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***NATURAL RESOURCES  
MANAGEMENT  
PARK RANGER  
TRAINING MANUAL***

**FORT WORTH DISTRICT  
U.S. Army Corps of Engineers**

**July 2010**



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## FOREWARD

The US Army Corps of Engineers Natural Resource Manager/Park Ranger is truly the agency's face to the nation - but their role as uniformed team members who serve as natural resource stewardship program managers and ambassadors to the public is only a part of their story. Their daily missions may include park management; natural, historical, and cultural resource management; flood risk management; real property and shoreline management; environmental compliance practices; asset management; visitor assistance; infrastructure surveillance and protection; and the development of interpretive and recreational programs for the benefit of the public. NRM/Park Rangers are leaders in both emergency response and community outreach.

We are in a time of great change in the workforce - the arrival of a new generation of NRM Park Rangers, entering an agency striving to manage succession, sustain its stance as a "Learning Organization," and establish Communities of Practice to enhance professionalism and position people for advancement within their career field. Training tools must include those designed to enhance present learning as well as future development, especially in support of other Operations and Civil Works missions. The establishment of a progressive and challenging training program is an integral part of the contract for the future between the agency and those individuals, and will also serve to prepare future managers and program leaders. The plan is a living document, assuring that it remains timely and relevant.

And so, we now establish this Training Plan for development of a key segment of our workforce, in support of long-term program sustainability, and ensuring that the USACE NRM Park Ranger is appropriately positioned for the future.

*Charles L. Burger*

Charles L. Burger  
Chief, Operations Division



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## NOTE TO SUPERVISORS

In conjunction with Career Maps and Individual Development Plans, the *Natural Resources Management Park Ranger Training Manual* serves as the required training template for all Natural Resource Management and Park Ranger employees, beginning with their entry into the Corps and leading up to their attaining journeyman level status.

The plan has been designed to be a self-driven learning and development program, and includes required and recommended training (within prescribed timeframes) to facilitate the development of journeyman park rangers.

The *On-the-Job Checklist* includes a broad range of tasks which may not apply to all lakes. At the discretion of the Supervisor, specific tasks or training may not be applicable, depending on the ranger's area of responsibility. Supervisors should support cross-training to enhance this training program and accomplish required tasks.

The training timeline may be adjusted at the discretion of the Supervisor, based on availability of training courses and funding, and prior experience and qualifications, but should be completed within the specified timeframes.

It is the responsibility of the Supervisor to appoint a Field Training Officer (FTO), who will have specified responsibilities during the 2-year training program that facilitate the development of the trainee, as described in the manual. The FTO may receive input from local or regional subject matter experts when signing off on required tasks or training.

The supervisor will evaluate the employee using the applicable performance rating system (Interim and Annual Reviews). Upon successful completion of the training and in accordance with the qualification standards, the employee may be promoted to the target level, GS-401-09 (HB159671) or GS-401-09 (HB159679).



## INTRODUCTION

### **A. The Natural Resources Management Program**

The Fort Worth District's Natural Resources Management (NRM) program encompasses the management of all natural resources on the lands and waters at the District's 25 multipurpose operational lakes. Most importantly, this program includes the direct management by the Corps of diverse natural resources including fish, wildlife, forests, wetlands, and grasslands, as well as developed park areas and related recreational facilities. Secondly, the program also includes administrative oversight of lands outgranted to others such as state parks, city parks, state wildlife management areas, marina concessions, and road and utility easements. Thirdly, but no less important, this program involves the management of a vast flowage easement estate on which the Corps owns a perpetual right to periodically inundate property. In managing outgranted lands and flowage easements, NRM personnel work closely with District real estate personnel.

In addition to the primary duties to manage natural and recreational resources, NRM personnel are also required to have a solid working knowledge of the operation and maintenance of the dam and related facilities, as well as the basic plan of operation for managing the water supply, flood risk reduction, and hydropower aspects of the project where they work. The District's NRM program is similar to the NRM program in other Corps Districts, all of which must follow the fundamental management guidance contained in ER 1130-2-500, ER 1130-2-540 and ER 1130-2-550, and which strive to achieve compliance with current national performance measures for recreation management and environmental stewardship.



*Whitney Lake outlet structure and powerhouse*

In Texas, the District's NRM program manages approximately 686,000 acres of Federal land, of which about 280,000 acres are above the conservation pool. Additionally, the NRM program manages flowage easements totaling about 204,000 acres. Considering that only 5.7% of all land in Texas is public land (8.6 million acres out of 172 million acres), the District is responsible for approximately 8% of the public land in Texas. Even more significant is that all of the public land managed by the District in Texas is close to major population centers. The net result is that Corps lands are an exceptionally important natural and recreational resource to the citizens of Texas.

NRM personnel, especially uniformed Park Ranger personnel, are the principal point of contact between the Corps and a broad group of important stakeholders including the visiting public, adjacent landowners, local government officials, and the lessees who operate park areas and wildlife management areas. The importance of the role of NRM personnel has grown as a growing population in Texas, coupled with a serious shortage of public land, has resulted in enormous pressure from recreation users and from local officials looking for places to construct



roads, utilities and other infrastructure with no relationship to Corps missions. The work of NRM personnel requires not only technical skills but skills in communications and diplomacy.

NRM personnel also inspect local flood protection projects and complete inspection reports. Permit or outgrant requests for work or structures proposed within project limits are reviewed and inspected to ensure that all use of public property is in accordance with approved policy. NRM personnel provide surveillance of watershed areas to ensure compliance with Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act.

In addition to the administration and coordination of the programs stated, all budget requests and justifications, plans and specifications for site developments, personnel matters, requisitions, application for outgrants, reports of trespass, public visitation reports, and correspondence with the public and other agencies must be analyzed for conformance to policy and coordinated with other district elements with recommendations for action.

With the continued emphasis on professional management of natural resources and recreation facilities, several programs have been implemented to provide responsible, sustainable environmental stewardship while providing quality recreation opportunities for present and future generations. Among these programs are shoreline management, natural and historical interpretation, forest, fish and wildlife enhancement, environmental awareness, and volunteer services.

## **B. The Changing Work Environment**

The duties of the modern park ranger are as varied and diverse as the projects where they serve. In recent years, Park Rangers and Natural Resource Management (NRM) specialists have taken on additional duties and responsibilities critical to the operation and management of federal facilities, parks and lands. Some of these duties may include: lease and contract administration, encroachment resolution, shoreline use management, facility and park design, public outreach, interagency partnerships, emergency preparedness, volunteer programs, special events, purchasing, range and wildlife management, and many other “duties as assigned”.



*A ranger conducting a prescribed burn*

In addition, many are serving on response teams and deploy to various locations in the U.S. to assist in recovery efforts after natural disasters. Others have accepted temporary duty assignments; both nationwide and overseas, supporting our military and civilian teams in the Global War on Terrorism (GWOT).

In response, the Fort Worth District has developed a resident training program to address training needs of new rangers and NRM specialists to help prepare them to function on the NRM team beginning on their first day



of duty. This formal program utilizes local expertise, district-sponsored, division-wide, and Prospect training opportunities to ensure timely and efficient training is obtained.

### C. The Training Manual

This manual serves as the trainee's guide throughout the training period, and contains the required and recommended training for entry-level, co-op, intern and permanent staff. The training courses and checklists in the manual are also useful for existing NRM staff wishing to update or "fill in" any gaps in training or expertise to prepare for positions of higher responsibility. This program relies heavily on the motivation of the trainee to attain higher levels of education and experience required to be eligible for pay increases or promotion.

The fully executed 2-year program ultimately provides the knowledge, skills and abilities generally applicable to entry-level supervisory ranger responsibilities. Successful completion of each phase prepares the individual for promotion to the next higher career level.

### D. Field Training Officer

The trainee will be assigned a field training officer (FTO). The FTO will have specific responsibilities during the 2-year training program that facilitate the development of the trainee.

The FTO is responsible for the initial orientation at the project and assisting trainee's supervisor to ensure all administrative and human resource requirements are completed (e.g., uniforms, network passwords, keys, contact information, office policy, etc.) The FTO will also serve as a mentor for the trainee.

After the initial 6-12 month period, assuming all mandatory operational and safety requirements have been satisfied, the supervisor may allow the trainee to begin working independently to complete the resident training program, with minimal guidance from the FTO.



*Rangers participating in All-Terrain Vehicle Training Course.*

### E. Training Plan

At the beginning of training, the FTO and trainee will determine a plan of action to accomplish the required training within the prescribed time frames. The final plan should take into account existing experience, education, and skills. The trainee's supervisor should approve the training plan. Training resources are found in the appendices to assist in planning.



The FTO and trainee will coordinate training opportunities based on current projects, routine tasks and seasonal training opportunities available.

Progress through the program should be documented on the training plan, and should be reviewed on a regular basis with the FTO and/or supervisor, however: it will be the trainee's responsibility to ensure all components of training are completed.

Checklists should be utilized for performance reviews and to track the trainee's progress through the training program.



*Rangers using GPS for boundary line survey.*

## **F. Training**

A majority of the resident training will be on-the-job (OTJ) exercises under the direction of the FTO and/or experienced staff. Throughout the initial 6-12 month period, the trainee will shadow the FTO or other assigned staff to gain hands-on, quality experience and confidence.

Mandatory and/or formal training requiring travel or other expense should be coordinated through the trainee's supervisor. Other locally available components may include: on-site formal

classroom settings, online/interactive courses, meetings, and hands-on exercises. Official certificates and class records should be maintained in the trainee's file.

Supplementary training components, such as self-directed reading and interactive DVD/video programs required by the trainee's duty station or responsibilities

During the initial training period, the FTO will ensure access to necessary materials to complete training, which will be the trainee's responsibility to complete.



*Motorboat Operators License Course*

## **G. Promotion**

Entry level of the Ranger Program is designed for a GS-401-05, with completion in a maximum of two years to target level GS-401-09. The Plan consists of required and recommended courses, required and recommended reading, and completion of the *On-the-Job Checklist*, which validates your training and/or experience in the various programs. The *On-the-Job Checklist* includes a broad range of tasks which may not apply to all lakes. Additionally, at the discretion of the Lake Manager, specific tasks may not be applicable, depending on the ranger's area of responsibility.



The ranger may be non-competitively promoted to the next level, provided the incumbent has met the time-in-grade requirement; is sufficiently experienced; meets all necessary qualification requirements for promotion to the next level; and is performing the full scope of the major duties and is functioning under the supervisory controls stated in the target job description.

The supervisor will evaluate the employee using the applicable performance rating system (Interim and Annual Reviews). Upon successful completion of the training and in accordance with the qualification standards, the employee may be promoted to the target level, GS-401-09 (HB159671) or GS-401-09 (HB159679).

#### **H. Defense Career Intern Program (DCIP)**

The Defense Career Intern Program is a two-year internship beginning at a pay level up to GS-09 (generally intended for positions at grade levels GS-05, 07, or 09). Each intern must complete the Fort Worth District Natural Resources Management Park Ranger Training Program during the internship. DCIP employees may be promoted while serving the internship, provided they meet the time-in-grade requirements and are at an acceptable performance level. As an example, an intern who enters the DCIP program as a GS-07 may be non-competitively promoted to a GS-09 after one year in the program with acceptable performance.

DCIP interns are in the Excepted Service and are non-competitively converted to career or career-conditional appointments at the completion of the program. Note that an intern at the GS-09 level would not be eligible to compete for a higher-graded position in the Competitive Service until the 2-year DCIP intern program requirement is met and they are converted to competitive status.

#### **I. Classification of Natural Resources Management Positions**

The nature of work performed by some USACE Operations Project Managers, Park Managers and Park Rangers has evolved such that an increased knowledge of natural resource sciences is required, including an enhanced understanding of natural resources and related scientific and recreation disciplines. Corps natural resource management personnel are often multidimensional employees who have a wide variety of responsibilities, and the 0401 series more accurately reflects the professional work that natural resources management personnel perform.

On April 4, 2008, guidance was provided to USACE managers and supervisors for classification of natural resource management positions, including the process for conversion and reclassification from the 025 series to the 0401 job series (Appendix B). Additional education, experience or training may be required to qualify for this conversion and reclassification process. The supervisor or manager may use this manual to identify additional training needs.

#### **J. Leadership Development Program**

The Leadership Development Program (LDP) provides a means for developing and enhancing leadership skills to better meet the changing needs of the US Army Corps of Engineers (USACE) and to improve execution of our missions. By participating in the LDP, you will learn how to improve areas of performance through training, self development, and on-the-job experience. This will prepare you for leadership, supervisory and management roles in the USACE.



The LDP includes 4 different levels, with completion of each level in the LDP a prerequisite for acceptance/selection into the subsequent level. Level 1 (Basic Training and Orientation) and Level 2 (Self and Teams) are administered by the Fort Worth District (SWF). Level 3 (Regional Leadership) is administered by the Southwestern Division Headquarters (HQSWD). Level 4 (National Leadership), which is still under development, will be administered by USACE Headquarters (HQUSACE). The Fort Worth District requires all new employees to complete the Leadership Development Program Level 1 Checklist (Appendix D) within the first six months of their employment. This requirement is included in the training schedule in this manual.

Participation in Levels 2 through 4 is voluntary, but highly encouraged. Level 2 provides a very good introduction into working on diverse teams and allows employees to interact with team members from other district elements that they might not work with on a routine basis. Level 3 provides opportunities to perform tasks and develop skills on a regional level. Participants in Level 3 work on a team comprised of members from each district within the division and are exposed to a regional perspective in mission execution and employee development.



**INDIVIDUAL TRAINING AGREEMENT**

**NAME:**

**ORGANIZATION:** USAED, Fort Worth

**DUTY STATION:**

**DESCRIPTION OF TRAINING:**

Entry level of the Ranger Program is designed for a GS-401-05, with completion in a maximum of two years to target level GS-401-09. The Plan consists of required and recommended courses, required and recommended reading, and completion of the *On-the-Job Checklist*, which validates your training and/or experience in the various programs. The *On-the-Job Checklist* includes a broad range of tasks which may not apply to all lakes. At the discretion of the Supervisor, specific tasks or training may not be applicable, depending on the ranger’s area of responsibility. Additionally, the training timeline may be adjusted at the discretion of the Supervisor, based on availability of training courses and funding, and prior experience and qualifications, but should be completed within the specified timeframes.

