



REPLY TO
ATTENTION OF

DEPARTMENT OF DEFENSE
UNITED STATES SOUTHERN COMMAND
3511 NW 91ST AVENUE
MIAMI, FL 33172-1217

*SC Regulation 600-50

1 December 2000

Effective Upon Receipt

Personnel-General

STANDARDS OF CONDUCT

1. **PURPOSE.** To prescribe procedures for submitting required financial disclosure statements and implementing ethics/standards of conduct training. This regulation is applicable to Headquarters, U.S. Southern Command, (USSOUTHCOM), Security Assistance Organizations (SAOs) in the USSOUTHCOM AOR, assigned Joint Task Forces (JTFs), and Component Commanders as specified.

2. **REFERENCES.**

- a. Ethics in Government Act of 1978 (PL 95-521, 26 Oct 78), as amended.
- b. DOD Directive 5500.7R, "Standards of Conduct," 30 Aug 93.

3. **POLICY.**

a. To avoid possible conflicts between private interests and official duties, the Department of Defense (DOD) has established standards of conduct for its personnel. These standards include financial disclosure requirements for certain DOD personnel to enable them to avoid taking official action regarding a matter in which they have a conflicting affiliation or personal financial interest. DOD personnel must also be aware of the requirements of the various ethics/standards of conduct laws and regulations.

b. Active duty and reserve component Flag and General officers and Senior Executive Service personnel must file a SF 278 (Public Financial Disclosure Report) annually. Certain other DOD personnel (including USSOUTHCOM personnel as specified in this regulation) must file OGE Form 450 (Confidential Financial Disclosure Report) annually. All must be aware of the requirement to file DD Form 1787s (Report of DOD and Defense Related Employment) under certain circumstances specified in reference 2b.

c. The USSOUTHCOM Staff Judge Advocate (SCSJA) as the Command Ethics Advisor, is responsible to oversee the Command Standards of Conduct Program, and will provide advice and assistance regarding ethics/standards of conduct.

*This regulation supersedes SC Reg 600-50, dated 31 May 94

4. RESPONSIBILITY.

a. USSOUTHCOM personnel may be required to file three types of Financial Disclosure Reports: SF 278 (Public Financial Disclosure Report), OGE Form 450 (Confidential Financial Disclosure Report), and DD Form 1787 (Report of DOD and Defense Related Employment).

b. SF 278 (Public Financial Disclosure Report):

(1) All General/Flag/Senior Executive Service officers assigned to HQ USSOUTHCOM, including the Commander, SOCSO and the Commander, USARSO, must file a SF 278 annually not later than 15 May of the reporting year.

(2) To ensure timely review and processing, all SF 278s will be filed with the Command Ethics Advisor NLT 15 April of the reporting year. The Command Ethics Advisor, acting as the Deputy Designated Agency Ethics Official (DAEO), will review the SF 278s to determine whether a conflict of interest exists under applicable laws and regulations, and will then submit the forms to the reporting individual's immediate supervisor for certification. Upon certification, the Command Ethics Advisor will then forward the SF 278 to the appropriate service Judge Advocate General for filing and retention.

(3) Component Commanders not specified in para b(1) who are Flag or General officers shall submit their SF 278s to the first individual in their reporting/rating chain for certification, ethics review and forwarding to their service Judge Advocate General for filing and retention.

(4) USSOUTHCOM personnel promoted to General/Flag/Senior Executive Service rank will file their new entrant reports with the Command Ethics Advisor NLT 15 days after being promoted to that rank.

c. OGE Form 450 (Confidential Financial Disclosure Report):

(1) Those individuals listed below shall file OGE Form 450. All OGE Form 450s must include reportable affiliations and financial interests as of 30 September of the reporting year. OGE Form 450 will be filed with SCSJA NLT 15 October of the reporting year. The Command Ethics Advisor will review the OGE Form 450 to determine whether any conflicts of interest exist and will then obtain any additionally required supervisory review. New entrants into positions that require filing of OGE Form 450 shall file their forms with SCSJA NLT 30 days after their assignment to the Command.

