



GENERAL COUNSEL OF THE DEPARTMENT OF THE ARMY  
104 ARMY PENTAGON  
WASHINGTON, DC 20310-0104

SAGC

FEB 11 2022

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Appointment of Deputy Designated Agency Ethics Officials

1. References.

- a. DoD 5500.07-R (Joint Ethics Regulation), 17 November 2011.
- b. Memorandum, SAGC (subject: Appointment of Deputy Designated Agency Ethics Officials), 18 August 2019 (rescinded).
- c. Memorandum, Secretary of the Army (subject: Appointment of Designated Agency Ethics Official), 27 January 2022.
- d. Memorandum, SAGC (subject: Reporting Disciplinary Actions Based on Violations of Ethics Provisions), 6 March 2020.

2. Purpose. This memorandum appoints Deputy Designated Agency Ethics Officials (DDAEOs) under paragraph 1-401, reference a, and rescinds reference b and all designations and delegations of authority issued under that authority. To the extent that this memorandum changes conditions of employment for bargaining unit employees, ensure labor obligations are met prior to implementation.

3. Designations. As the Army's Designated Agency Ethics Official (DAEO) (reference c), I am responsible for the administration of the Department of the Army's ethics program. In accordance with paragraph 1-401, reference a, personnel assigned to the following positions are appointed as DDAEOs:

- a. Principal Deputy General Counsel
- b. Deputy General Counsel (Ethics & Fiscal)
- c. The Judge Advocate General (TJAG)
- d. The Deputy Judge Advocate General (DJAG)
- e. The Assistant Judge Advocate General for Military Law & Operations
- f. Chief, OTJAG Administrative Law Division
- g. Chief Counsel, U.S. Army Corps of Engineers
- h. Command Counsel, U.S. Army Materiel Command

4. DDAEO Responsibilities and Authorities.

a. DDAEOs are responsible for overseeing and administering ethics program requirements within their respective and assigned organizations, as listed in Annex A.<sup>1</sup> Their duties include, but are not limited to: providing ethics advice within their respective and assigned organizations; maintaining, reviewing, and certifying financial disclosure reports (OGE Forms 278e, 278-T, 450, and 450-A); granting filing extensions for filers of financial disclosure reports; and, subject to the terms of this memorandum, other functions assigned to the DAEO that are delegable under law and regulation. As DDAEOs, and subject to the terms of this memorandum, DDAEOs may act on my behalf as the Army DAEO concerning any matter under 5 C.F.R. Parts 2634 through 2641 and Part 3601, and 41 U.S.C. § 2101-2107, or the JER, that is not reserved by law or regulation to the DAEO. DDAEOs will keep my office appropriately informed of all ethics matters having import to the Department of Defense or Department of the Army at large.

b. DDAEOs may designate, in writing, Ethics Counselors in their respective organizations. Subject to limitations within this memorandum, a DDAEO may delegate any of his or her responsibilities not reserved by law, regulation, or this memorandum, to an Ethics Counselor. Appointed Ethics Counselors may provide ethics advice and support to current, and former DoD employees within and without their respective organizations, unless otherwise limited by law, regulation, the appointment designation, or this memorandum. DDAEOs may permit designated ethics counselors to appoint additional Ethics Counselors within their respective organizations and re-delegate within their authorities as identified within this memorandum, unless otherwise prohibited by law, regulation, or this memorandum.

c. DDAEOs may delegate, in writing, the authority to certify OGE Forms 278e and 278-T, but only to designated Ethics Counselors within their immediate office, except as permitted in paragraph 7 below. No further delegation is authorized.

d. DDAEOs are the sole delegated authorities for waiving the late filing fee for OGE Forms 278e and 278-T reports. No further delegation is authorized.

e. DDAEOs are the sole delegated authorities for approval of non-federal entities for purposes of co-sponsorship of conferences, seminars, and similar events pursuant to paragraph 3-206.b(3) of reference a, except as permitted in paragraph 7c below. No further delegation is authorized.