**POSITION, TITLE, SERIES, AND PAY BAND:**

<b>Entry Grade:</b>	<b>Park Ranger: GS-0401-05 (HB159693)</b>	<b>DATE:</b>
<b>Promotion (1-Year):</b>	<b>Park Ranger: GS-0401-07 (HB159688)</b>	<b>DATE:</b>
<b>Promotion to Target:</b>	<b>Park Ranger: GS-0401-09 (HB159671)*</b>	<b>DATE:</b>
<i>or</i>		
<b>Promotion to Target:</b>	<b>Park Ranger: GS-0401-09 (HB159679)**</b>	<b>DATE:</b>

- \* Drug
- \*\* Non-drug

**EVALUATION:**

The supervisor will evaluate the employee using the applicable performance rating system (Interim and Annual Reviews). Upon successful completion of the training and in accordance with the qualification standards, the employee may be promoted to the target level, GS-401-09 (HB159671) or GS-401-09 (HB159679).



## APPROXIMATE TIMELINE

### 1-YEAR TRAINING REQUIREMENTS

To be eligible for promotion to the GS-0401-07 level (HB159688), the following must be completed:

- 1/2 of the *Required Reading List*
- 1/2 of the *On-the-Job Checklist*
- Formal Training:
  - Defensive Driving (online or classroom)
  - First Aid (local)
  - CPR (local)
  - Dam Safety (local)
  - Blood-borne Pathogens (local)
  - Leadership Development Level I
  - O&M Contracts (Prospect)
  - Motorboat Operators License Course (SWF)
  - All-Terrain Vehicle (SWF)

### 2-YEAR TRAINING REQUIREMENTS

To meet the FULL requirements of GS-401-09 HB159671 or GS-401-09 HB159679, the following must be completed:

- All of the *Required Reading List*
- All of the *On-the-Job Checklist*
- Formal Training:
  - Visitor Assistance\* (Prospect or SWD VACAP\*\*)
  - O&M Contracts - Advanced (Prospect)
  - Pepper Spray (Prospect or Local)

\* Recommend first available Visitor Assistance Prospect Course or SWD VACAP

\*\* VACAP – Visitor Assistance Citation Authority Procedures



**BASIC REQUIREMENTS:**

1. Be able to resolve routine problems in the field, and relate complex issues to supervisor for assistance.
2. Demonstrate adequate knowledge of operating techniques and regulatory requirements in accomplishing assigned work.
3. Promote good public relations in contacts with visitors, co-workers, local law enforcement personnel and contractors.
4. Perform work in a timely manner.



**This career agreement has been discussed with me and I agree to fulfill my responsibility for participating in all the training described herein, as well as my own self-development. I further understand that if I do not fulfill my obligation, I may be dropped from the program. If the training plan is not completed satisfactorily and/or within the given time frame, I may be reassigned or transferred into a suitable vacancy at the grade level attained under the program or the grade level held previous to entry into the program, whichever is higher.**

\_\_\_\_\_  
**Employee**

\_\_\_\_\_  
**Date**

**To the extent possible, every effort will be made to assist the employee in obtaining training that is outlined in this plan. Evaluations will be based on the performance objectives outlined herein. I understand that these evaluations will be a basis for determining whether or not the employee is promoted.**

\_\_\_\_\_  
**Supervisor**

\_\_\_\_\_  
**Date**

**I concur/non-concur with the training agreement.**

\_\_\_\_\_  
**Operations Project Manager**

\_\_\_\_\_  
**Date**



## **TRAINING PROGRAM COMPLETION SHEETS**

**Upon completion of each phase of the training program, the following completion sheets should be signed by the employee and their immediate supervisor as documentation of the employee's accomplishments for performance evaluation purposes.**



**COMPLETION SHEET**

**1-YEAR**

**NAME:**

**DUTY STATION:**

**1-Year Training Requirements:**

**To be eligible for promotion to GS-401-07 (HB159688) the following must be completed:**

- 1/2 of the *Required Reading List*
- 1/2 of the *On-the-Job Checklist*
- Formal Training:
  - Defensive Driving (online or classroom)
  - First Aid (local)
  - CPR (local)
  - Dam Safety (local)
  - Blood-borne Pathogens (local)
  - Leadership Development Program Level 1
  - O&M Contracts (Prospect)
  - Motorboat Operators License Course (SWF)
  - All-Terrain Vehicle (SWF)

**I have completed the requirements listed above in accordance with my Individual Training Agreement.**

\_\_\_\_\_  
**Employee's Signature**

\_\_\_\_\_  
**Date**

**I concur/non-concur with the training accomplishments.**

\_\_\_\_\_  
**Supervisor**

\_\_\_\_\_  
**Date**

**COMMENTS:**



**COMPLETION SHEET**

**2-YEAR**

**NAME:**

**DUTY STATION:**

**2-Year Training Requirements**

**To meet the FULL requirements of GS-401-09 (HB159671) or GS-401-09 (HB159679), the following must be completed:**

- All of the *Required Reading List*
- All of the *On-the-Job Checklist*
- Formal Training:
  - Visitor Assistance (Prospect or SWD VACAP)
  - O&M Contracts - Advanced (Prospect Course)

**I have completed the requirements listed above in accordance with my Individual Training Agreement.**

_____	_____
<b>Employee's Signature</b>	<b>Date</b>

**I concur/non-concur with the training accomplishments.**

_____	_____
<b>Supervisor</b>	<b>Date</b>

**COMMENTS:**



**REQUIRED READING LIST**

<b>PUBLICATION NUMBER</b>	<b>TITLE</b>	<b>DATE COMPLETED</b>	<b>FTO</b>
<b>ER 1130-2-500</b>	Partners and Support (Work Management Policies)		
<b>EP 1130-2-500</b>	Project Operations - Partners and Support (Work Management Guidance and Procedures)		
<b>EP 1130-2-540</b>	Environmental Stewardship Operations and Maintenance Guidance and Procedures		
<b>EP 1130-2-550</b>	Recreation Operations and Maintenance Guidance and Procedures		
<b>ER 1130-2-530</b>	Flood Control Operations and Maintenance Policies		
<b>ER 1130-2-406</b>	Shoreline Management at Civil Works Projects		
<b>ER 200-2-3</b>	Environmental Compliance Policies		
<b>EP 1165-2-316 (Title 36)</b>	Rules and Regulations Governing Public Use of Corps of Engineers Water Resource Development Projects		
<b>ER 1110-2-4401</b>	Engineering and Design - Clearances for Electric Power Supply Lines and Communication Lines Over Reservoirs		
<b>EM 1110-1-400</b>	Engineering and Design - Recreation Facility and Customer Services Standards		
<b>AR 600-50</b>	Standards of Conduct for Department of the Army Personnel (Jan 1988, Appendix L)		
	Fort Worth District Continuity of Operations Plan (COOP) (Jan 2007, Appendix M)		



TASK	DATE SCHEDULED	DATE COMPLETED	FTO	SUPERVISOR	COMMENTS
<b>A) <u>ORIENTATION</u> (Participation)</b>					
1) Complete In-processing Checklist (Appendix N)					
2) Regional Project Office Orientation					
<b>B) <u>SAFETY AND SECURITY</u> (Participate in and/or Demonstrate KSAs)</b>					
3) Accident/Incident reporting procedures and preparation of reports					
4) Safety Plan					
5) Present a Monthly Safety Meeting					
6) ERGO					
7) Hazard Analysis					
8) Personal Protective Equipment					
9) Vehicle Operation					
10) Radio Operation					
11) Basic Boat Operation					



TASK	DATE SCHEDULED	DATE COMPLETED	FTO	SUPERVISOR	COMMENTS
12) Blood-borne pathogens					
13) Search and Rescue/Recovery Operations					
14) Project Mobilization Plan					
15) Project Security Plan					
<b>C) <u>POLICY AND PROCEDURES</u></b> <i>(Study, Become Familiar with, or Review)</i>					
16) Lake Master Plan(s)					
17) Environmental Assessments					
18) Regional Project Operational Management Plan					
19) Project Operation					
20) OMP					
21) NRM Gateway ( <a href="http://corpslakes.usace.army.mil/">http://corpslakes.usace.army.mil/</a> )					
22) SWF Intranet ( <a href="https://intranet.swf.usace.army.mil/">https://intranet.swf.usace.army.mil/</a> )					



TASK	DATE SCHEDULED	DATE COMPLETED	FTO	SUPERVISOR	COMMENTS
<b>D) <u>NATURAL RESOURCES MANAGEMENT</u></b> <i>(Participation in and/or Demonstration of KSAs)</i>					
<b>NATURAL RESOURCE MANAGEMENT ACTIVITIES</b>					
23) Distinguish between Level 1 and Level 2 inventories and assist a senior ranger in mapping management areas					
24) Explain and identify Utility Corridors and BMP's requirements					
25) Discuss and understand the stewardship and ecosystem concepts (defined in ER 1130-2-540)					
26) Discuss forest, woodlands, range, grasslands, wetlands, fish and wildlife habitat, and soils					
27) Discuss the OMP's role in management of natural resources					
<b>NEPA COMPLIANCE</b>					
28) Read the Report of Availability (ROA) manual and all associated materials					
29) Discuss and successfully complete an ROA					
30) Discuss ER-200-2-2 and Memorandum (POL: 97-10) Implementing NEPA with respect to O&M Activities and Real Estate Actions at Operational Projects					



TASK	DATE SCHEDULED	DATE COMPLETED	FTO	SUPERVISOR	COMMENTS
<b>WATER QUALITY TESTING</b>					
31) Understand the process for testing dissolved oxygen, beach water and drinking water					
32) Perform QA and participate in Water Quality testing (if applicable)					
33) Administer Water Quality testing contracts (if applicable)					
<b>SHORELINE MANAGEMENT PLAN</b>					
34) Read the <LAKE(s)> Shoreline Management Plan(s)					
35) If applicable, discuss the differences between the plans					
36) Issue a shoreline management permit and complete a pre- and post-inspection					
37) Complete assigned boathouse inspections and other shoreline management inspections					
<b>CULTURAL RESOURCES MANAGEMENT</b>					
38) Discuss Collection Management and determine if the lake is in compliance					
39) Discuss the Historic Properties Management Plan					



TASK	DATE SCHEDULED	DATE COMPLETED	FTO	SUPERVISOR	COMMENTS
40) Identify the Enforcement Actions for protection of Cultural and Historic Resources					
<b>REGULATORY PERMITS, MITIGATION</b>					
41) Be familiar with the Regulatory Program (APPENDIX O) and Environmental Baseline Studies (EBS)					
42) Discuss and understand the three methods of mitigation: avoidance, minimization and compensatory mitigation					
43) Be familiar with the methodology to determine compensatory mitigation for wetlands and vegetation/habitat loss (read previous EA's, TPWD WAP Manual, etc.)					
<b>UTILIZATION OF GIS AND GPS EQUIPMENT</b>					
44) Collect GPS data with the Trimble unit, utilize PathFinder software and export the data into ArcGIS, print maps and associated reports					
45) Demonstrate knowledge of where to find various GIS themes in the SDS directory					
46) Demonstrate the ability to take digital photos, download them and link them to a geographic location (hotlink) in the proper GIS theme					



TASK	DATE SCHEDULED	DATE COMPLETED	FTO	SUPERVISOR	COMMENTS
<b>E) <u>MANAGEMENT FUNDAMENTALS</u></b> <i>(Participate in and Review)</i>					
47) Briefly describe the Public Law that authorized the project(s) where you work. Name and discuss your local project sponsor(s).					
48) Describe the fundamental topics covered in the Master Plan for your project. Compare your Master Plan with the Master Plan guidance set forth in EP 1130-2-550. Is your Master Plan current and if not, what is needed?					
49) Describe the relationship of the Operational Management Plan to the Master Plan.					
50) Briefly describe at least four major missions of the Corps of Engineers and where your job fits in those missions					
51) Discuss the seven Environmental Operating Principles					
52) List and discuss the six national Environmental Stewardship Performance Measures and whether or not they are applicable to your project					
<b>F) <u>RECREATION MANAGEMENT</u></b> <i>(Participate in and Review)</i>					
<b>GENERAL</b>					
53) Sign Manual Plan and Program					



<b>TASK</b>	<b>DATE SCHEDULED</b>	<b>DATE COMPLETED</b>	<b>FTO</b>	<b>SUPERVISOR</b>	<b>COMMENTS</b>
<b>54) Administration of the User Fee Program</b>					
<b>55) Demonstrate ability to use National Recreation Reservation Service (NRRS)</b>					
<b>56) Prepare Monthly Visitation Reports and review visitor survey information</b>					
<b>57) Assist in OMBIL updates</b>					
<b>58) Search and rescue procedures and participate on a search and rescue team</b>					
<b>59) Participate in planning and direction of volunteer activities</b>					
<b>60) Prepare and present interpretive programs</b>					
<b>61) Participate in recreation facilities design , construction and maintenance</b>					
<b>62) Administration of gate attendant contracts</b>					
<b>63) Project and District Emergency Operations Plan</b>					
<b>64) Assist in issuance of Special Event and Lake Activity Permits</b>					
<b>65) Demonstrate proficiency with radio operations and procedures</b>					



TASK	DATE SCHEDULED	DATE COMPLETED	FTO	SUPERVISOR	COMMENTS
66) Demonstrate proficiency with photographic and audio visual equipment					
67) Be familiar with the Customer Comment Card survey program and any resulting initiatives					
68) Read and maintain traffic counters					
<b>VISITOR ASSISTANCE</b> <i>(Review and Participate)</i>					
69) Administration of Law Enforcement Contracts					
70) Knowledge of State and Federal Boating Requirements					
71) Become familiar with lake and vehicle patrol procedures and administration of Title 36 Regulations					
72) Attend Federal Magistrate Court and become familiar with courtroom proceedings					
<b>G) <u>REAL ESTATE</u></b> <i>(Participation in or Demonstration of KSA's)</i>					
<b>GENERAL</b>					
73) Know and understand the critical fee and flowage easement contours					



TASK	DATE SCHEDULED	DATE COMPLETED	FTO	SUPERVISOR	COMMENTS
74) Participate in Report of Availability (ROA)/Environmental Baseline Survey (EBS) workshop					
75) Have a basic understanding of the Real Property Inventory and accounting procedures, including familiarity with the Real Estate Management Information System (REMIS)					
<b>ENCROACHMENT PROGRAM</b>					
76) Explain and understand a reverse encroachment					
77) Discuss the difference between an encroachment and a trespass					
78) Discuss the proper procedures for documenting an encroachment					
79) Plan and execute an encroachment investigation, properly complete documentation					
80) Demonstrate ability to give a verbal cease and desist order					
<b>REAL ESTATE OUTGRANTS</b>					
81) Discuss Operations role in Real Estate actions					
82) Discuss Outgrant Management SOP, Recreation and Concession Leases					



TASK	DATE SCHEDULED	DATE COMPLETED	FTO	SUPERVISOR	COMMENTS
83) Prepare a real estate request package for Outgrants					
84) Plan and execute a compliance inspection on outgrants					
<b>BOUNDARY RECTIFICATION, SURVEYS AND MARKINGS</b>					
85) Demonstrate map reading skills (e.g. general, survey, segment, GIS) and interpretation of aerial photos					
86) Utilize compass, transits, levels and the GPS unit					
87) Plan a traverse survey to find existing boundary markers					
88) Lead a survey crew to find several missing monuments					
89) Perform QA duties of a survey contract					
<b>H) <u>FLOOD DAMAGE REDUCTION</u></b>					
90) Review and participate in annual inspection					
91) Review and participate in reading Piezometers, relief wells, weirs, etc.					



