are inflated and do not adequately portray officer performance or potential. A new system is required to combat OER inflation.

Army Regulation: AR 623-105, "Officer Evaluation Reporting System"
Paragraph 1-3e

Proponent: MILPERCEN

Source(s): FORSCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Maintaining duplicate copies of an officer's efficiency report is a violation of the regulation. The policy should be changed to allow evaluating officers an opportunity to gain a perspective of the ratee.

Proposed Action and Rationale:

Retain: AR 623-105 prescribes that duplicate copies of the OER will not be retained. This stipulation assists in ensuring that officers are rated on present performance and enhances rater objectivity.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s):

TJAG - Recommend the action be changed to "Eliminate." A rater can do his job more effectively if he can refer to his own earlier ratings of officers he rates.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s):

Officers should be rated for present performance. Although retention of earlier officer ratings by the rater may assist in the preparation of the next OER, this practice could limit objectivity.

Finding:

Duplicate copies of Officer Evaluation Reports should not be retained.

Army Regulation: AR 623-105, "Officer Evaluation Reporting System"
Paragraph 2-3

Proponent: MILPERCEN

Source(s): HQDA Staff

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

In order to obtain a general officer's signature on DA Form 67-7, "US Army Officer Evaluation Report," some Army activities escalate the rating schemes. Because a general officer's signature "weights" the report, altered rating schemes to gain general officer signatures are unfair.

Proposed Action and Rationale:

Determination: AR 623-105 prescribes that rating and indorsing officers must be knowledgeable of the performance of the persons who are evaluated. The rater should be the immediate supervisor of the rated officer and the indorser should be the individual who rates the rater. When it is justified, rating schemes may deviate from the prescribed procedures; however, every attempt should be made to ensure that rating schemes are equitable to officers performing similar duties.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

Current policy provides that rating schemes may only deviate from prescribed procedures when justified to ensure equity among officers performing similar duties.

Army Regulation: AR 624-100, "Promotion of Officers on Active Duty"
Chapter 3

Proponent: MILPERCEN

Source(s): MILPERCEN

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

DA Form 78, "Recommendation for Promotion of an Officer," requires that the:

- a. Recommending officer certify that the promotee is/is not under suspension of favorable personnel action IAW AR 600-31, "Suspension of Favorable Personnel Actions for Military Personnel in National Security Cases and Other Investigations or Proceedings."
- b. Approving officer certify that a favorable screen has been made of:
 1. Promotee's Military Personnel Record.
 2. Intelligence files.
 3. Provost Marshal Files.

Proposed Action and Rationale:

Eliminate: Recommend that the requirement for certification be eliminated; however, further recommend that the requirement for the various checks be incorporated into Chapter 3 of AR 624-100. These checks should be made by MILPO prior to the form being presented to the recommending and approving officers for signature.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The MILPO officer should screen records of officers who are nominees for promotion. This screening would obviate the need for certification by recommending officers.

Army Regulation: AR 624-100, "Promotion of Officers on Active Duty"

AR 635-100, "Officer Personnel"

DA Pamphlet 600-3, "Officer Professional Development and Utilization"

Proponent: MILPERCEN

Source(s): INSCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

An officer who is not selected for promotion is subject to the "up or out policy."

Proposed Action and Rationale:

Retain: AR 624-100 prescribes up or out procedures. Retirement protection is afforded to officers with 18 or more years of active service and those in the grade of Regular Army major. Other officers who are twice non-selected for promotion below the grade of colonel are eliminated from the service. If an officer were retained in grade even in a specific duty position of his desires, as his peers advance he could find it difficult to exhibit continued initiative and satisfaction. Human nature demands recognition, incentives and goals. To some extent these could be provided, but not to the same degree as an officer selected for promotion. By eliminating the up or out policy, assignment inequities could ensue for officers in selected categories and skills. When officers do not attain retirement status and associated benefits, service elimination is drastic. Regardless, this policy should be retained; however, the impact of the force-out should be minimized.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s):

USACC - Determination addressed in considered explanations are provided by the Army Regulation which serves as a guidance document and should not be cited for rationale. References to behavioral science by the AR are passe and do not support the "up or out" policy. If this were the best policy, it would be in wide use throughout industry and Civil Service. An example is where an individual functions in a continuously outstanding manner in his present grade; however, it is determined that he would inevitably fail in the next higher grade. To discard these talents, to deny the Army the ability to capitalize upon them to maximum extent, may be unnecessary waste. Recommend further review of the "up and out" policy to ensure that the true costs to the Army officer concerned and the taxpayer are identified.

Consideration of Nonconcurrency(s)/Comment(s):

It is difficult to compare civilian executive career patterns with officer career patterns. A case can be made for elimination of the "up or out" policy; however, retention of the policy is in the best interests of the Army. The problem with the current policy is the drastic effect it has on the individual. This effect must be eliminated or greatly minimized. If this were accomplished, both the Army and the individual would be accommodated. The "up or out" policy is being reviewed in conjunction with possible enactment of the Defense Officer Personnel Management Act.

Finding:

The "up or out" policy is an efficient personnel management vehicle; however, the drastic ramifications of the policy must be reduced. This policy is being evaluated within the context of DOPMA.

Army Regulation: AR 624-100, "Promotion of Officers on Active Duty"

Proponent: MILPERCEN

Source(s): USARJ

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Officers feel a lack of confidence in promotion boards when the evaluations and selections appear to be based on the source of commission, school affiliation or level of education.

Proposed Action and Rationale:

Determination: Statistical data from promotion boards support that there is correlation among selectees, source of commission (RA/AUS) and level of education. These data do not support a correlation between selectees and school affiliation. The promotion board selects the best possible candidates within the guidance provided by the Secretary of the Army.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s):

TSG - "Ticket punching" (source of commission, military schools attended, level of education, etc.) should be de-emphasized. While it is realized that these are factors which must be considered, more attention should be paid to officer capability and potential. There are individuals who are self-motivated and self-developed just as there are incompetent ones with all the right "punches." The potential of these self-made officers deserves recognition through selection and promotion.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s):

Much has been done to de-emphasize "ticket punching"; however, the concept that officers require certain jobs and advanced military and civilian education for promotion is prevalent. OPMS has de-emphasized "ticket punching" and the recent AUS Colonels Selection Board which established a minimum floor for specialties assisted the OPMS concept. More remains to be accomplished.

Finding:

Statistical data on promotion boards indicate that source of commission (RA/AUS) and level of education have been used as indicators of capability and potential. School affiliation is not an indicator.

Army Regulation: AR 630-5, "Leave, Passes, Administrative Absence and Public Holidays"

Proponent: MILPERCEN

Source(s): USAREC, CGSC Student, FORSCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

DA Form 31, "Request for Leave," requires an officer's supervisor to sign the form prior to the approving authority. In most instances, two officer's signatures are required to process an officer's leave.

Proposed Action and Rationale:

Retain: The leave approval authority is usually not the officer's immediate supervisor. Normally, a person is designated as the leave approval authority to administer the leave processing requirements. The requirements include control number assignment and forwarding copies of the leave to the F&AO to ensure accurate leave accountability. The consequences of eliminating supervisor approval could become more burdensome than the requirement to obtain the signature. The leave approval authority would have to assume that the leave was cleared with the officer's supervisor or confirm that the form could be processed. Some method must be available to accomplish this function and the current one seems to be the most effective. This process affords a methodology of maintaining accurate leave data and is designed to facilitate leave administration.

Requirement Imposed by Higher Authority: None.

HQDA Staff or MACOM Nonconcurrency(s):

USASCH - The requirement for an officer's supervisor to sign DA Form 31 preceding the approval authority's signature is a clear implication of lack of trust in an officer.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s):

The present system of administering the DA Form 31, "Request for Leave," is an improved record-keeping procedure for both the officer's duty activity and the F&AO. The former system did not require a supervisor's signature and was administratively burdensome. Management considerations override lack of trust implications.

Finding:

Existing leave approval procedures are an efficient means of administering the leave program.

Army Regulation: AR 630-5, "Leave, Passes, Administrative
Absence and Public Holidays"

Proponent: MILPERCEN

Source(s): FORSCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 630-5 prescribes that a supervisor verify whether an officer worked a duty day on either the day of departure or day of return from leave.

Proposed Action and Rationale:

Eliminate: The regulation should be changed to allow the officer to notify the approving authority of duty on day of departure or day of return from leave.