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<sup>1</sup> A DDAEO is permitted to provide ethics support to an organization assigned to another DDAEO, as listed in Annex A, if agreed to by the DDAEOs concerned. The DDAEOs must notify the DAEO and ADAEO of any such deviation from Annex A, in advance.

f. DDAEOs may provide the conflict of interest analysis and endorse Requests for Appointment or Renewal of Appointment of Expert or Consultant (block 14, DD Form 2292) for personnel appointed to Federal Advisory Committee Act boards within their respective organizations.

g. DDAEOs provide necessary coordination and concurrence, if appropriate, where acceptance of payment from a non-Federal source for travel expenses under 31 U.S.C. § 1353 requires a conflict of interest analysis (41 C.F.R. § 304-5.3).

h. DDAEOs report the use of and disposition of foreign gifts IAW 41 C.F.R. §102-42.

i. DDAEOs shall require all designated Ethics Counselors to receive at least one ethics training annually, outside of the standard annual ethics training. Such training may be sourced from the Army Office of the General Counsel, The Judge Advocate General Legal Center and School, the DoD Standards of Conduct Office, the Office of Government Ethics, Continuing Legal Education sources (e.g. West LegalEd), or other DDAEO approved sources.

j. DDAEOs are required to report instances of disciplinary action explicitly based, wholly or in part, on a violation of title 5, Code of Federal Regulations section 2635 or Part 3601; DoD 5500.07-R (The Joint Ethics Regulation); or one of the criminal conflict of interest statutes (18 U.S.C. section 203, 205, 208, or 209); to the Army Office of General Counsel (Ethics and Fiscal) no later than one week after the appropriate authority approves the disciplinary action. Disciplinary actions include removals, demotions, suspensions, and written reprimands and their equivalent. This requirement does not modify the reporting requirements for suspected violations of the Joint Ethics Regulation found in reference a, chapter 10. Refer to reference d for procedures regarding this requirement.

5. Deputy General Counsel (Ethics & Fiscal) (DGC (E&F)). The DGC (E&F) is my primary assistant for ethics and standards of conduct matters and is responsible for the day-to-day management of the Army's ethics program. The DGC (E&F) will serve as the primary POC for the DoD Standards of Conduct Office, the Office of Government Ethics (OGE), and other government agencies on matters related to government ethics, except as specified in subparagraph 7 below. Responsibilities of the DGC (E&F) include, but are not limited to:

a. Oversight of the Army's Public Financial Disclosure program. The DGC (E&F) retains the authority to certify any Army Forms OGE 278e or 278-T when necessary and will periodically review Army Public Financial Disclosure

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programs.

b. Certifying, by letter, the Department of the Army ethics position to the Senate Committee on Armed Services for officers nominated to the rank of Lieutenant General or General. Form OGE 278e and other documents pertaining to the nomination of those officers will be submitted through OGC. The DGC (E&F) also oversees the day- to-day operation and development of Financial Disclosure Management (FDM), the Army's secure, online program for preparation and electronic filing of financial disclosure reports and the After Government Employment Advice Repository (AGEAR).

c. Overseeing and coordinating subordinate Army ethics programs through periodic Staff Assistant Visits to evaluate and ensure those programs maintain sufficient funding, staff, space and resources to administer the program, subject to the availability of funds.

d. Receiving all ethics counselor/DDAEO notifications of suspected violations of 18, U.S.C. §§ 203, 205, 207, 208, or 209; receiving OGE Forms 202 from DDAEOs and U.S. Army Criminal Investigations Division/Command; and forwarding those forms to OGE, as outlined in paragraph 10-201, reference a.

6. The Judge Advocate General (TJAG). TJAG is responsible for preparing and submitting the Army's semi-annual report to OGE regarding the acceptance of payments from a non-Federal source for travel expenses pursuant to 31 U.S.C. § 1353.