TASK	DATE SCHEDULED	DATE COMPLETED	FTO	SUPERVISOR	COMMENTS
92) Working knowledge in maintenance programs					
93) Review and participate in maintenance operations (gate change procedures, reading the structure elevation chart, tour dam and structure during routine inspections)					
94) Be familiar with as-built drawings					
95) Review and be familiar with Lake Flood Emergency Plan (e.g., area closures, road closures, evacuations, notifications)					
<b>I) <u>CONTRACTS</u></b>					
96) Working knowledge in O&M Contracts and types					
97) Prepare scopes of work for contracts (services and small purchases)					
98) Prepare requisitions and review purchasing procedures					
99) Participate in purchasing procedures (i.e., PR&C, Credit Card, Convenience Checks)					
100) Participate in O&M contract administration and perform QA inspections					



TASK	DATE SCHEDULED	DATE COMPLETED	FTO	SUPERVISOR	COMMENTS
101) Participate in making recommendations on contract plans and specifications					
102) Review and be familiar with SOP for IDIQ Civil Construction contracts for Project/Lake Offices					
103) Attend Regional Quality Assurance workshop (as available)					
<b>J) <u>ADMINISTRATION</u></b>					
104) Prepare Military and Civilian Correspondence					
105) Prepare Citation Transmittal Form					
106) Perform Property Control responsibilities					
107) Prepare Incident, Accident and Mishap Reports					
108) Prepare specifications for DA3953's					
109) Demonstrate proficiency in computer software programs (e.g., MS Word, Excel, PowerPoint, Access, photo software)					
110) Perform daily lake report					
111) Participate in VIMS Program					
112) Be familiar with FOIA procedures					

**FORMALIZED TRAINING*****\* Required Training***

**NOTE: Online training is available thru the SWF Intranet - <https://intranet.swf.usace.army.mil/site/1/Home.aspx>**

**FIRST AVAILABLE**

<b>COURSE TITLE</b>	<b>SPONSOR</b>	<b>HOURS</b>	<b>DATE SCHEDULED</b>	<b>DATE COMPLETED</b>	<b>SUPERVISOR</b>
<b>Visitor Assistance *</b>	PROSPECT or SWD VACAP	36			
<b>Dam Safety *</b>	LOCAL	4			

**LEVEL I (< 1 Year)**

<b>COURSE TITLE</b>	<b>SPONSOR</b>	<b>HOURS</b>	<b>DATE SCHEDULED</b>	<b>DATE COMPLETED</b>	<b>SUPERVISOR</b>
<b>First Aid *</b>	LOCAL	4			
<b>CPR *</b>	LOCAL	4			
<b>Defensive Driving (online) *</b>	SAFETY	4			
<b>Blood-borne Pathogen *</b>	LOCAL	1			
<b>Pepper Spray <sup>1</sup></b>	LOCAL	3			
<b>Leadership Development Level I *</b>	SWF				
<b>O&amp;M Contracts *</b>	PROSPECT	28			
<b>Motorboat Operators License Course <sup>1</sup></b>	SWF	24			
<b>All-Terrain Vehicle <sup>1</sup></b>	SWF	8			
<b>SAEDA (online<sup>2</sup>) *</b>	SECURITY	0.5			
<b>Level 1 AT/FP (online<sup>2</sup>) *</b>	SECURITY	1			
<b>POSH (online<sup>2</sup>) *</b>	EEO	1			
<b>Diversity (online<sup>2</sup>) *</b>	EEO	1			
<b>Ethics (online<sup>2</sup>) *</b>	OC	4			
<b>Government Travel Credit Card (online<sup>2</sup>) *</b>	LOGISTICS	1			
<b>No Fear (online<sup>2</sup>) *</b>	EEO	1			
<b>Composite Risk Management (online<sup>2</sup>) *</b>	SAFETY	2			

<sup>1</sup> May be part of Visitor Assistance Training, or may be conducted locally

<sup>2</sup> Online training is accessible on the SWF Intranet website



**LEVEL II (< 2 Years)**

<b>COURSE TITLE</b>	<b>SPONSOR</b>	<b>HOURS</b>	<b>DATE SCHEDULED</b>	<b>DATE COMPLETED</b>	<b>SUPERVISOR</b>
<b>O&amp;M Contracts - Advanced</b>	PROSPECT	32			

<sup>1</sup> Required to operate vehicle, at discretion of supervisor

**ADDITIONAL TRAINING (> 24 MONTHS)**

<b>COURSE TITLE</b>	<b>SPONSOR</b>	<b>HOURS</b>	<b>DATE SCHEDULED</b>	<b>DATE COMPLETED</b>	<b>SUPERVISOR</b>
<b>Interpretive Services *</b>	PROSPECT	24			
<b>Cultural Resources *</b>	PROSPECT	36			
<b>Public Involvement – Communication *</b>	PROSPECT	36			
<b>Conflict Management and Dispute Resolution</b>	PROSPECT	36			
<b>Wilderness First Aid Training</b>	American Red Cross				
<b>First Responder</b>					
<b>Conversational Spanish</b>	Army Learning Program				
<b>Partnership Training</b>					
<b>ARPA Enforcement</b>					

The annual PROSPECT course catalog (**the Purple Book**) is available for download from this website:

<http://pdsc.usace.army.mil/>

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## Position Description

PD#: HB159693

Replaces PD#:

Sequence#: VARIES

### NATURAL RESOURCES SPECIALIST (RANGER)

GS-0401-05

Installation: COE, FORT WORTH, TX

Agency: VARIES

MACOM: VARIES

Command Code: VARIES

Region: SOUTHWEST

**Citation 1:** GENERAL BIO SCI SER, HDBK OF OCC GROUPS & FAMS, JAN 99

**Citation 2:** OPM PCS WILDLIFE BIO SERIES, GS-486, JAN 91

**Citation 3:** OPM PCS FORESTRY SERIES, GS-460, JAN 80

**Citation 4:** OPM PCS RANGELAND MGMT SERIES, GS-454, SEP 93

**Citation 5:** OPM PCS SOIL CONSERVATION SERIES, GS-457, MAR 87

**Citation 6:** OPM PCS PARK RANGER SERIES, GS-025, NOV 85

PD Library PD: NO

COREDOC PD: NO

Classified By: DWIGHT L. QUARLES

Classified Date: 11/03/2003

FLSA: NON-EXEMPT

Drug Test Required: VARIES

DCIPS PD: NO

Career Program:

Financial Disclosure Required: NO

Acquisition Position: NO

Functional Code:

Requires Access to Firearms: VARIES

Interdisciplinary: NO

Competitive Area: VARIES

Position Sensitivity: VARIES

Target Grade/FPL: 09

Competitive Level: VARIES

Emergency Essential: VARIES

Career Ladder PD: YES

Career Pos 1: [HB159688](#) GS-0401-07

Career Pos 2: [HB159679](#) GS-0401-09

Bus Code: VARIES

PD Status: VERIFIED

Duties:

MAJOR DUTIES

This is a developmental position description to the next level of training which is GS-07 on Job Number HB159688. The target level for this training assignment is GS-09 on Job Number HB159679. The incumbent performs developmental assignments under closer than normal supervision. Assignments become progressively more difficult until the next performance level of GS- is reached. Non-Competitive promotion to the next level may be effected provided the incumbent is sufficiently experienced; meets all necessary qualification requirements for promotion to the target job; and is performing the full scope of the major duties and is functioning under the supervisory controls stated in the target job description.

Performs other duties as assigned.

NOTE: The immediate supervisor is responsible for initiating request for promotion.?

SPECIAL REQUIREMENTS FOR INCUMBENT OF POSITION: Serves as an incidental motor vehicle operator. Operates an automobile, light truck, ATV or motorboat to accomplish assigned duties. Employee must be able to operate the motor vehicles without danger to self or to others. Must be able to maintain required Corps of Engineers certification for operation of the motorboat.

**Evaluation:**

CL:OSOG

FLSA EVALUATION OUTLINE

CPOC REGION: SW

MACOM: CE

Foreign Exemption

Executive Exemption

Exercises appropriate supervisory responsibility (primary duty)

Customarily and regularly exercises independent judgment

80% test, if applicable (GS-5/6; Sit 1 & 2 WS supervisors; law enforcement & firefighter supervisors thru GS-9)

M Professional Exemption

M Professional work (primary duty)

Intellectual and varied work (more than dealing with procedures/precedents)

NM Discretion & independent judgment

80% test, if applicable (This virtually never applies since GS-5/6 positions are trainees and other eligible employees are not professional)

Administrative Exemption

Primary duty

Policy or

Management or general business or supporting services or

Participation in the executive/administrative functions of a management official

Non-manual work test

Intellectual and significant (more than dealing with procedures/precedents), or

Specialized & technical in nature requiring considerable training/experience

Discretion & independent judgment

\_\_\_\_ 80% test, if applicable

Comments/Explanations (State which major duties/job functions are Exempt):

CONCLUSION: Non Exempt

Classification Comments: Position does not meet the discretion and independent judgment required to meet the exemption.

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## Position Description

PD#: HB159688

Replaces PD#:

Sequence#: VARIES

### NATURAL RESOURCES SPECIALIST (RANGER)

GS-0401-07

Installation: COE, FORT WORTH, TX

Agency: VARIES

MACOM: VARIES

Command Code: VARIES

Region: SOUTHWEST

**Citation 1:** GENERAL BIO SCI SER, HDBK OF OCC GROUPS & FAMS, JAN 99

**Citation 2:** OPM PCS FORESTRY SERIES, GS-460, JAN 80

**Citation 3:** OPM PCS WILDLIFE BIO SERIES, GS-486, JAN 91

**Citation 4:** OPM PCS RANGELAND MGMT SERIES, GS-454, SEP 93

**Citation 5:** OPM PCS SOIL CONSERVATION SERIES, GS-457, MAR 87

**Citation 6:** OPM PCS PARK RANGER SERIES, GS-025, NOV 85

PD Library PD: NO

COREDOC PD: NO

Classified By: DWIGHT L. QUARLES

Classified Date: 11/03/2003

FLSA: NON-EXEMPT

Drug Test Required: VARIES

DCIPS PD: NO

Career Program:

Financial Disclosure Required: NO

Acquisition Position: NO

Functional Code:

Requires Access to Firearms: VARIES

Interdisciplinary: NO

Competitive Area: VARIES

Position Sensitivity: VARIES

Target Grade/FPL:

Competitive Level: VARIES

Emergency Essential: VARIES

Career Ladder PD: YES

Career Pos 1: [HB159693](#) GS-0401-05

Career Pos 2: [HB159679](#) GS-0401-09

Bus Code: VARIES

PD Status: VERIFIED

Duties:

MAJOR DUTIES

This is a developmental position description. The target level for this training assignment is GS-09 on Job Number HB159679. The incumbent performs developmental assignments under closer than normal supervision. Assignments become progressively more difficult until the full-performance level is reached. Non-Competitive promotion to the target job may be effected provided the incumbent is sufficiently experienced; meets all necessary qualification requirements for promotion to the target job; and is performing the full scope of the major duties and is functioning under the supervisory controls stated in the target job description.

Performs other duties as assigned.

NOTE: The immediate supervisor is responsible for initiating request for promotion.

SPECIAL REQUIREMENTS FOR INCUMBENT OF POSITION: Serves as an incidental motor vehicle operator. Operates an automobile, light truck, ATV or motorboat to accomplish assigned duties. Employee must be able to operate the motor vehicles without danger to self or to others. Must be able to maintain required Corps of Engineers certification for operation of the motorboat.

**Evaluation:**

CL:OSOG

FLSA EVALUATION OUTLINE

CPOC REGION: SW

MACOM: CE

Foreign Exemption

Executive Exemption

Exercises appropriate supervisory responsibility (primary duty)

Customarily and regularly exercises independent judgment

80% test, if applicable (GS-5/6; Sit 1 & 2 WS supervisors; law enforcement & firefighter supervisors thru GS-9)

M\_\_\_ Professional Exemption

M\_\_\_ Professional work (primary duty)

Intellectual and varied work (more than dealing with procedures/precedents)

NM\_\_\_ Discretion & independent judgment

80% test, if applicable (This virtually never applies since GS-5/6 positions are trainees and other eligible employees are not professional)

Administrative Exemption

Primary duty

Policy or

Management or general business or supporting services or

Participation in the executive/administrative functions of a management official

Non-manual work test

Intellectual and significant (more than dealing with procedures/precedents), or

Specialized & technical in nature requiring considerable training/experience

Discretion & independent judgment

80% test, if applicable

Comments/Explanations (State which major duties/job functions are Exempt):

CONCLUSION: Non Exempt

Classification Comments: Position does not meet the discretion and independent judgment, works under closer supervision than required to meet the exemption.

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## Position Description

**PD#:** HB172671

**Replaces PD#:**

**Sequence#:** VARIES

### NATURAL RESOURCES SPECIALIST (RANGER)

**GS-0401-09**

**Servicing CPAC:** COE, FORT WORTH, TX

**Agency:** VARIES

**MACOM:** VARIES

**Command Code:**  
VARIES

**Region:** SOUTHWEST

**Citation 1:** GENERAL BIO SCI SER, HDBK OF OCC GROUPS & FAMS, JAN 99

**Citation 2:** OPM PCS FORESTRY SERIES, GS-460, JAN 80

**Citation 3:** OPM PCS SOIL CONSERVATION SERIES, GS-457, MAR 87

**Citation 4:** OPM PCS PARK RANGER SERIES, GS-025, NOV 85

**PD Library PD:** NO

**COREDOC PD:** NO

**Classified By:** KENNETH M. HOWELL

**Classified Date:** 04/26/2004

**FLSA:** NON-EXEMPT

**Drug Test Required:** VARIES

**DCIPS PD:** NO

**Career Program:**

**Financial Disclosure Required:** NO **Acquisition Position:**  
NO

**Functional Code:**

**Requires Access to Firearms:**  
VARIES

**Interdisciplinary:** NO

**Competitive Area:**  
VARIES

**Position Sensitivity:** VARIES

**Target Grade/FPL:** 09

**Competitive Level:**  
VARIES

**Emergency Essential:** VARIES

**Career Ladder PD:** YES

**Career Pos 1:** [HB172672](#) GS-0401-07

**Career Pos 2:** [HB172673](#) GS-0401-05

**Bus Code:** VARIES

**PD Status:** VERIFIED

## **Duties:**

### MAJOR DUTIES

Serves as a natural resource management staff specialist for a major water resource project. Performs a variety of assignments involving all aspects of project operations including natural resources, recreation and dam safety. Responsibilities include long and short range planning, administration, coordination and management of various project activities in the areas of fish and wildlife management, soil conservation, forest and range conservation, water quality, environmental stewardship, recreation, park administration, public relations, visitor assistance, public safety, historic properties management, real estate actions and other related fields.