Requirement Imposed by Higher Authority: DOD Directive 1327.5
"Leave and Liberty"

HQDA Staff or MACOM Nonconcurrency(s):

USAREC - A recent change to AR 630-5 provides that the day of departure on leave and the day of return will not be charged against accrued leave if the military member worked most of the day. It further stipulates that if the day of return is a non-duty day, leave will not be charged. This change has severely complicated leave administration for both unit commanders and finance offices. The rules of applying this policy have proven to be an administrative nightmare, e.g., when to charge leave and when not to charge leave, who makes these determinations, what constitutes a non-duty day for shift workers vs other personnel, what documentation must be provided the finance offices, etc., etc. The previous policy on this subject (i.e., the day of departure is a day of leave and the day of return is a day of duty) was simple, clear, easily administered, and effective. Recommend that consideration be given to restoring the previous policy.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s):

The previous leave policy did not provide adequate controls for leave disbursements. Although the current policy is complicated, it provides greater fund accountability. Consequently, the benefits of the new leave policy exceed the detriments.

Finding:

The requirement for a supervisor to verify whether an officer worked a duty day prior to or upon return from leave is unnecessary.

Army Regulation: AR 630-5, "Leave, Passes, Administrative Absence, and Public Holidays"

Proponent: MILPERCEN

Source(s): INSCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

In some units, commanders delegate leave approval authority to adjutants. This procedure may require a junior officer to approve a more senior officer's leave request.

Proposed Action and Rationale:

Retain: AR 630-5 prescribes that commanders may delegate leave approval to the adjutant. This is used to expedite administrative requirements and does not reflect upon officer integrity.

Requirement Imposed by Higher Authority: DOD Directive 1327.5
"Leave and Liberty"

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

Delegation of leave approval authority to junior officers is an appropriate method of administering the leave program.

Army Regulation: AR 630-5, "Leave, Passes, Administrative Absence, and Public Holidays"

Proponent: MILPERCEN

Source(s): FORSCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

An officer is required to have DA Form 31, "Request for Leave," in his possession while on leave.

Proposed Action and Rationale:

Modify: AR 630-5 prescribes that all individuals in a leave status possess DA Form 31. Possession of DA Form 31 should only be required in the following circumstances:

- a. On leave in a foreign country.
- b. On emergency leave.
- c. On PCS leave.

DA Form 31 is utilized as an official document to cross foreign borders and certain form entries are useful in emergencies. Other requirements to possess DA Form 31 for military personnel on leave in CONUS from a CONUS unit and for members stationed in Alaska or Hawaii on leave in those areas can be eliminated.

Requirement Imposed by Higher Authority: DOD Directive 1327.5
"Leave and Liberty"

HQDA Staff or MACOM Nonconcurrency(s):

USAREC - The requirement for possession of a DA Form 31 while in a leave status does not degrade officer special trust. It does, on the other hand, serve some very practical purposes. In event of an incapacitating injury, the DA Form 31 serves to identify the soldier and his unit, thereby enhancing prompt casualty notification to military authorities. In case of detainment by civil authorities it serves as proof of authorized military absence. Also, many state and local governments and business agencies offer special benefits for soldiers in leave status, but require documentation of authorized absence. Examples of such benefits are: reduced or no-fee hunting and fishing licenses, discount tickets to sports events, amusement parks, and cultural centers, discounts on transportation fares, discount prices at restaurants, theaters, golf courses, bowling alleys, camping sites, etc., etc. It seems that the advantages of carrying a DA Form 31 while in a leave status far outweigh the special trust considerations. Recommend that the current policy be retained.

TRADOC - Nonconcur; officers should have DA Form 31 in their possession while on leave in CONUS to provide information to civilian and/or military authorities in case of injury/death. This will assist in timely notification of NOK.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s):

Possession of DA Form 31 while in a leave status serves a practical purpose only under special circumstances and these circumstances can be readily identified by the officers. During emergencies (accident, death), other identification items in an officer's possession can provide essential data. Most special benefits are based upon service membership, not leave status. An officer's discretion should be authorized concerning possession of a DA Form 31 while on leave status.

Finding:

Possession of DA Form 31 is useful for officers on leave in foreign countries, on emergency leave or on leave in conjunction with a permanent change of station; consequently, other requirements to possess DA Form 31 should be eliminated.

Army Regulation: AR 630-5, "Leave, Passes, Administrative
Absence and Public Holidays"
Paragraph 4-3c

Proponent: MILPERCEN

Source(s): USAREC, USACC, ALFSE, TRADOC, CGSC Student

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

An officer should be permitted to report his departure and return from leave telephonically or orally rather than physically signing in or out as required by AR 630-5.

Proposed Action and Rationale:

Determination: AR 630-5 permits command discretion in authorizing telephonic sign-in or sign-out leave procedures. All officers should be afforded the opportunity to orally notify appropriate authorities of their leave status.

Requirement Imposed by Higher Authority: DOD Directive 1327.5
"Leave and Liberty"

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

Army policy permits officers to telephonically sign-in or out on leave subject to command prerogative.

Army Regulation: AR 635-10, "Processing Personnel for Separation"
Paragraph 2-18b

Proponent: MILPERCEN

Source(s): MILPERCEN

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Each member is required to attest in writing on his retirement application that he fully understands the provisions of Section V, AR 635-10.

Proposed Action and Rationale:

Eliminate: An officer should not be required to attest that he understands the provisions of AR 635-10.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The requirement for an officer to attest in writing that he understands Section V, AR 635-10, is not necessary.

Army Regulation: AR 635-100, "Officer Personnel"
Figure 4-2, Paragraph 5

Proponent: MILPERCEN

Source(s): MILPERCEN

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Each member is required to attest in writing on his retirement application, that he fully understands the provisions of Section V, Chapter 2, AR 635-10, "Processing Personnel for Separation."

Proposed Action and Rationale:

Eliminate: In figure 4-2, AR 635-100 the words "I attest that..." are unnecessary. The signed statement that the officer has reviewed the requests should be deleted.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The officer's signature on his retirement application is sufficient to accommodate retirement processing. The requirement to attest is unnecessary.

Army Regulation: AR 635-200, "Enlisted Personnel"
Paragraphs 6-8, 6-9, and 6-10

DA Pamphlet 600-8, "Military Personnel Office
Management and Administrative Procedure"
Steps 1, 3 thru 11

Proponent: MILPERCEN

Source(s): MILPERCEN

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Dependency or hardship separation applications include complete justification to establish the circumstances on which the request is based. Documentation includes affidavits from doctors, lawyers, church officials, social workers, American Red Cross or other knowledgeable persons. A commander's signature is not sufficient to approve the request.

Proposed Action and Rationale:

Retain: Documentation review by all commanders is necessary to ensure that approval of applications for separation is held to an absolute minimum and that applicants meet the criteria established in AR 635-200.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s):

ALFSE - To expedite dependency or hardship applications a commander should be allowed to call the appropriate officials and submit a record of telephone conversation as justification.

Consideration of Nonconcurrency(s)/Comment(s):

Records of telephone conversations may be used to substantiate reassignment applications.

Finding:

In addition to the commander's recommendation, necessary documentation to support applications for reassignment for extreme family problems is required.

Army Regulation: AR 635-200, "Enlisted Personnel"
Paragraph 13-9d

Proponent: MILPERCEN

Source(s): DARCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 635-200 prescribes that only a special court-martial convening authority in the grade of O-6 or higher may waive the counseling or rehabilitative requirements for unsuitability discharges.

Proposed Action and Rationale:

Determination: DA Message (DAPC-PAS-S) 241500Z July 1975, Subject: Interim Change to AR 635-200 and AR 635-206, "Misconduct," authorizes officers who have special court-martial jurisdiction, regardless of grade, to waive counseling and rehabilitative requirements for unsuitability cases.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

Recent policy changes permit special court-martial convening authorities, regardless of grade, to waive counseling or rehabilitative requirements for unsuitability discharges.

Army Regulation: AR 635-200, "Enlisted Personnel"

Proponent: MILPERCEN

Source(s): TRADOC

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Commanders at company/battalion level are not authorized to make a final determination on administrative separations. These discharges must be processed through the company/battalion commander to the brigade commander or equivalent for final determination.

Proposed Action and Rationale:

Retain: AR 635-200 prescribes that only commanders who have special court-martial jurisdiction are authorized to convene a board of officers for administrative separations. This policy maintains objectivity, maturity and consistency in the processing of administrative separations.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The policy that only commanders with special court-martial jurisdiction (i.e., usually brigade commanders or equivalents) can make final determinations on administrative separations is sound.