(2) The following USSOUTHCOM personnel shall submit OGE Form 450 to SCSJA:

(a) Directors, Vice Directors, and Deputy Directors who are not Flag/General or Senior Executive Service officers and who participate personally and substantially through decision or exercise of significant judgment in taking an official action for

contracting or procurement, administering or monitoring grants, subsidies, licenses or other Federally conferred financial or operational benefits, regulating or auditing any non-Federal entity, or other activities in which the final decision or action may have a direct and substantial economic impact on the interests of any non-Federal entity; including but not limited to the following:

- 1) All SAO Commanders.
- 2) Director/Vice/Deputy Director SCJ4.
- 3) Director/Vice/Deputy Director SCJ6.
- 4) Director/Vice/Deputy Director SCJ8.
- 5) Comptroller, SCJ8.
- 6) Director/Deputy Director SCEN.

(3) USSOUTHCOM Commanders and Directors may, in coordination with the Command Ethics Advisor, direct other personnel within their organizations to file OGE Form 450. This direction may be based on factors indicating that the duties and responsibilities of the position require such persons to file reports to avoid a conflict of interest or the appearance of such a conflict. The names of any additional individuals directed to file OGE Form 450 shall be reported to the Command Ethics Advisor.

d. DD Form 1787 (Report of DOD and Defense Related Employment):

(1) The purpose of the form is to enable a determination to be made regarding whether employment by certain current or former DOD employees has resulted in a conflict of interest or a violation of standards of conduct or procurement integrity laws or regulations. To accomplish this, IAW reference 2b, DD Form 1787 may have to be filed by:

(a) Current USSOUTHCOM civilian personnel in the grade of at least GS-13 who were previously employed by a defense contractor; or

(b) Former USSOUTHCOM officers in the grade of 0-4 or above or civilian personnel in the grade of GS-13 or above who are currently employed by a defense contractor.

(2) To ensure compliance with this requirement, all USSOUTHCOM civilian personnel (as specified in subparagraph 4d(1)(a) above) who were previously employed by a defense contractor, and all USSOUTHCOM military and civilian personnel (as specified in subparagraph 4d(1)(b) above) who are seeking employment with or intend to be employed by a defense contractor, should contact the Command Ethics Advisor for specific guidance regarding whether they are required to file a DD Form 1787.

5. POSITION IDENTIFICATION AND FILING INSTRUCTIONS: The Director, SCJ1 shall ensure all positions identified with an OGE Form 450 filing requirement are identified on the JTD. All requisitions against billets so coded will include the requirement in the requisition submitted to higher headquarters. Thereafter, incoming personnel to positions requiring filing shall be notified of the requirement to file and instructed to consult with the Command Ethics Advisor during directorate inprocessing.

6. ETHICS/STANDARDS OF CONDUCT TRAINING: SCSJA shall ensure that initial and annual ethics/standards of conduct training is given to all USSOUTHCOM personnel, including new employees as required.

7. DEPUTY COMMAND ETHICS ADVISORS:

a. The following USSOUTHCOM personnel are appointed Deputy Command Ethics Advisors for ethics/standards of conduct matters:

- (1) The Deputy Staff Judge Advocate.
- (2) The Assistant Staff Judge Advocates.
- (3) The Attorney-Advisor (International Law).

b. Deputy Command Ethics Advisors are authorized to provide advice and assistance to members of the Command on all matters relative to standards of conduct. They are also authorized to conduct any required ethics/standard of conduct training.

The proponent agency of this regulation is U.S. Southern Command. Users are invited to send comments and suggested improvements directly to HQ USSOUTHCOM, ATTN: SCSJA, 3511 NW 91st Avenue, Miami, Florida 33172

SCSJA

FOR THE COMMANDER IN CHIEF:

OFFICIAL:
JERRY C. McABEE
Brigadier General, U.S. Marine Corps
Chief of Staff


CHARLES D. BOWKER
Colonel, USAF
Adjutant General

DISTRIBUTION

D