1. Participates in the development of various planning documents including Master Plans and Operational Management Plans (OMP), for management of natural resources. Documents also include the Project Safety Plan, Fire Prevention Plan, Physical Security Plan, Shoreline Management Plan and Emergency Operations and Maintenance Plan. Coordinates the short-range planning and execution of all activities related to one or more of the following programs: recreation and park administration, shoreline management, forestry, fisheries and wildlife, shoreline stabilization, pest control, soil conservation, boundary surveillance, historic properties protection, public education and interpretation, visitor assistance, and public safety. Assists in developing and implementing specific land use plans for the lake project. Assists in preparation of annual Operations and Maintenance budgets for assigned programs. Reviews plans proposed by others on government land and provides recommendations for modifications. Maintains the project Geographic Information System (GIS).  
20%

2. Participates in conservation, preservation, restoration and use of project natural and cultural resources. Prescribes and implements resource management actions that promote biodiversity and native species re-establishment. Works with other fish and wildlife specialists in the district and in coordination with state and federal wildlife management agencies. Participates in activities which protect threatened and endangered species. Works with the District's Regulatory Branch to assure wetland protection. Develops and administers the agricultural out-lease program designed to protect and further enhance fish, wildlife, vegetative and water resources. Prepares documents pertaining to leasing and managing project lands. Evaluates proposed real estate actions for environmental, cultural, and public use impacts and performs out-grant inspections.  
20%

3. Participates in all aspects of recreation management at the project. Assists in developing plans for facility improvements which are consistent with current and future demands. Implements plans for special recreation projects and improvements. Inspects facilities including playgrounds, sanitary facilities, trails, campground areas, boat ramps, picnic areas, signs and wayside exhibits. Assists with park maintenance activities. Implements recreation fee program including collection, remittance and safeguarding of fees. Develops contract specifications and assists in the administration of contracts for mowing, trash removal, facility cleanup, gate attendants, vegetative management, law enforcement and any other contracts necessary for the operation and management of the project. Inspects recreation and miscellaneous out-grants,

vegetative modification permits, and specially permitted events to insure compliance with the respective agreements. Implements the project Shoreline Management Plan. Provides instruction and guidance to temporary or seasonal staff members.  
20%

4. Enforces Title 36 CFR by educating the visiting public on project purposes, conditions, policies and regulations. Patrols project lands and waters to prevent unauthorized use, trespass, destruction of property, and to insure compliance with rules and regulations, and protection of project land, water, facilities and other environmental and cultural resources. Investigates violations. Issues citations and testifies in court. Enforces a public safety program for the project which includes surveillance, and maintenance of buoys, signs and fences. Performs search and rescue, including missing and lost persons, boating, fishing and hunting accidents, and renders first aid to the injured. Deals regularly with the public in high stress emotional and potentially volatile situations. Works closely with other federal, state and local law enforcement agencies.  
15%

5. Assists with project's environmental compliance program. Keeps informed regarding environmental regulations, using the Environmental Review Guide for Operations (ERGO) as a guide. Participates on an interdisciplinary team to perform environmental assessments. Participates in development of post assessment action plans. Performs surveillance of lake and watershed environments to monitor water quality and investigate sources of degradation. May conduct training for other staff members regarding environmental regulations and how to operate in compliance. Investigates and reports non-compliance issues.  
2%

6. Conducts public relations services for the general public and for special groups. Provides project information to local, state and federal agencies and the visiting public through brochures, bulletin boards, news releases, telephone calls, and other written and oral correspondence. Meets with adjacent property owners, civic groups, conservation associations, school groups, cooperating groups, and other members of the public to explain programs, promote interest in activities, and explain management policies. Plans, promotes and executes special programs such as eco-meets, environmental awareness events, and safety promotions. Develops and presents interpretive programs including slide shows, public speeches and demonstrations. Develops brochures for public distribution. Evaluates interpretive exhibits in the project visitor center and coordinates improvements and updates. Develops and coordinates the project volunteer program.  
15%

7. Assists with man agreement of the water resource project as it pertains to the dam and appurtenant structures in conjunction with daily duties. Monitors project area and basin during flood emergencies. Provides security surveillance of critical facilities as security measures direct. Reads dam instrumentation such as piezometers and relief wells. Provides assistance to local communities, the district office and other lake projects during emergency situations.  
5%

8. Ensures strict enforcement of safe practices and safety regulations. Responsibility includes, but is not limited to, developing and amending miscellaneous project safety plans, conducting safety meetings, correcting hazardous conditions and advocating

improvements.  
3%

Performs other duties as assigned.

SPECIAL REQUIREMENTS FOR INCUMBENT OF POSITION: Serves as an incidental motor vehicle operator. Operates an automobile, light truck, ATV or motorboat to accomplish assigned duties. Employee must be able to operate the motor vehicles without danger to self or to others. Must be able to maintain required Corps of Engineers certification for operation of the motorboat.

NOTE: "THIS POSITION IS COVERED BY THE CIVILIAN DRUG ABUSE TESTING PROGRAM. INCUMBENT IS REQUIRED TO SIGN A DA FORM 5019-R, "CONDITION OF EMPLOYMENT FOR CERTAIN CIVILIAN POSITIONS IDENTIFIED AS CRITICAL UNDER THE DRUG ABUSE TESTING PROGRAM," OR A MEMORANDUM OF UNDERSTANDING (MOU)."

Factor 1. Knowledge Required by the Position - FL 1-6, 950 points

- Professional and practical knowledge of biological practices, principles and techniques sufficient to assist in the recommendations of planning and implementing environmental, recreational and natural resource management activities at a lake project.
- Knowledge of related disciplines such as wildlife biology, soils and plant science, agriculture, forestry, rangeland conservation, soil conservation, etc. sufficient to assist in recommendations and in utilizing for daily activities.
- Knowledge of natural resource management and related laws, policies and regulations as it pertains to biodiversity, threatened and endangered species, wetland protection, cultural resources and agricultural lease program.
- Knowledge of various federal, state and local laws, regulations and programs sufficient to ensure compliance of the mission connected with the various activities of lake's programs, i.e., OMP plans, conservation, preservation, restoration and use of natural and cultural resources, recreation management, agricultural leasing, Title 36, environmental compliance programs, etc.

Factor 2. Supervisory Controls - FL 2-3, 275 points

Works under the general supervision of the Operational Project Manager or Natural Resource Management Specialist who outlines the program objectives and goals. The employee independently coordinates assigned functions to accomplish objectives. Resolves routine problems and conflicts as they arise. Consults with supervisor or other District offices regarding policy matters and non-routine problems. Work is reviewed for effectiveness in meeting requirements and expected results.

Factor 3. Guidelines - FL 3-3, 275 points

Guidelines include environmental, conservation and recreation federal, state, and local laws and regulations, ERGO and other Corps guidance, regulations, policies, manuals and plans. Not all situations or management requirements are covered by the guidelines, also the incumbent must use judgment in interpreting and adapting

guidelines or be able to choose from alternative procedures to accomplish work objectives.

Factor 4. Complexity - FL 4-3, 150 points

Work assignments involve responsibilities for the development, implementation and administration of a variety of natural resources conservation, recreation and environmental plans, programs and procedures at a major multipurpose lake project. The incumbent deals with the less significant issues that have precedent techniques and practices. Solves issues such as conflicting visitor use demands and occasionally resource management problems whose nature and solution are controversial at times.

Factor 5. Scope and Effect - FL 5-3, 150 points

The purpose of the work is to contribute to all aspects of water and conservation, environmental, natural resource and recreation management at a major lake project utilized by thousands of visitors. The work is professional in nature and affects the effectiveness of resources and activities related to soil conservation, lake water quality, resource management, recreation management, visitor safety, and proper operation of the dam as a flood control structure. The work affects the efficient utilization, protection and development of the natural resources and environment of the lake project, and the social and/or economic well-being of the users of the project's resources.

Factor 6. Personal Contacts - FL 6-2,

Contacts are with a diverse spectrum of natural resources, environmental and recreation specialists, law enforcement and protection agencies, various media and district office elements. Contacts also include real estate grantees, shoreline use permittees, special interest groups, local and state elected officials and the general public in which the purpose of the contact is revealed during the conversation.

Factor 7. Purpose of Contacts - FL 7-2b, 75 points

Contacts are made to accomplish the various aspects of project natural resources, recreational and environmental programs and contracts, to obtain technical information, or provide information to others regarding compliance with agreements and pertinent laws and regulations and promote the programs.

Factor 8. Physical Demands - FL 8-2, 20 points

Much of the work is conducted outdoors. It requires a considerable amount of physical activity while performing resource management duties, conducting field inspections, and accomplishing park and dam management projects. Walking and climbing through dense vegetative growth or over steep terrain may be required. Also involves working in extreme weather conditions.

Factor 9. Work Environment - FL 9-2, 20 points

Some of the work is accomplished in an office setting while the remainder is accomplished outdoors. The outside work is conducted in parks or on other managed lands and may be in areas of rugged topography or thick vegetation. Contact with poison ivy, ticks and mosquitoes is a common field occurrence. Exposure to hot summer and cold winter weather conditions is required.

Total points: 1925  
GS-09=1855-2100

Assignments to duties other than those, described above for a period in excess of 30 calendar days constitutes a misassignment and must be documented via submission of a Standard Form 52, Request for Personnel Action, to document such assignment. Failure to follow this procedure constitutes a violation of statute

NOTE: This PD is the same as 159679 with the addition of the drug test requirement.

**Evaluation:**

CL: OS0G

FLSA EVALUATION OUTLINE

CPOC REGION: SW

MACOM: CE

Foreign Exemption

Executive Exemption

Exercises appropriate supervisory responsibility (primary duty)

Customarily and regularly exercises independent judgment

80% test, if applicable (GS-5/6; Sit 1 & 2 WS supervisors; law enforcement & firefighter supervisors thru GS-9)

M Professional Exemption

M Professional work (primary duty)

Intellectual and varied work (more than dealing with procedures/precedents)

NM Discretion & independent judgment

80% test, if applicable (This virtually never applies since GS-5/6 positions are trainees and other eligible employees are not professional)

Administrative Exemption

Primary duty

Policy or

Management or general business or supporting services or

Participation in the executive/administrative functions of a management official

Non-manual work test

Intellectual and significant (more than dealing with procedures/precedents), or

Specialized & technical in nature requiring considerable training/experience

Discretion & independent judgment

80% test, if applicable

Comments/Explanations (State which major duties/job functions are Exempt):

CONCLUSION: Non Exempt

Classification Comments: Position does not meet the discretion and independent judgment, works under closer supervision than required to meet the exemption.

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## Position Description

PD#: HB159679

Replaces PD#:

Sequence#: VARIES

### NATURAL RESOURCES SPECIALIST (RANGER)

GS-0401-09

Installation: COE, FORT WORTH, TX

Agency: VARIES

MACOM: VARIES

Command Code: VARIES

Region: SOUTHWEST

**Citation 1:** GENERAL BIO SCI SER, HDBK OF OCC GROUPS & FAMS, JAN 99

**Citation 2:** OPM PCS WILDLIFE BIO SERIES, GS-486, JAN 91

**Citation 3:** OPM PCS RANGELAND MGMT SERIES, GS-454, SEP 93

**Citation 4:** OPM PCS SOIL CONSERVATION SERIES, GS-457, MAR 87

**Citation 5:** OPM PCS FORESTRY SERIES, GS-460, JAN 80

**Citation 6:** OPM PCS PARK RANGER SERIES, GS-025, NOV 85

PD Library PD: NO

COREDOC PD: NO

Classified By: DWIGHT L. QUARLES

Classified Date: 11/03/2003

FLSA: NON-EXEMPT

Drug Test Required: VARIES

DCIPS PD: NO

Career Program: 18

Financial Disclosure Required: NO

Acquisition Position: NO

Functional Code: 51

Requires Access to Firearms: VARIES

Interdisciplinary: NO

Competitive Area: VARIES

Position Sensitivity: VARIES

Target Grade/FPL: 09

Competitive Level: VARIES

Emergency Essential: VARIES

Career Ladder PD: YES

Career Pos 1: [HB159693](#) GS-0401-05

Career Pos 2: [HB159688](#) GS-0401-07

Bus Code: VARIES

PD Status: VERIFIED

Duties:

MAJOR DUTIES

Serves as a natural resource management staff specialist for a major water resource project. Performs a variety of assignments involving all aspects of project operations including natural resources, recreation and dam safety. Responsibilities include long and short range planning, administration, coordination and management of various project activities in the areas of fish and wildlife management, soil conservation, forest and range conservation, water quality, environmental stewardship, recreation, park administration, public relations, visitor assistance, public safety, historic properties management, real estate actions and other related fields.