Army Regulation: AR 640-2-1, "Personnel Qualification Records"

DA Pamphlet 600-8, "Military Personnel Office
Management and Administrative Procedure"

Proponent: MILPERCEN

Source(s): MILPERCEN

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

The statement "I certify that the foregoing is correct" precedes the typewritten/signed signature of an officer following the entries on the DA Form 2-2, "Record of Court-Martial Conviction." Certification on a signed document diminishes the importance of an officer's signature.

Proposed Action and Rationale:

Retain: When properly introduced, DA Form 2-2 may be used as a self-authenticating document at a court-martial. Its use allows certain information to be presented to the court without calling a witness. Without the certification statement, a witness would be required.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The certification statement preceding an officer's signature on DA Form 2-2 is necessary.

Army Regulation: AR 640-10(1), "Individual Military Personnel Records"
Paragraph 2(5)(c)2

Proponent: MILPERCEN

Source(s): MILPERCEN

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

It is DA policy that nonpunitive administrative reprimands, admonitions, censures and similar actions imposed by a commander or supervisor may only be filed in the Career Management Information File when all of the following provisions are met:

a. Action must have been imposed as an administrative measure and not under Article 15, UCMJ.

b. Action must have been referred to the individual concerned for one of the following statements:

(1) I have read and understand the allegations made and submit the following statement in my behalf.

(2) I have read and understand the allegations made and elect not to make a statement.

Proposed Action and Rationale:

Retain: An officer must be aware of unfavorable information placed in his file. Since this policy affords maximum protection to and is in the best interest of the officer, it should be retained.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The requirement for an officer's signature indicating that he is aware of nonpunitive administrative reprimands, admonitions or censures in his file is necessary.

Army Regulation: AR 672-5-1, "Military Awards"
Paragraph 5-11b

Proponent: MILPERCEN

Source(s): MILPERCEN

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

An officer (or jumpmaster) must sign DA Form 1306, "Statement of Jump and Loading Manifest," listing the line number, name, grade, SSN, organization, type of jump, type of aircraft, date and location of each parachute jump.

Proposed Action and Rationale:

Retain: DA Form 1306 provides substantiating information necessary for award of parachute badges and special pay. The signature of an officer or jumpmaster is a sound administrative procedure which enhances accurate record maintenance.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The requirement for an officer or jumpmaster to sign DA Form 1306 is sound management practice and does not undermine officer special trust.

Army Regulation: AR 672-5-1, "Military Awards"
Paragraph 1-30c

Proponent: MILPERCEN

Source(s): MILPERCEN

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 672-5-1 prescribes that an officer must state, certify or provide an affidavit attesting to the events or services performed and originally outlined in a previous recommendation for an award which was lost.

Proposed Action and Rationale:

Retain: AR 672-5-1 requires that sufficient evidence be submitted to the Secretary of the Army to show that the lost recommendation was originally submitted within two years of the act or distinguished service. Officer verification requirements provide the necessary documentation to substantiate the time period and events.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The requirement for officer verification concerning a lost recommendation for an award is necessary.

Army Regulation: AR 672-5-1, "Military Awards"
Paragraph 1-43a

Proponent: MILPERCEN

Source(s): MILPERCEN

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

AR 672-5-1 prescribes that an officer must state in writing that his original medal was lost, destroyed or rendered unfit for use without fault or neglect on his part.

Proposed Action and Rationale:

Retain: AR 672-5-1 provides for medal replacement if the original one was lost, destroyed or becomes unfit for use without fault or neglect of the person to whom it was awarded. This statement is the only written proof and is required of all persons.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

An officer's written statement serves as proof that a medal was lost, destroyed or rendered unfit for use. The statement is necessary.

Army Regulation: AR 672-5-1, "Military Awards"
Paragraph 7-12a

Proponent: MILPERCEN

Source(s): MILPERCEN

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

In order to retain a foreign decoration, an officer must provide a statement of the services for which the decoration was awarded.

Proposed Action and Rationale:

Retain: The requirement to provide a statement concerning the services for which a foreign decoration was awarded is derived from the United States Constitution (Article I, Section 9), 5 USC 7342, DOD Directive 1005.3 and State Department Regulation 22 CFR 3.1-3.7. The statement is necessary for use as an official acknowledgement of receipt of the decoration. All persons, regardless of rank or status, make this statement.

Requirement Imposed by Higher Authority: United States Constitution
(Article I, Section 9);

5 USC 7342;

DOD Directive 1005.3;

State Department Regulation
22 CFR 3.1-3.7

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The requirement for an officer to submit a statement of services for a foreign decoration is valid. Its legitimacy is vested in the constitution and other statutory provisions.

Army Regulation: AR 672-5-1, "Military Awards"
Paragraph 7-14

Proponent: MILPERCEN

Source(s): MILPERCEN

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

In order to retain a foreign gift, an officer must provide a statement stating that the gift has a retail value not in excess of \$50.00.

Proposed Action and Rationale:

Retain: As derived from the restrictions outlined in the United States Constitution (Article I, Section 9), 5 USC 7342, State Department Regulation 22 CFR 3.1-3.7, and DOD Directive 1005.3, an individual may not retain a foreign gift with a value in excess of \$50.00. The statement is necessary as an official acknowledgement of the value of the gift. All persons, regardless of rank or status, make this statement.

Requirement Imposed by Higher Authority: United States Constitution
Article I, Section 9;

5 USC 7342;

State Department Regulation
22 CFR 3.1-3.7;-

DOD Directive 1005.3

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

An officer's statement which indicates that a foreign gift does not exceed a retail value of \$50.00 is necessary.

Army Regulation: AR 680-1, "Morning Report, Reports Control
Symbol AG-140(R5)"
Paragraph 566(7), 6(10), c(1)a, c(2);
5-10b(1) and (2)

DA Pamphlet 600-8, "Military Personnel Office
Management and Administrative Procedure"
Procedure 5-27, Step 6
Discussion Figures 5-27-6 and 5-27-7

Proponent: MILPERCEN

Source(s): MILPERCEN

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Personnel officers or commanders must certify to entries on DA Form 2475-2, "Personnel Data (SIDPERS)," and DA Form 4187, "Personnel Action," when these forms are duplicated. The originals must be certified if they are forwarded to the Judge Advocate/FAO for legal and/or pay actions.

Proposed Action and Rationale:

Retain: The certifications are used to attest to the accuracy of the entries on DA Form 2475-2 and DA Form 4187. Because of the certification, these forms can be used as supporting documents for actions in legal proceedings and/or financial entitlements. Their use often precludes calling a witness at a trial. In transferring a file from one location to another, the certification serves as a means of verifying document accountability.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

Officer certification on DA Forms 2475-2 and 4187 is necessary.

Army Regulation: AR 680-31, "Military Personnel Asset Inventory and Strength Reconciliation"
Chapter 3

Proponent: MILPERCEN

Source(s): FORSCOM

Policy, Practice or Procedure which Degrades an Officer's Special Trust:

Preparation of the Personnel Asset Inventory is an irritant to the officer corps.

Proposed Action and Rationale:

Retain: AR 680-31 prescribes that commanders conduct annual or change of command physical inventories of all assigned personnel. The Personnel Asset Inventory (PAI) is an integral part of SIDPERS. Accurate personnel accountability is required for manpower policies, force strength, unit readiness, logistical support and fiscal policies. The PAI ensures that SIDPERS documentation reflects actual strengths.

Requirement Imposed by Higher Authority: No.

HQDA Staff or MACOM Nonconcurrency(s): None.

HQDA Staff or MACOM Comment(s): None.

Consideration of Nonconcurrency(s)/Comment(s): N/A

Finding:

The Personnel Asset Inventory is an integral part of strength accountability and assists DOD/DA defense posture evaluations.

CHAPTER V

CONCLUSIONS AND RECOMMENDATIONS

The TRUST Review encompassed 1444 Army regulations. HQDA staff, MACOMs, other commands, selected service school students and faculty, the TRUST Review Group, other activities and individuals identified 197 issues which were perceived to undermine officer special trust. The collective efforts of these activities and individuals provided a comprehensive review of all Army regulations. The review may not have identified all issues which undermine officer special trust; however, the vast majority of policy irritants to the officer corps was addressed. As a result of legal, efficiency, management and resource considerations, not all issues which were perceived to undermine officer trust were eliminated. The most significant aspect of the TRUST Review was that it promoted awareness that the Army is serious about officer integrity, both in policy and practice. It served to reaffirm the special trust and confidence in the patriotism, valor, fidelity and abilities of an officer.