7. Public Financial Disclosure Reports.

a. I hereby delegate to the following officials the authority to certify OGE Forms 278e and 278-T reports of personnel assigned to their respective organizations:

Staff Judge Advocate, U.S. Army Forces Command  
Staff Judge Advocate, U.S. Army Training and Doctrine Command  
Staff Judge Advocate, U.S. Army Futures Command  
Staff Judge Advocate, Headquarters, U.S. Army Europe and Africa  
Staff Judge Advocate, U.S. Army Central  
Staff Judge Advocate, Southern European Task Force  
Staff Judge Advocate, U.S. Army Pacific  
Staff Judge Advocate, U.S. Army North  
Staff Judge Advocate, U.S. Army South  
Staff Judge Advocate, U.S. Army Special Operations Command  
Staff Judge Advocate, U.S. Army Space and Missile Defense Command

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Staff Judge Advocate, U.S. Army Cyber Command  
Staff Judge Advocate, U.S. Forces Korea  
Staff Judge Advocate, Eighth U.S. Army  
Staff Judge Advocate, U.S. Army Medical Command  
Staff Judge Advocate, U.S. Army Military District of Washington  
Chief Counsel, U.S. Army Test and Evaluation Command  
Staff Judge Advocate, U.S. Military Academy  
Command Judge Advocate, U.S. Army War College  
Command Judge Advocate, U.S. Army Human Resources Command  
Staff Judge Advocate, U.S. Army Intelligence and Security Command  
Staff Judge Advocate, U.S. Army Reserve Command  
Staff Judge Advocate, First Army  
Staff Judge Advocate, I Corps  
Staff Judge Advocate, III Corps  
Staff Judge Advocate, V Corps  
Staff Judge Advocate, XVIII Airborne Corps  
Staff Judge Advocate, Combined Arms Center and Fort Leavenworth  
Staff Judge Advocate, U.S. Army Network Enterprise Technology  
Command  
Chief Counsel, National Guard Bureau  
Chief Counsel, U.S. Army Combatant Capabilities Development  
Command

b. The officials in Para. 7a. above may further delegate, in writing, OGE Forms 278e and 278-T certification authority, but only to designated Ethics Counselors assigned to their immediate office and who are in the grade of O-4 or above if military, or GS-13 or higher (or equivalent) if a civilian employee. No further delegation is authorized.

c. The following officials are authorized to approve non-federal entities for purposes of co-sponsorship of conferences, seminars, and similar events pursuant to paragraph 3-206.b(3) of reference a:

Staff Judge Advocate, U.S. Army Forces Command  
Staff Judge Advocate, U.S. Army Training and Doctrine Command  
Staff Judge Advocate, U.S. Army Futures Command  
Staff Judge Advocate, U.S. Army Medical Command  
Staff Judge Advocate, U.S. Military Academy  
Chief Counsel, National Guard Bureau

#### 8. Responsibility for Subordinate Organizations.

a. As indicated above, DDAEOs are responsible for overseeing and administering ethics program requirements within their respective and assigned

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organizations. Annex A provides a list of organizations for which the respective DDAEOs have ethics responsibility.

b. With respect to direct reporting units and organizations that fall under the authority of an office within the Army Secretariat, it is my intent that ethics responsibilities remain with the legal office that performs other legal functions for that organization.

9. Restrictions. No DDAEO may participate as an officer or director of any prohibited source unless authorized by the DAEO or, in the absence of a DAEO, the Alternate DAEO.



CARRIE F. RICCI

Designated Agency Ethics Official

Enclosure Annex A

DISTRIBUTION:

Principal Deputy General Counsel  
Deputy General Counsel (Ethics & Fiscal)  
The Judge Advocate General  
The Deputy Judge Advocate General  
The Assistant Judge Advocate General for Military Law and Operations  
Chief, Administrative Law Division  
Chief Counsel, U.S. Army Corps of Engineers  
Command Counsel, U.S. Army Materiel Command

## **ANNEX A**

1. Deputy General Counsel (Ethics & Fiscal). The Deputy General Counsel (Ethics & Fiscal), on behalf of the Army General Counsel, is primarily responsible for providing ethics advice to the Army Secretariat. This responsibility is limited to those organizations and units located within the National Capital Region, unless otherwise noted below.