1. Participates in the development of various planning documents including Master Plans and Operational Management Plans (OMP), for management of natural resources. Documents also include the Project Safety Plan, Fire Prevention Plan, Physical Security Plan, Shoreline Management Plan and Emergency Operations and Maintenance Plan. Coordinates the short-range planning and execution of all activities related to one or more of the following programs: recreation and park administration, shoreline management, forestry, fisheries and wildlife, shoreline stabilization, pest control, soil conservation, boundary surveillance, historic properties protection, public education and interpretation, visitor assistance, and public safety. Assists in developing and implementing specific land use plans for the lake project. Assists in preparation of annual Operations and Maintenance budgets for assigned programs. Reviews plans proposed by others on government land and provides recommendations for modifications. Maintains the project Geographic Information System (GIS).  
20%

2. Participates in conservation, preservation, restoration and use of project natural and cultural resources. Prescribes and implements resource management actions that promote biodiversity and native species re-establishment. Works with other fish and wildlife specialists in the district and in coordination with state and federal wildlife management agencies. Participates in activities which protect threatened and endangered species. Works with the District's Regulatory Branch to assure wetland protection. Develops and administers the agricultural out-lease program designed to protect and further enhance fish, wildlife, vegetative and water resources. Prepares documents pertaining to leasing and managing project lands. Evaluates proposed real estate actions for environmental, cultural, and public use impacts and performs out-grant inspections.  
20%

3. Participates in all aspects of recreation management at the project. Assists in developing plans for facility improvements which are consistent with current and future demands. Implements plans for special recreation projects and improvements. Inspects facilities including playgrounds, sanitary facilities, trails, campground areas, boat ramps, picnic areas, signs and wayside exhibits. Assists with park maintenance activities. Implements recreation fee program including collection, remittance and safeguarding of fees. Develops contract specifications and assists in the administration of contracts for mowing, trash removal, facility cleanup, gate attendants, vegetative management, law enforcement and any other contracts necessary for the operation and management of the project. Inspects recreation and miscellaneous out-grants, vegetative modification permits, and specially permitted events to insure compliance with the respective agreements. Implements the project Shoreline Management Plan. Provides instruction and guidance to temporary or seasonal staff members.  
20%

4. Enforces Title 36 CFR by educating the visiting public on project purposes, conditions, policies and regulations. Patrols project lands and waters to prevent unauthorized use, trespass, destruction of property, and to insure compliance with rules and regulations, and protection of project land, water, facilities and other environmental and cultural resources. Investigates violations. Issues citations and testifies in court. Enforces a public safety program for the project which includes surveillance, and maintenance of buoys, signs and fences. Performs search and rescue, including missing and lost persons, boating, fishing and hunting accidents, and renders first aid to the injured. Deals regularly with the public in high stress emotional and potentially volatile situations. Works closely with other federal, state and local law enforcement agencies.

15%

5. Assists with project's environmental compliance program. Keeps informed regarding environmental regulations, using the Environmental Review Guide for Operations (ERGO) as a guide. Participates on an interdisciplinary team to perform environmental assessments. Participates in development of post assessment action plans. Performs surveillance of lake and watershed environments to monitor water quality and investigate sources of degradation. May conduct training for other staff members regarding environmental regulations and how to operate in compliance. Investigates and reports non-compliance issues.

2%

6. Conducts public relations services for the general public and for special groups. Provides project information to local, state and federal agencies and the visiting public through brochures, bulletin boards, news releases, telephone calls, and other written and oral correspondence. Meets with adjacent property owners, civic groups, conservation associations, school groups, cooperating groups, and other members of the public to explain programs, promote interest in activities, and explain management policies. Plans, promotes and executes special programs such as eco-meets, environmental awareness events, and safety promotions. Develops and presents interpretive programs including slide shows, public speeches and demonstrations. Develops brochures for public distribution. Evaluates interpretive exhibits in the project visitor center and coordinates improvements and updates. Develops and coordinates the project volunteer program.

15%

7. Assists with man agreement of the water resource project as it pertains to the dam and appurtenant structures in conjunction with daily duties. Monitors project area and basin during flood emergencies. Provides security surveillance of critical facilities as security measures direct. Reads dam instrumentation such as piezometers and relief wells. Provides assistance to local communities, the district office and other lake projects during emergency situations.

5%

8. Ensures strict enforcement of safe practices and safety regulations. Responsibility includes, but is not limited to, developing and amending miscellaneous project safety plans, conducting safety meetings, correcting hazardous conditions and advocating improvements.

3%

Performs other duties as assigned.

**SPECIAL REQUIREMENTS FOR INCUMBENT OF POSITION:** Serves as an incidental motor vehicle operator. Operates an automobile, light truck, ATV or motorboat to accomplish assigned duties. Employee must be able to operate the motor vehicles without danger to self or to others. Must be able to maintain required Corps of Engineers certification for operation of the motorboat.

**Factor 1. Knowledge Required by the Position - FL 1-6, 950 points**

- Professional and practical knowledge of biological practices, principles and techniques sufficient to assist in the recommendations of planning and implementing environmental, recreational and natural resource management activities at a lake project.

- Knowledge of related disciplines such as wildlife biology, soils and plant science, agriculture, forestry, rangeland conservation, soil conservation, etc. sufficient to assist in recommendations and in utilizing for daily activities.

- Knowledge of natural resource management and related laws, policies and regulations as it pertains to biodiversity, threatened and endangered species, wetland protection, cultural resources and agricultural lease program.

- Knowledge of various federal, state and local laws, regulations and programs sufficient to ensure compliance of the mission connected with the various activities of lake's programs, i.e., OMP plans, conservation, preservation, restoration and use of natural and cultural resources, recreation management, agricultural leasing, Title 36, environmental compliance programs, etc.

#### Factor 2. Supervisory Controls - FL 2-3, 275 points

Works under the general supervision of the Operational Project Manager or Natural Resource Management Specialist who outlines the program objectives and goals. The employee independently coordinates assigned functions to accomplish objectives. Resolves routine problems and conflicts as they arise. Consults with supervisor or other District offices regarding policy matters and non-routine problems. Work is reviewed for effectiveness in meeting requirements and expected results.

#### Factor 3. Guidelines - FL 3-3, 275 points

Guidelines include environmental, conservation and recreation federal, state, and local laws and regulations, ERGO and other Corps guidance, regulations, policies, manuals and plans. Not all situations or management requirements are covered by the guidelines, also the incumbent must use judgment in interpreting and adapting guidelines or be able to choose from alternative procedures to accomplish work objectives.

#### Factor 4. Complexity - FL 4-3, 150 points

Work assignments involve responsibilities for the development, implementation and administration of a variety of natural resources conservation, recreation and environmental plans, programs and procedures at a major multipurpose lake project. The incumbent deals with the less significant issues that have precedent techniques and practices. Solves issues such as conflicting visitor use demands and occasionally resource management problems whose nature and solution are controversial at times.

#### Factor 5. Scope and Effect - FL 5-3, 150 points

The purpose of the work is to contribute to all aspects of water and conservation, environmental, natural resource and recreation management at a major lake project utilized by thousands of visitors. The work is professional in nature and affects the effectiveness of resources and activities related to soil conservation, lake water quality, resource management, recreation management, visitor safety, and proper operation of the dam as a flood control structure. The work affects the efficient utilization, protection and development of the natural resources and environment of the lake project, and the social and/or economic well-being of the users of the project's resources.

#### Factor 6. Personal Contacts - FL 6-2,

Contacts are with a diverse spectrum of natural resources, environmental and recreation specialists, law enforcement and protection agencies, various media and district office elements. Contacts also include real estate grantees, shoreline use permittees, special interest groups, local and state elected officials and the general public in which the purpose of the contact is revealed during the conversation.

#### Factor 7. Purpose of Contacts - FL 7-2b, 75 points

Contacts are made to accomplish the various aspects of project natural resources, recreational and environmental programs and contracts, to obtain technical information, or provide information to others regarding compliance with agreements and pertinent laws and regulations and promote the programs.

#### Factor 8. Physical Demands - FL 8-2, 20 points

Much of the work is conducted outdoors. It requires a considerable amount of physical activity while performing resource management duties, conducting field inspections, and accomplishing park and dam management projects. Walking and climbing through dense vegetative growth or over steep terrain may be required. Also involves working in extreme weather conditions.

Factor 9. Work Environment - FL 9-2, 20 points

Some of the work is accomplished in an office setting while the remainder is accomplished outdoors. The outside work is conducted in parks or on other managed lands and may be in areas of rugged topography or thick vegetation. Contact with poison ivy, ticks and mosquitoes is a common field occurrence. Exposure to hot summer and cold winter weather conditions is required.

Total points: 1925  
GS-09=1855-2100

Assignments to duties other than those, described above for a period in excess of 30 calendar days constitutes a misassignment and must be documented via submission of a Standard Form 52, Request for Personnel Action, to document such assignment. Failure to follow this procedure constitutes a violation of statute

**Evaluation:**

CL: OS0G

FLSA EVALUATION OUTLINE

CPOC REGION: SW  
MACOM: CE

- Foreign Exemption
- Executive Exemption
- Exercises appropriate supervisory responsibility (primary duty)
- Customarily and regularly exercises independent judgment
- 80% test, if applicable (GS-5/6; Sit 1 & 2 WS supervisors; law enforcement & firefighter supervisors thru GS-9)
- M Professional Exemption
- M Professional work (primary duty)
- Intellectual and varied work (more than dealing with procedures/precedents)
- NM Discretion & independent judgment
- 80% test, if applicable (This virtually never applies since GS-5/6 positions are trainees and other eligible employees are not professional)
- Administrative Exemption
- Primary duty
- Policy or
- Management or general business or supporting services or
- Participation in the executive/administrative functions of a management official
- Non-manual work test
- Intellectual and significant (more than dealing with procedures/precedents), or
- Specialized & technical in nature requiring considerable training/experience

\_\_\_ Discretion & independent judgment

\_\_\_ 80% test, if applicable

Comments/Explanations (State which major duties/job functions are Exempt):

CONCLUSION: Non Exempt

Classification Comments: Position does not meet the discretion and independent judgment, works under closer supervision than required to meet the exemption.



**DEPARTMENT OF THE ARMY**  
**U.S. ARMY CORPS OF ENGINEERS**  
441 G ST. NW  
WASHINGTON, D.C. 20314-1000

S: 30 June 2008

CEHR-E

04 April 2008

MEMORANDUM FOR COMMANDERS, MAJOR SUBORDINATE COMMANDS,  
DISTRICT COMMANDS, MSC/DISTRICT OPERATIONS, NATURAL RESOURCES  
MANAGEMENT OFFICES, HUMAN RESOURCES OFFICES, AND OPERATIONS  
PROJECT MANAGERS

SUBJECT: USACE Guidance for the Classification of Natural Resources Management  
Positions, 0400 series

1. This memorandum provides guidance to USACE managers and supervisors for the application of the Office of Personnel Management (OPM) Job Family Standard, Natural Resources Management and Biological Sciences Group, GS 0400 series to USACE Natural Resources Management positions. The Supplemental Position Classification Guidance and Tools – Natural Resources Management Positions (Appendix A) provides supplemental guidance on the types of natural resources management work performed and a process for converting positions performing natural resources management work but not currently classified in the GS-401 series. For encumbered positions, incumbents must meet the qualifications requirements for assignment to the GS-401 series. Guidance on the types of work experience, education, and course work creditable toward qualifying for the Natural Resources Management, GS-0401 series is also provided (Appendix B and C). This guidance provides the process for converting positions and will be used for all current and future conversions (Appendix D).
2. When applying this standard, supervisors and managers of positions performing natural resources management duties must review the principal duties, responsibilities and qualifications requirements of the position. The correct series for the position will represent the primary work, the highest level of work of the position and the paramount qualifications required to perform the work. Consideration of factors such as the primary purpose or reason for existence of the position, mission and responsibility to the organization it serves, and the qualifications required to perform the work, are important to properly classify the position. Where these factors result in reclassifying the position to the Natural Resources Management, GS-0401 series, and managers must determine if immediate conversion can occur based on the requirements of the position and qualifications of the incumbent. Where positions do not meet the criteria for reclassification to the Natural Resources Management, GS-0401 series, these positions should remain classified in the current series, if appropriate, e.g., Park Ranger, GS-025.
3. The nature of work performed by some USACE Operations Project Managers, Park Managers and Park Rangers has evolved from planning long term projects to comply with strict regulatory requirement and complex design standards. The work now requires an increased knowledge of

CEHR-E

SUBJECT: USACE Guidance for the Classification of Natural Resources Management Positions, 0400 Series

natural resource sciences. Performance of day-to-day duties of stewardship and recreation management requires an enhanced understanding of natural resources and related scientific and recreation disciplines. The new job family standard specifically references "recreation management" and outlines typical natural resources and recreation management activities performed by some USACE Park Manager and Park Ranger positions. A sample position description is provided at Appendix E.

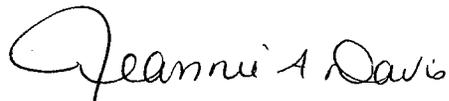
4. Action must be taken to implement this guidance not later than 30 June 2008. Feedback on the results of the implementation will be gathered through Operations and Natural Resources Management Communities of Practice. Supervisors and managers need to work closely with their Civilian Personnel Advisory Centers (CPAC) to develop and implement a plan for application of the standard and conversion of positions, where appropriate.

5. Questions on the overall conversion process and implementation should be directed to the following individuals: Marilyn K. Jones, Operations Manager, CENAB, (570) 835-5281 ext 101 [Marilyn.K.Jones@nab02.usace.army.mil](mailto:Marilyn.K.Jones@nab02.usace.army.mil); Omar Lugo, Human Resources Specialist, CEHR-E, (202)761-1698, [omar.lugo@usace.army.mil](mailto:omar.lugo@usace.army.mil); or Laurie Toland, Personnel Management Specialist, HQUSACE Directorate of Human Resources, South Atlantic Division, (404) 562-5031, [laurie.a.toland@usace.army.mil](mailto:laurie.a.toland@usace.army.mil).

FOR THE COMMANDER:

5 Encls

1. Appendix A
2. Appendix B
3. Appendix C
4. Appendix D
5. Appendix E

  
JEANNIE A. DAVIS  
Director of Human Resources

CF:

Civilian Personnel Advisory Centers (w/encls)

## APPENDIX A

### SUPPLEMENTAL POSITION CLASSIFICATION GUIDANCE AND TOOLS NATURAL RESOURCES MANAGEMENT POSITIONS

#### 1. References.

- a. Job Family Standard for Professional Work in the Natural Resources and Biological Sciences Group, GS-0400, September 2005
- b. Park Ranger, GS-0025, November 1985
- c. Operating Manual for Qualification Standards for General Schedule Positions, July 1995
- d. The US Office of Personnel Management (OPM) Introduction to the Position Classification Standards, July 1995
- e. OPM Classifier's Handbook, August 1991

#### 2. Determining the Appropriate Series:

Generally, the duties and responsibilities assigned to most positions are covered by one occupational series and the series determination is clear. Some positions, however, are a mix of duties and responsibilities covered by two or more occupational series and classified by more than one standard or guide. Where the work is within the same job family, it may be more appropriate to classify the position to a general series. For positions whose duties fall in more than one occupational group, the most appropriate series for the position depends on consideration of a number of factors. For many of these positions, the grade controlling duties will determine the series. Sometimes, however, the highest level of work performed can be determined only after considering the paramount qualifications required, sources of recruitment, line of progression, reason for establishing the position, and the background knowledge required. Work that involves creativity, analysis, evaluation, and interpretation is considered professional work. It involves applying basic or natural law, principles, or theory; evaluating the research of others; and assessing the need for and validity of proposed changes and improvements in procedures and methods. Professional responsibility involves the ability to reason from existing knowledge to unexplored areas; to adapt methods to circumstances that deviate from the standards; and to stay abreast of and evaluate technical subjects, analyses, and proposals from professional literature. This work requires education and training in the principles, concepts, and theories of the occupation. Typically, these can be gained only through completion of a specified curriculum at a recognized college or university. This requirement is called a "positive education requirement" and is common to nearly all professional occupational series. Where the duties and responsibilities of the work have these characteristics and requirements, the work is considered professional and the position must be classified to a professional series.