Of the 197 issues identified, the TRUST Review produced the following results: 62 issues stemmed from misperceptions of Army policies, or pertained to command directives rather than Army regulations or related to policies which were changed during the course of the review; 69 policies were recommended for retention because they were based on sound management practices or other overriding, desirable considerations; and 66 policies were recommended for modification or elimination because they either infringe on officer trust or represent unsound management practice.

If the Army is to divest itself of practices and procedures detrimental to officer trust, both the HQDA staff and commanders must make a concerted effort to purge directives which prohibit an officer from exercising trust. Officers as well as other members of the Army must be afforded the opportunity to perform in an environment which demands individual adherence to trust and confidence. Rules, regulations and directives cannot act as a substitute for judgment, common sense and a commitment to established principles.

Numerous commanders provided insight into command practices which were detrimental to officer trust and were taking action to correct them. The command practices were addressed in Chapter IV. While these practices do not represent Army policy, the fact that they are perceived as such is subversive of an organizational climate supportive of officer trust. Examples of detrimental command practices include the requirements that officers:

Certify to reading and understanding lengthy and complex regulations;

Using transient facilities hand-receipt for furniture and pay key and towel deposits;

Secure initials of other, often lower-ranking, personnel on installation clearance forms; and

Personally sign-in and sign-out when proceeding on or returning from leave.

Although specified in Army regulations, certain policies perceived as detrimental to officer trust were traced to an authority external to Department of the Army. In such cases, Army regulations served as implementing vehicles for externally-generated directives. These directives include joint service regulations, Department of Defense regulations and statutes. Changes to any policy emanating from higher authorities naturally require the approval of those authorities. Consequently, Army agencies must initiate action with higher authorities if recommended changes are approved by the Chief of Staff of the Army. Necessary actions and responsibilities pertaining to these changes are cited in the "recommendations" section of this chapter.

The TRUST Review encompassed a period of five months. The dynamics of issue identification and evaluation often neutralized issues. Some policies perceived as issues at the onset of the study were changed during the review. The following changes ensued:

Criminal investigator applicants no longer have to be interviewed by Criminal Investigation Command officers of a specified rank.

Commanders are no longer required to publish a race relations/equal opportunity policy letter.

Officers are not required to submit an explanatory report within 48 hours of any meal consumed at industry expense if they initiated dialogue with their supervisors prior to acceptance of the meal.

Officers are not required to sign a consent statement on the back of their checks which consents to collection of face value if a check is dishonored.

Officers who terminate active duty are not required to certify receipt and understanding of an oral security debriefing.

Reserve officers are not required to complete a certificate when claiming clothing allowance entitlement.

Service members are only required to sign a personal use or bona fide gift statement for an exchange purchase over \$75.00.

Special court-martial convening authorities, regardless of grade, may waive counseling or rehabilitative requirements for unsuitability discharges.

Policy essentially represents a guide for action. As such, it should be positive and prescriptive rather than negative and proscriptive. Thus, where changes to a regulation were recommended, every attempt was made to ensure that guidance was not proscriptive. Also, Army policy will not prescribe appropriate officer conduct for all situations; rather it provides general guidelines for action. The basic tenet that officers have the ability to apply general rules to specific situations is one that underlies the vesting of special trust in an officer. There is considerable evidence that the Army has not adequately prepared officers to do this.

SIGNIFICANT ISSUES

During the course of this review, certain policy issues surfaced which adversely impacted upon a significant number of officers. These policy issues are:

The inflation of evaluation reports to ensure that subordinates remain competitive.

The lack of credibility of the Unit Readiness Reporting system at the unit level.

The necessity for a marriage certificate or other documentary evidence to support a claim for BAQ.

The requirements to provide lodging receipts and statements of non-availability of government quarters and mess to support payment of a TDY travel voucher.

The practice that transportation officers or their representatives "satisfy themselves" that property shipped as professional items and certified by officers to that effect meet imposed guidelines.

The necessity for a higher level commander to further justify a subordinate commander's priority request for restricted Federal Supply Class (FSC) items.

The requirement for commanders to authenticate assignment of priority designators 01 through 08 rather than delegating authentication authority to appropriate officers.

The requirement to produce proof of ownership, state registration, driver's license and safety inspection to register an automobile on an Army installation.

The necessity for installation commanders to conduct quarterly inspections of bachelor officer quarters.

The practice that agents at check cashing facilities ensure that an officer's name is not on a dishonored check list.

The requirement that officers show proof of housing availability in an oversea area to be eligible for concurrent travel when government quarters are not available.

The procedure that officers augment personal information printed on the front of their checks.

ANCILLARY BENEFITS

As a result of the TRUST Review, there were some ancillary benefits. The most significant was the promotion of an awareness that the Army is serious about officer integrity. Another benefit was savings in time and effort as a result of the elimination of excessive and unnecessary administrative requirements. These requirements include signature layering, unnecessary certification of documents and unnecessary documentation that action took place. These savings, while not immediately measurable, should enhance management efficiency. An additional benefit was increased authority of noncommissioned officers by minimizing officer overmanagement. For example, officer signature requirements were eliminated from documents in which authority properly belonged to noncommissioned officers. The end product was more appropriately placed authority.

Other benefits include an enhanced legitimacy of Army regulations through validation of policy and the elimination of some nonessential requirements for other categories of personnel.

DIRECTIONS FOR THE FUTURE

Officer trust and integrity must be an all-pervasive concern both now and in the future. Proper perspective must be accorded to resource constraints, the need for data quantification and centralized management; however, these considerations have the potential to undermine trust. Philosophies such as "zero defects," "can do," overmanagement, safesiding and the lack of opportunity to fail are similarly destructive. These attitudes will be difficult to dismiss from the officer corps.

The responsibility reposed in officers must be enunciated prior to and throughout their career. During the review, numerous commands advocated that service school curricula be reviewed to ensure that officer integrity is addressed. Ethical education must be comprehensive. It should be an integral part of unit training, officer basic and advanced courses,

Command and General Staff College and senior service schools. A progressive, meaningful officer educational program should address all facets of officer integrity. However, ethics education cannot be the sole responsibility of service schools; it must permeate every facet of Army professional life.

Since rules and regulations are guidelines, ethical gray areas exist. Consequently, inexperienced officers may make errors in judgment. These should not be confused with violations of integrity. Thus, there is a continuous need to survey the extremes and complexities of the ethical continuum. As a result, the bounds of acceptable conduct will become increasingly clear.

Officer trust must be well-promulgated and inviolate. Commanders at every echelon must communicate the sacrosanct nature of officer integrity to their junior officers. Policymakers must ensure that Army regulations consider and allow for the exercise of officer trust. Special trust must be a matter of continuous concern and adopted as an inspector general item of interest.

The policy modifications recommended by this review will promote a risk-laden environment. While these policy changes will create an organizational climate conducive to ethical growth, there will be those who would stunt that growth. Some breaches of ethical conduct can be expected; and the officer corps must assess the degree of flagrancy and determine the causative factors. The perception that officers do not act on breaches of integrity is disheartening. Swift and just action must be taken against violators so that officer trust is not perceived as cosmetic.

RECOMMENDATIONS

The result of the TRUST Review is a series of recommendations which foster a climate conducive to officer trust in the Army. These recommendations represent courses of action developed as a result of the policy analyses reflected in Chapter IV. The recommendations are:

- A. Retain the policy requirements that:
 - 1. A second person check the locking of a safe containing classified material (p. 4-9).
 - 2. Controls are implemented to ensure understanding and compliance with AR 380-13, "Acquisition and Storage of Information Concerning Non-Affiliated Persons and Organizations (p. 4-12).

3. Destruction of classified material be witnessed by a "disinterested" person (p. 4-14).
4. When armed forces censorship is in effect, an officer's personal mail be censored (p. 4-15).
5. Government quarters be inspected as a part of the clearing process and that these inspections be conducted by enlisted and civilian personnel (p. 4-34).
6. The director or commander of a maneuver or exercise provide an administrative memorandum to support a travel voucher which stipulates dates, available accommodations and duties performed (p. 4-36).
7. Officers complete a statement showing dates, address of lodging and the number of dependents to support payment of Temporary Lodging Allowance (p. 4-41).
8. Officers certify dependency data on DD Form 1561, "Statement to Substantiate Pay of Family Separation Allowances," to support a claim for FSA (p. 4-42).
9. Officers complete Form W-4, "Employee's Withholding Allowance Certificate," to establish legal residence and number of exemptions for federal and state tax purposes (p. 4-44).
10. Members who have designated certain states as their home of record complete a Declaration of State Tax Withholding Status on USAFAC Form 2870 (p. 4-45).
11. Members complete DD Form 2058, "State of Legal Residence Certificate," upon initial service entry and when changing the designated state of legal residence (p. 4-46).
12. The personnel officer sign, in addition to the initiator, DD Form 1561, "Statement to Substantiate Payment of Family Separation Allowance" (p. 4-50).
13. A reserve officer claiming administrative duty pay certify that he assumed command of the unit, that he is not a technician and that the strength of the unit is of a certain number (p. 4-52).
14. Military passengers traveling in a TDY status in another member's POV be paid (p. 4-60).
15. Special category personnel obtain command-approved travel vouchers for travel to undergo physical examinations (p. 4-64).