- Office of the Secretary of the Army
- Office of the Under Secretary of the Army
- Office of the Deputy Under Secretary of the Army
- Office of the Assistant Secretary of the Army (Acquisition, Logistics & Technology) (does not include PEOs, but includes the U.S. Army Acquisition Support Center)
- Office of the Assistant Secretary of the Army (Civil Works)
- Office of the Assistant Secretary of the Army (Financial Management & Comptroller)
- Office of the Assistant Secretary of the Army (Installations, Energy & Environment) (to include the Regional Environmental Offices)
- Office of the Assistant Secretary of the Army (Manpower & Reserve Affairs) (to include the U.S. Army Review Boards Agency and the Army Enterprise Marketing Office)
- Office of the General Counsel
- Office of the Administrative Assistant to the Secretary of the Army (to include the Chief Attorney, Legal Services Directorate, and Field Operating Agencies)
- Office of the Chief Information Officer (this does not include NETCOM)
- Office of The Inspector General (this does not include any subordinate office regardless of location)
- Office of the Auditor General
- Office of the Chief of Legislative Liaison
- Office of the Chief of Public Affairs (this does not include subordinate offices regardless of location, with the exception of its Los Angeles office)
- Office of the Director of Small Business Programs
- Executive Director, Army National Cemeteries Program

2. TJAG, DJAG, Assistant Judge Advocate General for Military Law and Operations, and Chief, Administrative Law Division. TJAG, DJAG, Assistant Judge Advocate General for Military Law and Operations, and Chief, Administrative Law Division are responsible for providing ethics advice to the organizations listed in paragraph 7a of the memorandum. TJAG, DJAG, Assistant Judge Advocate General for Military Law and Operations, and Chief, Administrative Law Division are responsible for providing ethics advice to U.S. Army Garrisons that receive legal support from a consolidated legal office under the purview of TJAG. They are further responsible for providing ethics advice to all Army organizations not listed in paragraph 1, 3, or 4 of this Annex.

3. Command Counsel, U.S. Army Materiel Command. In addition to the organizations that fall under AMC's command authority, the following Army Secretariat

organizations and their personnel fall under the authority of the Command Counsel, U.S. Army Materiel Command:

- O Program Executive Office, Ammunition/Joint Munitions and Lethality Life Cycle Management Command
- O Program Executive Office, Aviation
- O Program Executive Office, Combat Support and Combat Service Support (CS&CSS)
- O Program Executive Office, Command, Control, Communications & Tactical (C3T)
- O Program Executive Office, Ground Combat Systems (GCS)
- O Program Executive Office, Intelligence, Electronic Warfare & Sensors (IEW&S)
- O Program Executive Office, Missiles and Space (M&S)
- O Program Executive Office, Simulation, Training, and Instrumentation (STRI)
- O Office of the Chief Systems Engineer (OCSE)
- O Program Executive Office, U.S. Army Chemical Materials Activity (CMA)
- O Program Executive Office, Enterprise Information System (EIS)
- O Joint Program Executive Office for Chemical and Biological Defense, with the exception of elements headquartered at Fort Detrick, MD
- O Program Executive Office Assembled Chemical Weapons Alternatives (ACWA)
- O Program Executive Office Soldier
- O Rapid Capabilities and Critical Technologies Office (RCCTO)

4. Chief Counsel, U.S. Army Corps of Engineers. All U.S. Army Engineer Divisions, Districts, Centers and Laboratories fall under the authority of the Chief Counsel, U.S. Army Corps of Engineers.