### **3. The Corps typically performs the following types of Natural Resources Management (NRM) work:**

a. Corps natural resources management personnel are often multidimensional employees who have a wide variety of responsibilities and at a minimum, 25 percent of those responsibilities are related to the “sciences.” A sample position description depicting typical natural resources management duties and responsibilities is found at Appendix A.

b. USACE Park Rangers routinely deal with issues associated with soils, erosion, trees, water quality, pest control, wildlife management, fisheries, grassland management, etc. Even rangers who spend much of their time dealing with "recreation", also deal with "park related" issues involving "science". They write specifications and/or administer contracts that include tree pruning, pesticide applications, water quality, vegetative management, or shrub and tree plantings. In reviewing applications for shoreline use permits, natural resources management personnel have to consider the Endangered Species Act (ESA) and make accommodations for the same. Park Rangers watch for shoreline erosion at parks and in remote areas and consider wildlife benefits when developing park maintenance contract specifications. Natural science plays a role in a ranger's interpretive efforts. Park Rangers share wildlife and vegetative management concerns with district wildlife biologists and fisheries biologists and answer questions from the public regarding wildlife, fish, habitat management, etc.

c. Park Rangers are involved in many types of natural resources management. At almost every Lake Project, fish and wildlife management is an authorized project purpose. It is the responsibility of the Ranger staff to manage these projects and associated programs. Park Rangers typically do not specialize in one job such as a "Recreation Ranger." Rangers have interpretive programs such as Eagle Days and Ecology Meets (ECO-Meets) and conduct environmental programs for schools, scouts and other groups. They manage trails that require science backgrounds for both the management of the trails and for the environmental interpretation associated with the trails. While preparation of formal environmental assessments or environmental impact statements is the responsibility of the planning organization, local park rangers often provide current and historic information about the environment studied. Park Rangers know who and what will be impacted by the development, what the recreational impact on the environment has been at similar projects, where the eagles roost, etc. Most new recreational development requires some type of environmental assessment that involves habitat loss, effect on endangered species and cultural resources, campsites, flood impacts, construction impact on vegetation, and vegetation planting requirements after construction.

d. Park Rangers are expected to accurately answer questions from our visitors concerning the following:

- (1) Natural Resources Management,
- (2) Wildlife and the natural environment
- (3) Weather recording and documentation
- (4) Controlled burning, including planning, and weather documentation
- (5) Trail establishment, including application of erosion guidelines to specific soil types
- (6) Campground renovations, impacts on trees and vegetation

- (7) Global Positioning System/Global Information System work, including area measurement for contracts, use of boundary inspection, monitoring impacts on environmentally sensitive areas
- (8) Off Road Vehicle (ORV) area point photos to monitor erosion
- (9) Prairie renovation
- (10) Preliminary Assessment Screening (PAS) for Real Estate
- (11) Food plot plantings
- (12) Herbicide contracts
- (13) Interpretive displays regarding lakes and wildlife management
- (14) Fish habitat, selection of areas and placement
- (15) Bird habitat projects such as Bluebird, American Kestrel, Canada Goose tubs

e. USACE establishes contracts for the following goods and services. Park Rangers provide scope of work, specifications and bid schedules for the contracts, and identify and report on issues for proper administration of the contract.

(1) Vegetative management, herbicide contract, mowing and brush control, requires a broad knowledge of plant species, characteristics, life cycles, chemical use, restoration of turf areas, control of invading species. Examples include when and how to mow to control crown vetch on the dam, what type of grass to plant in high use areas, what chemical and rates to use to control fox tail in food plots, what method to use to control Black Locust in the spillway.

(2) Custodial contracts are written and identify chemical use, disinfectants, control of pests, insects, mold, mildew etc. (e.g. rates of disinfectants to use in shower buildings.)

(3) Construction contracts written require use and knowledge of building techniques, methods, materials, calculation of quantities, volumes, and areas. (e.g. calculation of concrete for park projects, materials for shower building painting, roof repairs.)

(4) Purchase and use of equipment, materials, services (e.g. GPS unit, work boat, planter for food plots, surveying), requires knowledge of specific capabilities and needs, much of which is science related.

f. Miscellaneous

(1) Communications use and knowledge and experience with computers, radios, and internet service.

(2) Wetland development requires, knowledge of species and environmental and wildlife issues, dam design, shoreline and downstream monitoring, planning, knowledge of geology, hydrological issues, weather, erosion control, and soil and vegetation types.

(3) Natural Resources Management (NRM) requires knowledge of a wide variety of scientific methods, i.e. calculation of areas, species type, fertilizer, chemicals for food plots, prairie restoration, controlled burns, and forestry practices; monitoring for invasive species, terrestrial and aquatic; recognition and protection of rare and endangered species, cultural resources.

## Appendix B

### Supplemental Qualifications Guidance

Reference the US Office of Personnel Management (OPM) Qualifications Handbook, Group Coverage Qualifications Standards for Professional and Scientific Positions, Section IV-A, Operating Manual for Qualification Standards for General Schedule Positions. Managers, supervisors and employees should refer to Section IV-A for a full and complete discussion of qualification requirements.

The following is an excerpt from the USOPM Qualification Handbook, Group Coverage Qualifications Standards for Professional and Scientific Positions, last updated December 7, 2006

#### **BASIC REQUIREMENTS FOR ALL GRADES**

Applicants who meet the basic requirements described in the individual occupational requirements are fully qualified for the specified entry grade (generally grade GS-5). Applicants who wish to qualify for positions at higher-grade levels (generally grade GS-7 and above) must also meet the requirements shown in the table on page IV-A-22, in addition to meeting the basic requirements.

The individual occupational requirements typically provide at least two methods for applicants to meet the basic requirements of the occupations covered by this standard:

A. Successful completion of a full 4-year course of study in an accredited college or university leading to a bachelor's or higher degree that included a major field of study or specific course requirements generally as stated in paragraph A in the individual occupational requirements. Where specific course requirements are not indicated in paragraph A, the number of semester hours required to constitute a major field of study is the amount specified by the college or university attended. If this number cannot be obtained, 24 semester hours will be considered as equivalent to a major field of study. The nature and quality of this required course work must have been such that it would serve as a prerequisite for more advanced study in the field or subject-matter area. Related course work generally refers to courses that may be accepted as part of the program major.

OR

B. Appropriate combination of education and experience that is typically specified in paragraph B of the individual occupational requirements. The "paragraph B" method generally requires that an applicant possess a core of educational credit, such as described in paragraph A above, plus additional education and/or experience. The method of determining the number of semester hours required to constitute a major field of study is the same as described in paragraph A. The quality of the combination of education and experience must be sufficient to demonstrate that the applicant possesses the knowledge, skills, and abilities required to perform work in the occupation, and is comparable to that normally acquired through the successful completion of a full 4-year course of study with a major in the appropriate field. In addition to courses in the major and related fields, a typical college degree would have included courses that involved analysis, writing, critical thinking, research, etc. These courses would have provided an applicant with skills and abilities sufficient to perform progressively more responsible work in the occupation. Therefore, creditable experience should have demonstrated similarly appropriate skills or abilities needed to perform the work of the occupation.

The evaluation of course requirements is handled on a case-by-case basis. Each course on the transcript provided is reviewed for possible credit and further research is done through on-line courses catalogs from each applicable institution. Human Resources Specialists may also contact the school for verification to determine if the course content includes the natural resources emphasis necessary to meet the requirements of the series.

The individual occupational requirements for some series make no provision for combining experience and education. Therefore, they do *not* include paragraph B provisions.

For a small number of occupations or positions covered by this standard, applicants may possess certain kinds of experience *in lieu* of education. In such cases, applicants may meet minimum qualification requirements through experience equivalent to a 4-year degree. These situations are generally described in paragraph C of the individual occupational requirements.

Applicants whose experience is used to meet the basic requirements through a paragraph B or C provision may qualify for grades above the entry level if that experience includes 1 year of specialized experience. In such cases, the specialized experience would have to be evaluated to determine if it is at the appropriate grade level in the normal line of progression.

**ADDITIONAL EXPERIENCE AND EDUCATION REQUIREMENTS FOR GS-7 AND ABOVE.**  
 In addition to meeting the basic entry qualification requirements, applicants must have specialized experience and/or directly related education in the amounts shown in the table below.

GRADE/POSITIONS	EDUCATION	SPECIALIZED EXPERIENCE
GS-7	1 year of graduate-level education <i>or</i> superior academic achievement	1 year equivalent to at least GS-5
GS-9	2 years of progressively higher level graduate education leading to a master's degree <i>or</i> master's or equivalent graduate degree	1 year equivalent to at least GS-7
GS-11	3 years of progressively higher level graduate education leading to a Ph.D. degree <i>or</i> Ph.D. or equivalent doctoral degree	1 year equivalent to at least GS-9
GS-12 and above		1 year equivalent to at least next lower grade level
<i>Research Positions</i>		
GS-11 research positions	Master's or equivalent graduate degree	1 year equivalent to at least GS-9
GS-12 research positions	Ph.D. or equivalent doctoral degree	1 year equivalent to at least GS-11
GS-13 and above research positions		1 year equivalent to at least next lower grade level

**NOTE:** Education and experience may be combined for all grade levels for which both education and experience are acceptable.

While the levels of experience shown for most positions covered by this standard follow the grade level progression pattern outlined in the table, users of the standard should refer to E.3.(p) in the "General Policies and Instructions" (Section II of the OPM Qualifications Handbook) for guidance on crediting experience for positions with different lines of progression.

*Combining Education and Experience:* When combining education with experience, first determine the applicant's total qualifying education as a percentage of the education required for the grade level; then determine the applicant's experience as a percentage of the experience required for the grade level; finally, add the two percentages. The total percentage must equal at least 100 percent to qualify an applicant for that grade level. For example, an applicant for a GS-184, Sociology position has successfully completed 60 undergraduate semester hours, including 24 semester hours in sociology, and, in addition, has 2 full-time years of appropriate experience that demonstrates that the applicant possesses the necessary analytical and communication skills. The applicant would qualify for GS-5, since the 60 semester hours (the equivalent of 2 years of undergraduate education, or 50 percent of the total requirement) were supplemented by 2 additional years of appropriate experience that provided the remaining 50 percent of the total required education and experience.

*Specialized Experience:* Experience that equipped the applicant with the particular knowledge, skills, and abilities to perform successfully the duties of the position, and that is typically in or related to the work of the position to be filled. To be creditable, specialized experience must have been equivalent to at least the next lower grade level in the normal line of progression for the occupation in the organization.

*Superior Academic Achievement:* The superior academic achievement provision is applicable to all occupations covered by this standard. See the "General Policies and Instructions" for specific guidance on applying the superior academic achievement provision.

*Graduate Education:* Completion of graduate level education in the amounts shown in the table, in addition to meeting the basic requirements, is qualifying for positions at grades GS-7 through GS-11, and GS-12 research positions if it provided the knowledge, skills, and abilities necessary to do the work. One year of full-time graduate education is considered to be the number of credit hours that the school attended has determined to represent 1 year of full-time study. If that number cannot be obtained from the school, 18 semester hours should be considered an academic year of graduate study. Part-time graduate education is creditable in accordance with its relationship to a year of full-time study at the school attended.

**Excerpt from Section IV-B of the Operating Manual for Qualification Standards for General Schedule Positions.**

Use these individual occupational requirements in conjunction with the "Group Coverage Qualification Standard for Professional and Scientific Positions."

Basic Requirements:

- A. Degree: biological sciences, agriculture, natural resource management, chemistry, or related disciplines appropriate to the position.

OR

- B. Combination of education and experience--Courses equivalent to a major, as shown in A above, plus appropriate experience or additional education.

Course work found in the degree programs above may include:

Ecology	Land Use Planning	Arboriculture
Zoology	Environmental Law	Wildlife Management
Botany	Fire Science	Landscape Architecture
Forestry	Horticulture	Conservation Education
Fisheries Management	Biology	Earth Science
Fisheries Biology	Plant Physiology	Range Management
Wildlife Biology	Geology	Wildlife Ecology
Range Management	Natural Resources Management	Geographic Information Systems
Soils Science	Horticulture	
Air Resources	Environmental Interpretation	

## Appendix C

### Excerpt from the USOPM Qualifications Handbook, General Policies, and Instructions, Section II B (2).

#### 8. Special In-service Placement Provisions

In-service placement applicants may meet minimum qualification requirements based on education (including superior academic achievement) and/or experience, as specified in the appropriate qualification standard. To qualify, they must usually have the same level and type of experience or education that is required for initial appointment. However, there are some special provisions, as follows:

*a. Minimum educational requirements*--When there is a change to or addition of minimum educational requirements to an occupational series, Federal employees currently classified to that series do not have to meet the new educational requirements. (Also see *(b)* below.)

*b. The "add-on rule"*--If an employee qualified for his or her current position by meeting the provisions of the appropriate standard (either an OPM standard or an agency-modified standard, as described in *(c)* below), the agency need only add on the difference between the length of experience required for the current position and the length of experience required for the proposed position. For example, a GS-2 employee in a clerical position qualified for his or her current position on the basis of high school graduation. The employee would be eligible for promotion to GS-3 after 3 months of employment, since the difference between the experience requirements for GS-2 (3 months) and the experience requirement for GS-3 (6 months) is 3 months. Note that at the GS-2 level, a high school diploma is credited the same as 3 months of experience.

The "add-on rule" can be used even when the current and proposed positions are classified in different series if the level and quality of the experience required for the two series are not significantly different. The "add-on rule" can be used for any in-service placement action as defined in this Manual; however, the following restrictions apply:

(1) If minimum educational requirements have been established or changed for an employee's former series, the "add-on rule" can be used to return the employee to that series only if:

*a.* The employee has maintained current occupational knowledge through employment or education and meets any licensure or certification requirements; and Comparison of the position descriptions or other documentation of work performed shows clearly that the employee's former position included all the basic duties of the position to be filled and provided the knowledge, skills, and abilities necessary to perform the duties of the new position. (This is particularly important when a minimum educational requirement has been added to an occupational series that did not have one when the employee served in it. In that instance, some positions formerly classified in the series may not have required full occupational knowledge and are now classified in a different series.)

b. If an employee has been placed in a position based on waiver of qualification requirements, the "add-on rule" does not apply, since the waiver provisions are normally applicable to that position only.