16. Standard mileage tables for travel pay entitlements be used (p. 4-65).
17. The unpaid obligation of each appropriation or fund account be certified at each command level as of the end of each FY (p. 4-66).
18. A "disinterested officer" conduct drug inventories (p. 4-75).
19. Parental consent or the consent of an adult with a power of attorney be provided for emergency treatment of minors (p. 4-77).
20. A medical officer validate the emergency status of an accident when an officer files a CHAMPUS claim (p. 4-78).
21. An officer serving as president and/or custodian of the Central Hospital Fund be bonded (p. 4-79).
22. An officer must provide the records custodian a written release by adult dependents in order to obtain their medical records from an Army medical treatment facility (p. 4-80).
23. Officers in uniform present their identification card for entrance to the commissary (p. 4-85).
24. Officers provide certification to establish proof of ownership of articles that once may have been government property when transporting these articles through customs facilities (p. 4-108).
25. Periodic race relations training be conducted on an as required basis for officers with over ten years service (p. 4-113).
26. "Standards of conduct" are called to the attention of officers on a semi-annual basis (p. 4-118).
27. Specified officers, whose responsibilities include contracting, auditing or any other activity which has significant impact on non-federal enterprises, complete a statement of financial worth (p. 4-120).
28. Retired Regular officers file a Statement of Employment within 30 days after retirement (p. 4-121).
29. All service members participate in command-directed urinalysis when suspicion of drug abuse exists (p. 4-123).
30. All individuals with urine positives be referred to a physician for evaluation (p. 4-124).

31. Commissioned officers exercise their responsibilities as agents of the Commander-in-Chief by administering enlistment and reenlistment oaths (p. 4-126).
32. Affidavits and other related documentation support requests for temporary deferment from oversea assignments (p. 4-127).
33. Postal custodians have a witness present when opening or forwarding money order reports and stamp requisitions (p. 4-129).
34. Check cashing privileges at officer clubs be limited to authorized club patrons except in unusual circumstances (p. 4-132).
35. Advisory Councils to Officer Open Messes be used in lieu of Boards of Governors (p. 4-135).
36. Individuals seeking access to personal files furnish verification of identity (p. 4-139).
37. Military records personnel verify the completeness and entries on "Record of Emergency Data" card (pp. 4-142/145).
38. Officers not support, campaign or solicit votes for an issue or a political candidate (p. 4-143).
39. Personnel affairs specialists verify the accuracy of personal information contained in requests for identification cards and tags (p. 4-144).
40. A uniformed officer show an ID card when cashing checks at exchange facilities (p. 4-154).
41. Check cashing at exchange facilities be limited to \$50.00 except in locations where banking facilities are not available (p. 4-155).
42. Unit commanders be prohibited from reviewing medical records (p. 4-167).
43. Officers sign port call travelopes (p. 4-169).
44. Personnel specialists verify personal information on requests for replacement of ID cards (p. 4-172).
45. Bonus enlistees be utilized in their primary MOS (p. 4-176).
46. Commanders forward reclassification requests to MILPERCEN for approval (p. 4-177).

47. Military intelligence officers be prohibited from inspecting MOS test material during security inspections (p. 4-178).

48. Only unit commanders in authorized O-5 or higher positions promote personnel to E-5 and E-6 (p. 4-179).

49. Commanders verify that a soldier can perform in an MOS when the soldier's PULHES falls below established MOS standards (p. 4-182).

50. An officer show proof of "sufficient funds" to obtain a visa to the United States for an alien spouse (p. 4-183).

51. Captains who possess the requisite ability be appointed to inspector general positions on a case-by-case basis (p. 4-186).

52. Application for reassignment for extreme family problems be accompanied by complete documentation (p. 4-188).

53. An officer's fulfillment of equal opportunity responsibilities be evaluated on the OER (p. 4-194).

54. Duplicate copies of an OER will not be retained (p. 4-197).

55. Officers not selected for promotion are subject to the "up or out policy" (p. 4-200).

56. An officer's supervisor sign the leave form preceding the approval authority's signature (p. 4-203).

57. Leave approval authority may be delegated to junior officers (p. 4-205).

58. Documentation and a commander's signature be provided in dependency or hardship separation cases (p. 4-211).

59. Only commanders with special court-martial jurisdiction be granted authority to convene a board of officers for administrative separations (p. 4-213).

60. The certification statement preceding an officer's signature on the "Record of Court-Martial Conviction" remain (p. 4-214).

61. An officer sign a statement that he is aware of unfavorable information placed in his file (p. 4-215).

62. An officer or jumpmaster sign a "Statement of Jump and Loading Manifest" (p. 4-216).

63. An officer verify events or services cited in a previous recommendation for an award which was lost (p. 4-217).

64. An officer state in writing that his original medal was lost, destroyed, or rendered unfit due to no fault of his own (p. 4-218).

65. An officer submit a statement concerning his services for which a foreign decoration was awarded (p. 4-219).

66. An officer provide a statement that his foreign gift does not exceed \$50.00 in retail value (p. 4-220). Dollar amount was changed to \$100.00 effective 1 January 1978.

67. Personnel officers or commanders certify SIDPERS forms if they are forwarded to the Staff Judge Advocate or FAO (p. 4-221).

68. The Personnel Asset Inventory be conducted (p. 4-222).

B. That the Army Regulation changes as follow be approved. These changes:

1. Eliminate the requirement that a MOBDES officer sign a statement acknowledging service obligations (p. 4-4).

2. Broaden the approval authority for officer correspondence course applications to include the applicant's immediate staff supervisor (p. 4-19).

3. Eliminate the requirement for an officer student to certify that he has not used or received unauthorized assistance on examinations (p. 4-20).

4. Eliminate the requirement that approving authority for Military Police Investigator claimants for reimbursements of CID funds be limited to field grade supervisors (p. 4-22).

5. Eliminate the requirement for an officer functioning as a CID Fund Custodian sign a statement indicating that he has read and understands provisions of AR195-4, "Use of CID Funds for Criminal Investigative Activities" (p. 4-23).

6. Eliminate the requirement for supervisors to certify that security personnel assigned to chemical security duties are proficient and qualified (p. 4-24).

7. Eliminate the requirement for supervisors to certify that military and civilian personnel assigned to critical chemical surety positions are qualified (p. 4-25).

8. Revise the reporting procedures specified in AR 220-1, "Unit Readiness Reporting" (p. 4-26). AR 220-1 was modified.

9. Eliminate the requirement that installation commanders certify housing furnishing requests are advantageous to the government and that there are no known excess furnishings which are suitable for the intended use (p. 4-33).

10. Eliminate the requirement that a military personnel officer certify on DA Form 4188-R, "Verification of MPRJ and PFR," that the personnel data contained thereon have been verified (p. 4-37).

11. Eliminate the requirement that a military personnel officer certify a unit transmittal letter to the Finance and Accounting Office that the personnel data were verified (p. 4-38).

12. Eliminate the requirement for an officer to obtain a unit commander's signature on DA Form 2142, "Pay Inquiry," to submit a pay inquiry (p. 4-39).

13. Eliminate the requirement that officers in pay grade 04 or higher who elect not to occupy permanent government bachelor quarters obtain approval of this option (p. 4-40).

14. Eliminate the terminology "I certify" on DA Form 3298, "Authorization to Start or Stop BAQ Credit" (p. 4-47).

15. Eliminate the requirement for officers to provide a marriage certificate or other documentary evidence to support a claim for Basic Allowance for Quarters (p. 4-48).

16. Eliminate the requirement for approval of travel by privately-owned conveyance to home of selection OCONUS to support a travel voucher when the mode of travel is not specifically authorized in the orders (pp. 4-54/55/61).

17. Eliminate the requirement for officers to provide an itinerary and a statement that the entire use of a rented vehicle was for official reasons (pp. 4-62/63).

18. Eliminate the requirement that an officer obtain the signature from his unit commander (or the commander's representative) in order to visit a medical treatment facility (p. 4-82).

19. Eliminate the requirement for an officer to sign a "Cook's Worksheet" (p. 4-83).

20. Eliminate the instructions reminding troop commanders on vessels and aircraft to perform their duties in a manner that will reflect creditably upon them and the military service (p. 4-87).

21. Delete the requirement for transportation officers to double-check items being shipped as professional books, paper and equipment after an officer has already certified that these items are necessary in the performance of professional duties (p. 4-88).

22. Vest the authority to bring alcoholic beverages on board a recreational vessel with the vessel commander rather than a general officer (p. 4-89).

23. Eliminate the requirement for commanders to sign a statement verifying that unit members who are using government laundry service have submitted a payroll deduction request (p. 4-90).

24. Eliminate the requirement that an officer verify an AWOL soldier's clothing inventory which was conducted by an E-6 or higher (p. 4-92).

25. Provide noncommissioned officers in the grade E-6 or higher the authority to sign the expended cartridge statement on "Request for Issue and Turn-In of Ammunition" form (p. 4-93).

26. Eliminate the requirement for one commander to further justify a priority request for restricted Federal Supply Class items from a subordinate commander (p. 4-94).

27. Broaden the unit commander's authority to permit all officers who have a need to enter arms storage facilities and who have unit commander approval to be permitted unaccompanied access to unit arms storage facilities (p. 4-105).

28. Eliminate the requirement for officers to produce proof of ownership, state registration, driver's license and safety inspection to register an automobile on post (p. 4-106).

29. Limit inspections of bachelor officer quarters to common use areas unless unusual circumstances dictate (p. 4-110).

30. Eliminate the requirement for a second officer's signature on the "Application and Assignment to Military Family Housing" form to verify that the advanced application was submitted at the losing installation (p. 4-112).

31. Eliminate the requirement for a unit adjutant general to sign a statement that he has personally reviewed oversea deferment requests, that they are correct, justified and meet established criteria (p. 4-128).

32. Discontinue the prohibition of second-party check cashing at officers clubs (p. 4-133).

33. Eliminate the requirement to report "delinquent" club bills to the installation commander by the 15th day following the month of indebtedness (p. 4-134).

34. Eliminate the inaccurate "standards of conduct" example in AR 340-18-1, "Army Functional Files System" (p. 4-138).

35. Pending completion of DCSLOG study, eliminate the requirement for agents at check cashing facilities to ensure that an officer's name is not on a dishonored check list (pp. 4-149/158).

36. Eliminate the requirement that an officer's application for tuition assistance be signed by his unit commander (p. 4-151).

37. Remove the requirement for an officer to show proof of oversea housing availability to acquire concurrent travel for dependents when government quarters are not available (p. 4-168).

38. Eliminate the requirement that the unit personnel officer certify correctness of promotion points and recomputed promotion scores (pp. 4-173/174).

39. Eliminate the requirement for commanders to initial "Promotion Point Worksheet" to indicate they counseled soldiers not selected for promotion (p. 4-175).

40. Eliminate the requirement for commanders to submit full explanations to HQDA when a military member does not render paternity support (p. 4-185).

41. Eliminate the requirement for a field grade officer to attest that a student officer applicant has read AR 621-1, "Application for Detail as a Student Officer at a Civilian Education Institution or at Training with Industry" (p. 4-190).

42. Eliminate the requirement that brigade commanders or equivalent either rate or indorse the race relations/equal opportunity staff officer (p. 4-193).

43. Eliminate the requirement for recommending officers to certify records of officers who are nominees for promotion (p. 4-199).

44. Eliminate the requirement for a supervisor to verify whether an officer worked a duty day on day of departure or day of return from leave (p. 4-204).

45. Change the requirement for personnel to have a leave form in their possession except under special circumstances (p. 4-206).

46. Eliminate the requirement for an officer to attest in writing on his retirement application that he fully understands Chapter 2, AR 635-10, "Processing Personnel for Separation" (pp. 4-209/210).

C. That Army Regulation proponents initiate the following actions on policies requiring approval of higher authority:

1. ACSI request the Director of Central Intelligence to eliminate the requirement to resubmit fingerprints to support a security investigation (p. 4-16).

2. TJAG recommend to US Navy, US Marines and US Air Force the elimination of the requirement for a witness to sign DD Form 1842, "Claim for Personal Property" (p. 4-29).

3. COA request DOD to eliminate the certification statement on DD Form 137, "Application of Basic Allowance for Quarters for Members with Dependents" (p. 4-43).

4. DCSPER recommend to the DOD Per Diem, Travel and Transportation Allowance Committee the elimination of the requirement for an officer to obtain a statement of nonavailability of government quarters and mess to support payment of a travel voucher (p. 4-56).

5. DCSPER recommend to the DOD Per Diem, Travel and Transportation Allowance Committee elimination of the requirement for lodging receipts to support an officer's travel claim (p. 4-58).

6. COA request DOD to eliminate officer documentation requirements in Joint Travel Regulations that differentiate by virtue of grade (p. 4-71).

7. DCSLOG request DOD to permit delegation of authority to authenticate assignment of priority designators 01 through 08 from commander to materiel readiness officer or other appropriate authority (p. 4-98).

8. DCSPER request DOD to delete the requirement for installation commanders to issue at least annually a support statement for the Civilian Employment Stability Program (p. 4-103).

9. DCSPER request DOD to delete the requirement for certification of technical proficiency commensurate with nuclear surety job or duty assignments (p. 4-104).

10. DCSPER request DOD to vest with commanders who impose housing discrimination sanctions the authority to lift the sanctions within 180 days (p. 4-115).

11. DCSPER request DOD to delete the requirement for Alcohol and Drug Abuse Prevention and Control Program (ADAPCP) commissioned clinical directors to undergo urine testing at least twice monthly (p. 4-122).

12. TAGCEN request DOD to delete the requirement for all service members to initial their social security number on the "Record of Emergency Data" card (p. 4-141).

13. TAGCEN continue to pursue the proposal to DOD that legislation be developed standardizing dishonored check garnishment rules for members of all services (p. 4-146/148).

14. TAGCEN recommend to AAFES that the personal information requirement on the reverse of checks be modified (p. 4-156).

15. TAGCEN recommend to AAFES that the requirement to staple bags at centralized exchange exit cashier counters be eliminated (p. 4-162).

D. That a study similar to the Officer Trust Review be initiated to legitimize regulations for other military and civilian personnel.

E. That the Inspector General include officer trust as an item of interest during IG inspections.

F. That this report be forwarded to major commands for information and action deemed appropriate.

G. That commanders be apprised of the necessity for meting out swift and just punishment against the few officers who violate special trust.