*c. Modifying experience requirements for certain in-service placement actions*--An agency may determine that an individual can successfully perform the work of a position even though that person may not meet all the requirements in the OPM qualification standard. In that situation, agencies are authorized to modify OPM qualification standards for reassignments, voluntary changes to lower grades, transfers, reinstatements, and re-promotions to a grade not higher than a grade previously held when the applicant's background includes related experience that provided the KSA's necessary for successful job performance. This authority should be used only when there is a reasonable likelihood that the employee will successfully make the transition to the new position, and cannot be used for directed reassignments to positions in which an employee obviously would not be able to perform the work.

This authority is **not** to be used for placement to a higher grade, except where the employee previously held a position at that grade or higher grade levels. This authority can be used to place an employee in a position with greater promotion potential than the position currently or previously held. If an agency's merit promotion plan requires employees to compete for the position, the agency must specify in the vacancy announcement the qualification requirements to be met. The experience accepted as qualifying should equip the employee to meet the critical elements set out in the performance standard for the position. This provision does not authorize agencies to disregard minimum educational, licensure, or certification requirements in OPM standards.

The agency's use of a modified standard should be documented sufficiently to show that it was intentional, and that the assignment did not result from misinterpretation of the OPM standard. When an employee has been placed in a position based on modification of a qualification standard under this provision, the "add-on rule" may be applied in any subsequent in-service placement action.

Note: USACE has not established requirements for a modified standard. The guidance in this document should address the majority of USACE positions. Copies of approved modifications should be submitted through command channels to CEHR-E. When local mission' needs merit a modification to the standard, local managers should work with their CPAC to document modifications to the standard which meet local needs.

## **Appendix D**

### **USACE Plan for Restructuring Positions to the Natural Resources Management (0401) Series**

#### **1. Purpose**

This plan outlines how eligible employees assigned to the Park Ranger/Manager job series (GS-0025) may transition to the Natural Resource Specialist/Manager job series (GS-0401). In some cases, as determined by organizational needs, eligible employees in the Outdoor Recreation Specialist Planner job series (GS-0023) and the Environmental Protection Specialist job series (GS-0028) may also convert. This plan is intended to allow the conversion to occur in a consistent manner.

#### **2. Background**

a. The nature of the work performed by Corps Park Rangers and Managers has evolved and now requires these employees to apply knowledge of natural resources sciences in their day-to-day job duties. The 0401 series more accurately reflects the professional work that natural resources management personnel perform. Other advantages of converting to a professional series include greater assurance in receiving qualified applicants for positions, improved competitive posture for positions in other professional series, increased job satisfaction, and Broadened career ladder

b. The Office of Personnel Management updated the Classification Standards (or Job Family Standards) for the Biological Sciences Group (0400 series) in September 2005. Several changes to this standard strongly support the conversion of the Corps Park Rangers and Managers to the professional GS-0400 series. For example, the title of the standard now reads “Natural Resources Management and Biological Sciences Group, GS-0400. The addition of natural resources management includes specific reference to “recreation management” and outlines typical recreation management activities that describe many of the duties performed by Corps Park Rangers and Managers.

#### **3. Status**

a. Civilian Personnel Advisory Centers (CPAC) have classified non-supervisory and non-team leader position descriptions (PDs) for application to all field level positions that may be converted throughout HQUSACE. These PDs are intended for use as model position descriptions. All supervisory and team leader positions will be classified individually based on specific job responsibilities utilizing the model PDs. Most higher graded Operations Project Managers and Operations Branch/Division Chiefs positions are currently classified as professional “interdisciplinary” to include the GS-0401 series and therefore are not being reclassified. However, Districts are encouraged to convert qualified incumbents occupying these higher graded positions from the 0025 series to the new position descriptions in the 0401 series.

b. Management may consider restructuring Park Ranger (GS-0025) positions to Natural Resources Specialist (GS-0401) based on mission and workload requirements. Park Rangers (GS-0025) may continue to be required in some locations. Incumbents of Park Rangers (GS-0025) positions who

meet the education requirements may be considered for conversion to Natural Resources Specialist (GS-0401) positions.

c. Supervisors and managers should delay application of this guidance when the application results in the displacement of employees. The conversion of the position only can occur when the employee meets the requirement for the 0401 series, retires or the position became vacant.

#### **4. Process and Schedule**

a. District Operations Chiefs in coordination with their CPAC will assess current positions and determine which positions could be restructured. Managers may decide that there is a need to retain some positions, such as summer hires, in the 0025 series.

b. The position conversion request will be forwarded through the chain of command (e.g. Operations Project Manager, Assistant Chief of Operations, Chief of Operations, HR/CPAC) with a cover memo requesting conversion.

c. CPACs will need the following from each individual to determine eligibility for conversion:

(1) Current resume and official college transcripts sent from an accredited academic institution directly to a CPAC point of contact. Employees are encouraged to highlight accredited coursework on their transcripts that they feel contributes toward the 24 semester hour requirement for natural/biological sciences, for example courses specifically related to the natural resources management duties. Attaching accredited course descriptions to the resume in cases where the course does address the impacts of recreation on natural resources, or similar focus, may help the CPAC in determining acceptability of courses towards the 24 hours requirement.

(2) Statement signed by the employee's immediate supervisor that the employee's updated resume accurately reflects experience that has been performed while employed as a Park Ranger at a Corps project or office.

d. If the conversion is not approved, the CPAC will provide a memo stating the reasons for disapproval.

e. Each District Operations Chief will determine the order of priority for submission of RPAs. An RPA should not be initiated until it is determined if an employee meets the qualification requirements for the 0401 series. For questions about course work requirements to qualify for the professional 401 series, please coordinate with the servicing CPACs to obtain a response on the qualifications issue.

f. Each employee will obtain the information needed to process the conversion, and is responsible for the expense of obtaining official transcripts and having them delivered directly to their servicing CPAC.

#### **5. Contacts**

Each District will designate Points of Contact (POC) in Operations Divisions to Act as a collection point and assist employees; and a POC in the Civilian Personnel Advisory Centers (CPAC) for

sending position classification actions to the CPOC. To avoid processing delays, these District contacts will review the employee information and resolve any deficiencies before forwarding to the CPAC.

## **6. Documentation of University/College Education**

a. Positions in the General Natural Resources Management and Biological Sciences Series, GS-0401 series require one of the following basic qualifications:

(1) Degree: biological sciences, agriculture, natural resource management, chemistry, or related disciplines appropriate to the position. OR

(2) Combination of education and experience—Courses equivalent to a major, as shown in A above, plus appropriate experience or additional education. (See extract Qualification Standards for GS Positions, Professional and Scientific Positions)

b. For example, an applicant for a GS-0401 Natural Resources Management position has successfully completed 60 undergraduate semester hours including 24 semester hours in natural resources management and in addition has 2 full-time years of appropriate experience that demonstrates that the applicant possesses the necessary analytical and communication skills. The applicant would qualify for GS-5 since the 60 semester hours (the equivalent of 2 years of undergraduate education, or 50 percent of the total requirement) were supplemented by 2 additional years of appropriate experience that provided the remaining 50 percent of the total required education and experience.

c. The number of semester hours required to constitute a major field of study is the amount specified by the college or university attended. If this number cannot be obtained 24 semester hours will be considered as equivalent to a major field of study. The 24 semester hours must have been obtained from an accredited university/college and be documented on an official transcript. **Non-university/college training cannot be substituted for the 24 semester hours course requirement.**

d. The employee is responsible for contacting an accredited university to request an evaluation of his/her knowledge, skills, abilities for semester hours credit; as well as an evaluation of university/college courses previously completed. This information will be used to determine qualifications in accordance with OPM Operating Manual for Qualification Standards. The employee is responsible for all costs related to this requirement.

## **7. Recruitment**

Managers will determine the series an entry-level position will be advertised and inform the servicing CPOC of the decision.

## **8. Resources**

Online resources listed below provide information on various aspects of the conversion process and educational/experience requirements:

- a. The South Atlantic Division 0025/0401 Conversion Review Web Site:  
<https://sadnet.sad.usace.army.mil/resources/PDT/pdtdefault.htm>
- b. The Office of Personnel Management Operating Manual for Qualification Standards:  
<http://www.opm.gov/qualifications/index.asp>
- c. The Office of Personnel Management Qualification Standards for Natural Resources Management and Biological Sciences GS-400 through GS-499:  
<http://www.opm.gov/qualifications/sec-iii/a/0400-NDX.asp>
- d. The Natural Resources Distance Learning Consortium, Virginia Tech University:  
<http://nrclc.iddl.vt.edu/>
- e. Qualification Standards for General Schedule Positions, General Policies and Instructions, Part E.4. (g) – E.5 (*Interpreting minimum educational requirements*)  
<http://www.opm.gov/qualifications/sec-ii/s2-e6.asp>

## Appendix E

Natural Resources Ranger  
GS-0401-09

### Major Duties:

Serves as a NRM staff specialist for one or more water resource development dams and lakes. Performs a variety of assignments involving all aspects of lake operations including natural and park resources management and public use. Responsibilities include long and short range planning, administration, coordination and management of various activities in the areas of fish and wildlife habitat, soil conservation, forest and range conservation, water quality, environmental stewardship, park management, public relations, visitor assistance, interpretation of environmental issues and Corps policies, public safety, historic and cultural resources, real estate actions, and other related fields.

1. Participates in the development of various planning documents including Master Plans and Operational Management Plans (OMP), for management of natural and park resources. Documents also include the Safety Plan, Fire Prevention Plan, Physical Security Plan and Shoreline Management Plan. Coordinates the short-range planning and execution of all activities related to one or more of the following programs: park management, domestic and lake water resource management, shoreline management, forestry, fisheries and wildlife habitat, shoreline/stream bank stabilization, pest control, soil conservation, boundary surveillance, historic and cultural properties protection, public education and interpretation, visitor assistance, security and public safety, structural safety, flood control, and operation and maintenance (O&M) contract administration for care and conservation of parks and natural areas. Assists in developing and implementing specific land use plans for the management of fish, wildlife, vegetation, soil, air, and water resources. 25%

2. Assists in developing and implementing specific land use plans while integrating public use with fish, wildlife, vegetation, soil, air, park and water resources management. Participates in the management of multiple plant and animal species to comply with regional species and habitat management requirements. Addresses both aquatic and terrestrial species and the impact of Corps activities and public use on those species. Utilizes knowledge of scientific principles, biological systems, and related disciplines in support of regional management plans, and to assist with development of long-term management strategies for Corps activities. Involved in the management of invasive plant and animal species such as: lawn fungus, zebra mussels, aquatic and upland weeds, as well as pest organisms such as rodents, Canadian geese, pigeons and gulls. Coordinates management activities with contractors, maintenance staff, and powerhouse O&M crews. Coordinates with District and Division offices including planning, engineering, operations, water management and other various elements. Participates in conservation, preservation, protection, restoration, and use of natural, cultural, and park resources. Prescribes and implements resource management actions that promote biodiversity and native species re-establishment. Monitors cultural resources sites and investigates/reports illegal use or destruction of same. Evaluates proposed real estate actions for environmental, cultural, and public use impacts and performs out grant inspections. 25%

3. Conducts public education and interpretive services for the general public and for special groups. Provides lake and dam information to local, state, and federal agencies, the visiting public, and private organizations through brochures, bulletin boards, news releases, telephone calls, radio/video public service announcements, and other written or oral correspondence/presentations. Meets with adjacent property owners, civic groups, conservation associations, school groups, stakeholder groups, and other members of the public to explain natural resources and environmental programs, promote interest in Corps activities, and explain management policies, rules, and regulations. Plans, promotes and executes special programs such as eco-meets, environmental awareness events, lake cleanup activities, and safety promotions. Develops and presents interpretive programs including slide shows, public speeches, and demonstrations. Develops brochures for public distribution. Evaluates interpretive exhibits in the lake visitor center and coordinates improvement and updates. Develops and coordinates the volunteer program. Provides assistance to local communities, the district office, and other lakes during emergency situations. During emergency situations and potential emergency situations, may be required to be available in an On-Call status. 20%