H. That the DCSPER and/or DCSOPS ensure that officer ethical education is comprehensive and integrated.

I. That the DCSPER apprise MACOM commanders that some command practices are demeaning to officer trust.

J. That the DCSPER be designated the focal point for follow-up actions relating to the TRUST Review.

<u>Issue</u>	<u>Decision</u>
Recommend retention of policy requirements that:	
1. A second person check the locking of a safe containing classified material (p. 4-9).	<u>Approved</u>
2. Controls are implemented to ensure understanding and compliance with AR 380-13, "Acquisition and Storage of Information Concerning Non-Affiliated Persons and Organizations (p. 4-12).	<u>Approved</u>
3. Destruction of classified material be witnessed by a "disinterested" person (p. 4-14).	<u>Approved</u>
4. When armed forces censorship is in effect, an officer's personal mail be censored (p. 4-15).	<u>Approved</u>
5. Government quarters be inspected as a part of the clearing process and that these inspections be conducted by enlisted and civilian personnel (p. 4-34).	<u>Approved</u>
6. The director or commander of a maneuver or exercise provide an administrative memorandum to support a travel voucher which stipulates dates, available accommodations and duties performed (p. 4-36).	<u>Approved</u>
7. Officers complete a statement showing dates, address of lodging and the number of dependents to support payment of Temporary Lodging Allowance (p. 4-41).	<u>Approved</u>
8. Officers certify dependency data on DD Form 1561, "Statement to Substantiate Pay of Family Separation Allowances," to support a claim for FSA (p. 4-42).	<u>Approved</u>
9. Officers complete Form W-4, "Employee's Withholding Allowance Certificate," to establish legal residence and number of exemptions for federal and state tax purposes (p. 4-44).	<u>Approved</u>
10. Members who have designated certain states as their home of record complete a Declaration of State Tax Withholding Status on USAFAC Form 2870 (p. 4-45).	<u>Approved</u>
11. Members complete DD Form 2058, "State of Legal Residence Certificate," upon initial service entry and when changing the designated state of legal residence (p. 4-46).	<u>Approved</u>
12. The personnel officer sign, in addition to the initiator, DD Form 1561, "Statement to Substantiate Payment of Family Separation Allowance" (p. 4-50).	<u>Approved</u>
13. A reserve officer claiming administrative duty pay certify that he assumed command of the unit, that he is not a technician and that the strength of the unit is of a certain number (p. 4-52).	<u>Approved</u>
14. Military passengers traveling in a TDY status in another member's POV be paid (p. 4-60).	<u>Approved</u>
15. Special category personnel obtain command-approved travel vouchers for travel to undergo physical examinations (p. 4-64).	<u>Approved</u>
16. Standard mileage tables for travel pay entitlements be used (p. 4-65).	<u>Approved</u>
17. The unpaid obligation of each appropriation or fund account be certified at each command level as of the end of each FY (p. 4-66).	<u>Approved</u>
18. A "disinterested officer" conduct drug inventories (p. 4-75).	<u>Approved</u>
19. Parental consent or the consent of an adult with a power of attorney be provided for emergency treatment of minors (p. 4-77).	<u>Approved</u>
20. A medical officer validate the emergency status of an accident when an officer files a CHAMPUS claim (p. 4-78).	<u>Approved</u>
21. An officer serving as president and custodian of the Central Hospital Fund be bonded (p. 4-79).	<u>Approved</u>
22. An officer must provide the records custodian a written release	<u>Approved</u>

mail be censored (p. 4-15).

5. Government quarters be inspected as a part of the clearing process and that these inspections be conducted by enlisted and civilian personnel (p. 4-34).

Approved

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10. Members who have designated certain states as their home of record complete a Declaration of State Tax Withholding Status on USAFAC Form 2670 (p. 4-45).

Approved

11. Members complete DD Form 2058, "State of Legal Residence Certificate," upon initial service entry and when changing the designated state of legal residence (p. 4-46).

Approved

12. The personnel officer sign, in addition to the initiator, DD Form 1561, "Statement to Substantiate Payment of Family Separation Allowance" (p. 4-50).

Approved

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18. A "disinterested officer" conduct drug inventories (p. 4-75).

Approved

19. Parental consent or the consent of an adult with a power of attorney be provided for emergency treatment of minors (p. 4-77).

Approved

20. A medical officer validate the emergency status of an accident when an officer files a CHAMPUS claim (p. 4-78).

Approved

21. An officer serving as president and custodian of the Central Hospital Fund be bonded (p. 4-79).

Approved

22. An officer must provide the records custodian a written release by adult dependents in order to obtain their medical records from an Army medical treatment facility (p. 4-80).

Approved

23. Officers in uniform present their identification card for entrance to the commissary (p. 4-85).

Approved

24. Officers provide certification to establish proof of ownership of articles that once may have been government property when transporting these articles through customs facilities (p. 4-108).

Approved

25. Periodic race relations training be conducted on an as required basis for officers with over ten years service (p. 4-113).

Approved

26. "Standards of conduct" are called to the attention of officers on a semi-annual basis (p. 4-118).

Approved

27. Specified officers, whose responsibilities include contracting, auditing or any other activity which has significant impact on non-federal enterprises, complete a statement of financial worth (p. 4-120).

Approved

28. Retired Regular officers file a Statement of Employment within 30 days after retirement (p. 4-121).

Approved

29. All service members participate in command-directed urinalysis when suspicion of drug abuse exists (p. 4-123).

Approved

30. All individuals with urine positives be referred to a physician for evaluation (p. 4-124).

Approved

31. Commissioned officers exercise their responsibilities as agents of the Commander-in-Chief by administering enlistment and reenlistment oaths (p. 4-126).

Approved

2

3

<u>Issue</u>	<u>Decision</u>
32. Affidavits and other related documentation support requests for temporary deferment from oversea assignments (p. 4-127).	<u>Approved</u>
33. Postal custodians have a witness present when opening or forwarding money order reports and stamp requisitions (p. 4-129).	<u>Approved</u>
34. Check cashing privileges at officer clubs be limited to authorized club patrons except in unusual circumstances (p. 4-132).	<u>Approved</u>
35. Advisory Councils to Officer Open Messes be used in lieu of Boards of Governors (p. 4-135).	<u>Approved</u>
36. Individuals seeking access to personal files furnish verification of identity (p. 4-139).	<u>Approved</u>
37. Military records personnel verify the completeness and entries on "Record of Emergency Data" card (pp. 4-142/145).	<u>Approved</u>
38. Officers not support, campaign or solicit votes for an issue or a political candidate (p. 4-143).	<u>Approved</u>
39. Personnel affairs specialists verify the accuracy of personal information contained in requests for identification cards and tags (p. 4-144).	<u>Approved</u>
40. A uniformed officer show an ID card when cashing checks at exchange facilities (p. 4-154).	Disapproved (Higher Authority Required)
41. Check cashing at exchange facilities be limited to \$50.00 except in locations where banking facilities are not available (p. 4-155).	<u>Approved</u>
42. Unit commanders be prohibited from reviewing medical records (p. 4-167).	<u>Approved</u>
43. Officers sign port call travelopes (p. 4-169).	<u>Approved</u>
44. Personnel specialists verify personal information on requests for replacement of ID cards (p. 4-172).	<u>Disapproved</u>
45. Bonus enlistees be utilized in their primary MOS (p. 4-176).	<u>Approved</u>
46. Commanders forward reclassification requests to MILPERCEN for approval (p. 4-177).	<u>Approved</u>
47. Military intelligence officers be prohibited from inspecting MOS test material during security inspections (p. 4-178).	<u>Approved</u>
48. Only unit commanders in authorized O-5 or higher positions promote personnel to E-5 and E-6 (p. 4-179).	<u>Approved</u>
49. Commanders verify that a soldier can perform in an MOS when the soldier's PULHES falls below established MOS standards (p. 4-182).	<u>Approved</u>
50. An officer show proof of "sufficient funds" to obtain a visa to the United States for an alien spouse (p. 4-183).	<u>Approved</u>
51. Captains who possess the requisite ability be appointed to inspector general positions on a case-by-case basis (p. 4-186).	<u>Approved</u>
52. Application for reassignment for extreme family problems be accompanied by complete documentation (p. 4-188).	<u>Approved</u>
53. An officer's fulfillment of equal opportunity responsibilities be evaluated on the OER (p. 4-194).	<u>Approved</u>
54. Duplicate copies of an OER will not be retained (p. 4-197).	<u>Approved</u>
55. Officers not selected for promotion are subject to the "up or out policy" (p. 4-200).	<u>Approved</u>
56. An officer's supervisor sign the leave form preceding the approval authority's signature (p. 4-203).	<u>Approved</u>

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56. An officer's supervisor sign the leave form preceding the approval authority's signature (p. 4-203).	<u>Approved</u>
57. Leave approval authority may be delegated to junior officers (p. 4-205).	<u>Approved</u>
58. Documentation and a commander's signature be provided in dependency or hardship separation cases (p. 4-211).	<u>Approved</u>
59. Only commanders having a special court-martial jurisdiction be granted authority to convene a board of officers for administrative separations (p. 4-213).	<u>Approved</u>
60. The certification statement preceding an officer's signature on the "Record of Court-Martial Conviction" remain (p. 4-214).	<u>Approved</u>
61. An officer sign a statement that he is aware of unfavorable information placed in his file (p. 4-215).	<u>Approved</u>
62. An officer or jumpmaster sign a "Statement of Jump and Loading Manifest (p. 4-216).	<u>Approved</u>
63. An officer verify events or services cited in a previous recommendation for an award which was lost (p. 4-217).	<u>Approved</u>
64. An officer state in writing that his original medal was lost, destroyed, or rendered unfit due to no fault of his own (p. 4-218).	<u>Approved</u>
65. An officer submit a statement concerning his services for which a foreign decoration was awarded (p. 4-219).	<u>Approved</u>
66. An officer provide a statement that his foreign gift does not exceed \$50.00 in retail value (p. 4-220). Dollar amount changed to \$100.00 effective 1 January 1978.	<u>Approved</u>
67. Personnel officers or commanders certify SIDPERS forms if they are forwarded to the Staff Judge Advocate or FAO (p. 4-221).	<u>Approved</u>
68. The Personnel Asset Inventory be conducted (p. 4-222).	<u>Approved</u>

MODIFY/ELIMINATE

Decision

Issue

Decision

23. Eliminate the requirement for commanders to sign a statement verifying that unit members who are using government laundry service have submitted a payroll deduction request (p. 4-90).

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24. Eliminate the requirement that an officer verify an AWOL soldier's clothing inventory which was conducted by an E-6 or higher (p. 4-92).

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25. Provide noncommissioned officers in the grade E-6 or higher the authority to sign the expended cartridge statement on "Request for Issue and Turn-In of Ammunition" form (p. 4-93).

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26. Eliminate the requirement for one commander to further justify a priority request for restricted Federal Supply Class items from a subordinate commander (p. 4-94).

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45. Change the requirement for personnel to have a leave form in their possession except under special circumstances (p. 4-206).

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46. Eliminate the requirement for an officer to attest in writing on his retirement application that he fully understands Chapter 2,

Approved

6

HIGHER AUTHORITY REQUIRED

Issue

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Decision

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7. The DCSPER be designated the focal point for follow-up actions relating to the TRUST Review.

HIGHER AUTHORITY REQUIRED

<u>Decision</u>	<u>Issue</u>	<u>Decision</u>
<u>Approved</u>	8. DCSPER request DOD to delete the requirement for installation commanders to issue at least annually a support statement for the Civilian Employment Stability Program (p. 4-103).	<u>Approved</u>
<u>Approved</u>	9. DCSPER request DOD to delete the requirement for certification of technical proficiency commensurate with nuclear surety job or duty assignments (p. 4-104).	<u>Approved</u>
<u>Approved</u>	10. DCSPER request DOD to vest with commanders who impose housing discrimination sanctions the authority to lift the sanctions within 180 days (p. 4-115).	<u>Approved</u>
<u>Approved</u>	11. DCSPER request DOD to delete the requirement for Alcohol and Drug Abuse Prevention and Control Program (ADAPCP) commissioned clinical directors to undergo urine testing at least twice monthly (p. 4-122).	<u>Approved</u>
<u>Approved</u>	12. TAGCEN request DOD to delete the requirement for all service members to initial their social security number on the "Record of Emergency Data" card (p. 4-141).	<u>Approved</u>
<u>Approved</u>	13. TAGCEN continue to pursue the proposal to DOD that legislation be developed standardizing dishonored check garnishment rules for members of all services (p. 4-146/148).	<u>Approved</u>
<u>Approved</u>	14. TAGCEN recommend to AAFES that the personal information requirement on the reverse of checks be modified (p. 4-156).	<u>Approved</u>
<u>Approved</u>	15. TAGCEN recommend to AAFES that the requirement to staple bags at centralized exchange exit cashier counters be eliminated (p. 4-162).	<u>Approved</u>

8

FUTURE ACTIONS

to the Officer Trust Review be initiated for other military and civilian personnel.

General include officer trust as an item of actions.

Forwarded to major commands for information appropriate.

Emphasized the necessity for meting out swift justice to the few officers who violate special trust.

DCSOPS ensure that officer ethical education is integrated.

MACOM commanders that some command practices erode trust.

Designated the focal point for follow-up actions in this view.

Decision

Disapproved

Approved

Approved

Approved

Approved

Approved

Approved

CHIEF OF STAFF

Memorandum

U. S. ARMY

DISTR A EXPIRES 31 May 1978

CSM 77-5-21

DATE 3 May 1977

SUBJECT: Regulatory Practices That Tend to Undermine
an Officer's Special Trust

FILE CS 210 (3 May 77)

ACTION OFFICER/EXT
LTC Daly/llm/72221

MEMORANDUM FOR: HEADS OF ARMY STAFF AGENCIES

1. **PURPOSE.** This memorandum provides for the conduct of a review of Army regulations and other policy documents to identify and eliminate practices that tend to undermine the "special trust and confidence" reposed in officers by the language of their commission.

2. **OBJECTIVES.**

a. Conduct a review of Army regulations to identify practices that tend to undermine an officer's special trust.

b. Analyze practices identified in the review to determine whether to eliminate them or to retain them because of other overriding, desirable effects of the practices.

c. Recommend for approval of CSA the deletion of those practices from regulations that tend to undermine an officer's special trust and that do not accomplish other overriding, desirable effects.

3. **BACKGROUND.**

a. In December 1976, a U.S. Army Administration Center briefing to the Director of the Army Staff on professional development suggested a review of Army regulations to identify practices that tend to undermine the concept of special trust placed in an Army officer by the President by the act of commissioning.

b. Initial reviews by the U.S. Army Administration Center of regulations to identify such practices tended to confirm the existence of such practices, but was not intended to serve as the basis for a program of analysis and deletion of parts of regulations.

c. The CSA directed a HQDA review of regulations as a basis for analysis and deletion of practices that tend to impact unfavorably upon the "special trust and confidence" reposed in an officer. The leadership responsibilities and special trust placed in an officer make exemplary conduct of the officer corps fundamental to an effective fighting force. The officer must set an example worthy of emulation by all soldiers whose word and actions must meet the highest standards of conduct to make the Total Army worthy of the trust of the American people. By the same token, if "special trust and confidence" is reposed in each officer, the word and signature of that officer should be accepted as his/her bond.

SUBJECT: Regulatory Practices That Tend to Undermine an Officer's Special Trust

4. REVIEW GROUP FOR REGULATORY PRACTICES UNDERMINING TRUST (Trust Review Group)

a. Mission.

(1) Review and analyze the portions of regulations identified by proponent agencies that tend to undermine the concept of special trust placed in an officer.

(2) Recommend those portions of the regulations to be retained because of other overriding, desirable effects and those portions to be deleted.

(3) Base analysis and recommendations on criteria provided by the DCSPER, and supporting discussions provided by the proponent agencies.

b. Composition.

(1) Chairman (O-6) provided by DCSPER.

(2) Review group member (O-4 or O-5) provided by TAG.

(3) TIG and TJAG will provide one member each (O-4 or O-5) for the review group to serve in an advisory status, to be on call by the chairman of the review group.

(4) Additional review group members to be provided by the DCSPER as needed.

c. Conduct of the Review.

(1) The DCSPER is assigned overall responsibility for the conduct of the review.

(2) Army Staff agencies will--

(a) Designate a point of contact for the review and notify ODCSPER (LTC Daly, x72221) of the name and telephone number of the point of contact by 9 May 1977.

(b) Provide assistance to the review group as required.

(c) Conduct review of regulations for which the agency is proponent and submit findings of the review to the review group based on criteria to be provided by the DCSPER.

(3) The review group will convene upon call of the chairman.

(4) The review group will analyze submissions by proponent agencies and make recommendations through the DCSPER to the CSA for deletions from regulations NLT 30 September 1977.

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(5) The DCSPER will provide status reports to the CSA summarizing progress of the review on 8 July and 26 August 1977. - *Changed over to methodology*

(6) The DCSPER will prepare a HQDA letter NLT 31 May 1977 to inform major commands of the purpose and timing of the review at HQDA, and to alert major commands to the requirement for the conduct of similar reviews and deletion actions by major commands and installations after 30 September 1977.

(7) The DCSPER will provide to the CSA, prior to 15 October 1977, a recommended directive for follow-on review actions by Army major commands.

d. Representative Practices. The review will identify the following, and similar types of practices, for analysis and retention or deletion:

(1) Documents that require officers to report compliance with other regulations. (Example: I certify that I have sufficient leave accrued to cover this absence.)

(2) Regulatory requirements for officers to submit reports to lower-ranking personnel for administrative review. (Example: Travel report/voucher review.)

(3) Requirements that officers certify and understand long and complicated regulations such as security regulations. (Example: I certify that I have read and fully understand the requirements of AR 380-5.)

(4) Certification that they have accomplished a particular act rather than designate an NCO to accomplish the task. (Example: I certify that I have conducted a 100-percent inventory of all assigned weapons.)

5. SUPPORT AND RESOURCE REQUIREMENTS.

a. Administrative support (clerical, space, and equipment) will be provided by ODCSPER.

b. Funds for travel, per diem, and overtime will be provided by the parent organization of the review group member. Other costs incident to activities of the review group will be provided by ODCSPER.

BY DIRECTION OF THE CHIEF OF STAFF:

John R. McGuffert
JOHN R. MCGUFFERT
Lieutenant General, GS
Director of the Army Staff

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