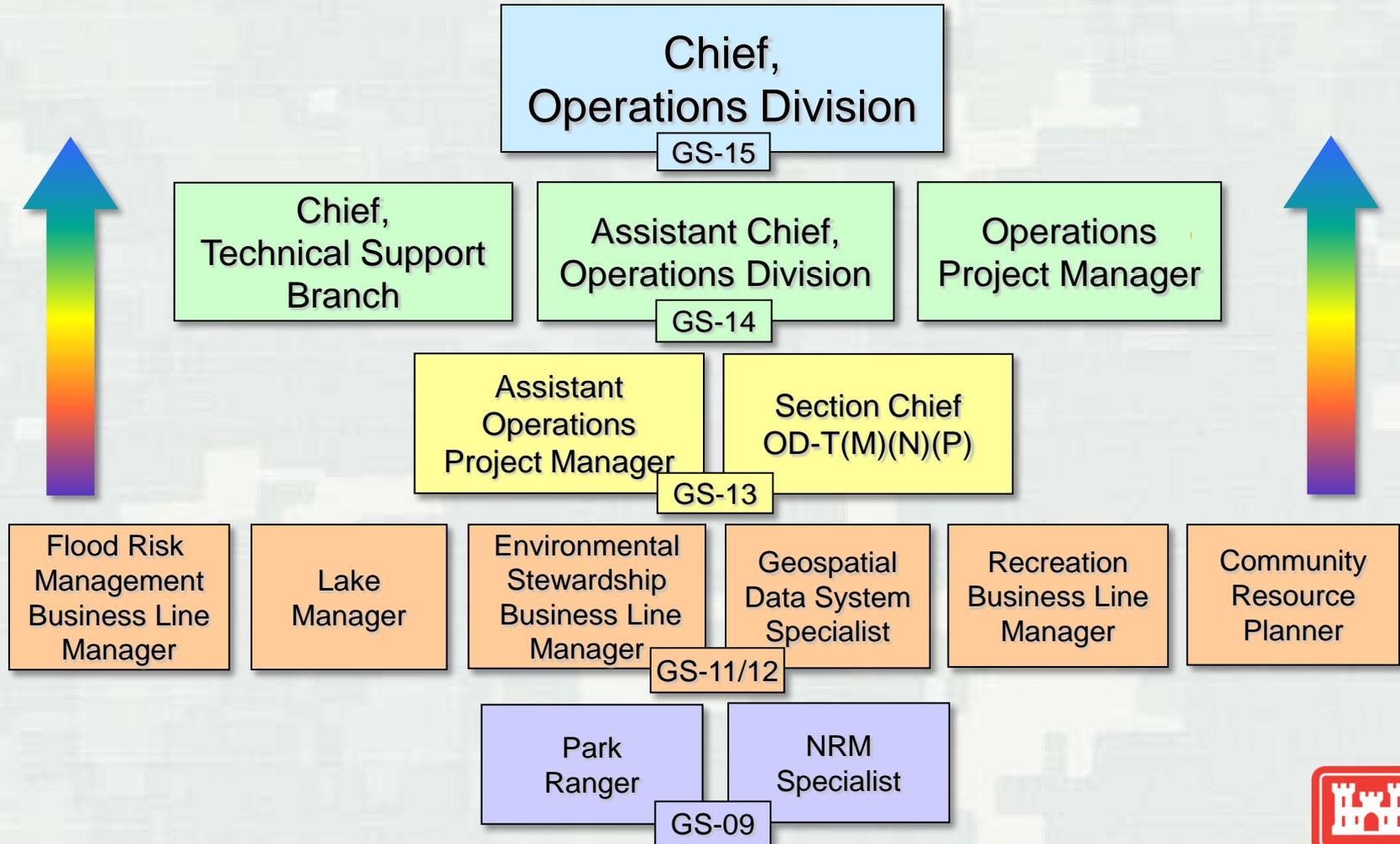
4. Enforces Title 36 CFR by educating the visiting public on the purposes of the dam and lake, conservation measures, environmental features, and Corps policies and regulations. Patrols public lands and waters to prevent unauthorized use, trespass, destruction of natural, cultural, or historic resources or government property; to insure compliance with rules and regulations; and for the protection of public lands and waters. Investigates violations, issues citations, and testifies in court. Enforces a public safety program for the lake that includes surveillance, and maintenance of regulatory buoys/signs and maintenance of boundary fences/identifiers. Participates in search and rescue operations and investigates boating, fishing, hunting, and park related accidents. Renders first aid/emergency medical services to the ill or injured. Deals regularly with the public in high stress emotional and potentially volatile situations. Works closely with other federal, state, and local natural resources, environmental, and law enforcement agencies. 10%

5. Assists with lake's environmental compliance and safety program. Keeps informed regarding environmental regulations, using the Environmental Review Guide for Operations (ERGO) as a guide. May participate on an interdisciplinary team to perform environmental assessments and in development of post assessment action plans. Performs surveillance of lake and watershed environments to monitor water quality and investigate sources of natural resources degradation. Conducts training for other staff members regarding environmental regulations and methods of operating within compliance. Investigates and reports non-compliance issues. Ensures strict enforcement of safe working habits, strictly enforces safety regulations, and personally exhibits safe working practices. Responsibilities include, but are not limited to, developing and updating miscellaneous safety plans, participating in job hazard analyses, conducting safety meetings, and identifying, recommending, and implementing corrective action plans for hazardous conditions and environmental concerns. 10%

6. Participates in all aspects of park management at the lake(s). Assists in developing plans for facility improvements that are environmentally sound and consistent with current and future demands. Implements plans for special park projects and improvements. For public safety, inspects facilities including playgrounds, restrooms, trails, campground areas, boat ramps, picnic/lawn areas, signs and wayside exhibits. Assists with park maintenance activities.

Implements user fee program including the collection, remittance and safeguarding of fees. Plans, implements, and oversees special events to ensure public safety and protection of environmental features. Assists in specification writing and administration of contracts for lawn care, refuse removal, facility cleanup, gate attendants, tree pruning/removal, vegetation maintenance and landscape management, pesticides management, law enforcement, domestic and lake water quality testing, and any other contract necessary for the O&M of Corps lands and waters. Provides instruction and guidance to temporary or seasonal staff members. May serve as assistant park manager or assistant natural resource manager and may act as park manager or natural resources manager in the absence of the incumbent manager. 10%

# Operations Division Career Path Opportunities



## Leadership Development Program 2009

### Level 1 – Basic Training and Orientation



#### 1.1. About Level 1

Level 1 is a self-paced, 6-month program focusing on reading material that will familiarize you with USACE/SWD culture and values, strategic direction, and business processes and principles.

#### 1.2. Eligibility Requirements:

All new USACE employees, effective October 1, 2009, are required to complete Level 1 of the LDP. Completion of Level 1 is highly recommended for all other employees.

#### 1.3. Application Process

*Application Period* – Open all year

*Intent Form* - Complete the Level 1 Intent Form. A copy of the Intent Form should be provided to your Training Coordinator and the local LDP Level 1 Advisor.

*Individual Development Plan* - The participant and their supervisor will modify or update the Individual Development Plan as necessary. This should be annotated in Section 4, Developmental Assignments, of the IDP.

#### 1.4. Method of Selection

All USACE employees who submit an Intent Form will be accepted into Level 1.

#### 1.5. Time Requirements

*Duration:* It is expected that each employee would require approximately 26 duty hours during a 6-month period to complete the curriculum below.

#### 1.6. Curriculum

**Lesson 1: Learning Organization Synopsis.** Read the Learning Organization Synopsis located at: <https://kme.usace.army.mil/SWD/HQs/default.aspx>

**Lesson 2: U.S. Army Corps of Engineers (USACE) Business Processes.**

Read the U.S. Army Corps of Engineers Business Process (ER 5-1-11) located at: <https://kme.usace.army.mil/SWD/HQs/default.aspx>

**Lesson 3: USACE Campaign Plan and Southwestern Division (SWD) Implementation Plan.**

Read the USACE Strategic Campaign Plan and the SWD Implementation Plan to the USACE Campaign Plan located at: <https://kme.usace.army.mil/XO/CampaignPlan/default.aspx>. You should become familiar with the Goal and Objectives that you are able to affect as part of your daily duties.

**Lesson 4: Local Orientation:** Attend New Employee Orientation (NEO) or an approved comparable orientation. Your Training Coordinator will be able to tell you when / where the next NEO (or the equivalent) is to be conducted. If no NEO is available, review your District's New Employee Handbook.

**Lesson 5: Develop Resume.** Input your information into the Resume Builder at: <https://cpolst.belvoir.army.mil/public/resumebuilder/builder/index.jsp>.

**Lesson 6: History of the USACE.** Read The History of the USACE located at: <http://www.usace.army.mil/History/Pages/Brief/index.html>

**Lesson 7: Environmental Operating Principles (EOP).** Read the EOP located at: <https://kme.usace.army.mil/SWD/HQs/default.aspx>

**Lesson 8: Communication Principles.** Read the USACE Communication Principles located at: <https://kme.usace.army.mil/SWD/HQs/default.aspx>

**Lesson 9: Attend Civilian Education System (CES) Foundation Course.** See <http://www.amsc.belvoir.army.mil/ces/> for more info and how to apply/enroll for courses.

**Lesson 10: Review Quality Management System (QMS) ER 5-1-14** located at <https://kme.usace.army.mil/SWD/HQs/default.aspx>

## 1.7. Evaluation and Feedback

**Requirement 1:** You must submit your completed checklist to your local LDP Champion or Level Advisor.

**Requirement 2:** You must complete and submit the Level 1 evaluation in Appendix B of the Handbook. This information will be used to improve Level 1.

**Level 1 Checklist**

<b>Curriculum</b>	<b>Employee Initials</b>	<b>Supervisor Initials</b>	<b>Date</b>
Read Learning Organization Synopsis			
Read U.S. Army Corps of Engineers Business Process (ER 5-1-11)			
Read USACE Campaign Plan and SWD Implementation Plan			
Attend New Employee Orientation or equivalent			
Develop Resume			
Read History of the US Army Corps of Engineers			
Read Environmental Operating Principles			
Read Communication Principles			
Attend CES Foundation Course			
Review QMS ER 5-1-14			
Submit Completed Evaluation Form			

I have completed all the requirements of Level 1:

Employee Name: _____	Employee Signature: _____	Date: _____
Supervisor Name: _____	Supervisor Signature: _____	Date: _____

**Park Rangers / Natural Resource Specialist  
NSPS Standard Objectives  
Sep 2008**

**Mission Accomplishment** Objective Weight 50%

**Recreation** - Effectively and efficiently perform recreation program duties that maximize visitor satisfaction and produce diverse, safe, and compatible recreation programs and areas. Enforce Title 36 and wear the proper uniform. Collect accurate data and enter the data into OMBIL, CEFMS and other Corps data systems. Comply with Safety and Health requirements in EM 835-1-1. Provide timely and professional input for the operation of the Project's recreation program. Execute the Projects water safety program. Assure that User Fee program is carried out per policy guidelines. Provide recreation users with information pertinent to the Project. Review and correct OMBIL data within given timelines.

**Environmental Stewardship** - Provide professional and responsible stewardship O&M of lands in accordance with the Environmental Review Guide for Operations, the Endangered Species Act, the National Historic Preservation Act, the National Environmental Policy Act and other applicable laws & regulations. Accomplish project Environmental Stewardship programs; review and process Shoreline Use Permits and Real Estate requests in accordance with regulations and policy. Monitor and protect cultural resources. Provide easement, lease, and shoreline permit review and complete required actions within agreed to time limits. Conduct ERGO inspections and ensure compliance. Assist with preparation of natural resource work plans and complete assigned programs within given time. Provide regular project surveillance to identify and rectify encroachments.

**Contributing Factors:** Technical Proficiency & Customer Focus

**Resource Management** Objective Weight 25%

Maintain, secure, protect, and account for funds and government property that are in employee's custody and control in order to assure no loss of funds or government property and to accomplish the recreation and environmental stewardship missions. Comply with internal control policies on funds and property. Maintain and protect visitor facilities in compliance with established objectives of Project Master Plan and applicable laws, regulations, and policies. Insure that decision making and implementation of plans are consistent with long term program needs and are focused on best management practices with regard to project resources. Creatively apply available funds, supplies, equipment and labor resources to execute the Project's resource budget within the annual program obligation & expenditure guide lines.

**Contributing Factors:** Critical Thinking & Resource Management

**Relationships** Objective Weight 25%

Support the mission of the Corps at all levels. Whenever possible tell the Corps story via articles, web sites, public speaking, trade shows, and professional organizations. Maintain professional relationships with coworkers, volunteers, contractors, customers, stake holders, and partners. Seek win-win solutions to resolve conflict. Work collaboratively to form partnerships internally and externally to promote the Corps and Project Missions. Seek opportunities to exchange information and ideas with other agencies, stakeholders, and users. Seek additional ways to leverage Corps resources in managing the Project's NRM Programs. Provide quality & timely service to internal & external customers

**Contributing Factors** – Leadership & Communications



# SWF Training Model



OCT	NOV	DEC	JAN	FEB	MAR
Defensive Driving - Ongoing (Safety)					
Fiscal Law -Ongoing (RM)					
Composite Risk Management Training – New Employees – Ongoing (Safety)					
Complete NSPS Objectives (All)		Civilian Leader Development (New Supervisors within 6 months of hiring) (All)	SAEDA (Security)		Civilian Leader Development (New Supervisors within 6 months of hiring) (All)
Complete NSPS Assessments (All)	NSPS Pay Pools (All)		Level 1 AT/FP (Security)		
New Employee Orientation (DD)	Gov't Purchase Card Training (CT)	HR for NSPS (New) Supervisors (HR)	New Employee Orientation (DD)	Gov't Purchase Card Training (CT)	HR for NSPS (New) Supervisors (HR)
APR	MAY	JUN	JUL	AUG	SEP
Defensive Driving – Ongoing (Safety)					
Fiscal Law – Ongoing (RM)					
Composite Risk Management Training – New Employees – Ongoing (Safety)					
	PROSPECT Course requirements due (All)	Civilian Leader Development (New Supervisors within 6 months of hiring) (All)	Develop Business Plan (DE)		Civilian Leader Development (New Supervisors within 6 months of hiring) (All)
POSH (EEO)			Information Systems Security Awareness (ACE-IT)		HR for NSPS (New) Supervisors (HR)
Diversity (EEO)	POSH for Supervisors (EEO)	HR for NSPS (New) Supervisors (HR)			Issue Business Plan (DE)
New Employee Orientation (DD)	Gov't Purchase Card Training (CT)	Ethics (OC)	New Employee Orientation (DD)	Gov't Purchase Card Training (CT)	Issue Training Guidance (DE)



## **SUGGESTED READING LIST**

- Good to Great by Jim Collins
- Seven Habits of Highly Effective People by Stephen Covey
- Business Writing for Results by Jane K. Cleland
- *Stand Up, Speak Out, & Succeed* (video) – Fred Pryor
- How to Handle Difficult People
- How to Win Friends & Influence People by Dale Carnegie
- *How to Manage Multiple Projects, Meet Deadlines, & Achieve Objectives* (audio)  
– Fred Pryor
- Awaken to the Giant Within by Anthony Robbins
- Conversation Power by James K. Van Fleet
- How to Handle Conflict & Manage Anger by Denis Waitley
- How to Say It by Rosalie Maggio
- How to Say It at Work by Jack Griffin
- Last Child in the Woods by Richard Louv
- 101 Things to do with a Mosquito by Ed Fischer



## ACRONYMS AND OFFICE CODES

### Acronyms

<b>ASAP</b> - As soon as possible	<b>F&amp;A</b> - Finance and Accounting Branch
<b>AWOL</b> - Absent without leave	<b>FEMA</b> - Federal Emergency Management Agency
<b>BPA</b> - Blanket Purchase Agreement	<b>FERS</b> - Federal Employees Retirement System
<b>CEFMS</b> - Corps of Engineers Financial Management System	<b>GIS</b> - Geographic Information System
<b>CFR</b> - Code of Federal Regulations	<b>GSA</b> - General Services Administration
<b>CO</b> - Contract Officer (also KO) <i>or</i> Construction-Operations Division (see OP)	<b>IDIQ</b> - Indefinite Delivery Indefinite Quantity
<b>CPR</b> - Cardiopulmonary Resuscitation	<b>IMO</b> - Information Management Office
<b>DA</b> - Department of the Army	<b>IG</b> - Inspector General
<b>DOD</b> - Department of Defense	<b>ISOP</b> - Interpretive Services and Outreach Program
<b>DDE</b> - Deputy District Engineer. The military officer second in command of the district.	<b>LAN</b> - Local Area Network
<b>DE</b> - District Engineer. This refers to the District Commander, a military officer charged with the responsibility of directing the activities of the Fort Worth District.	<b>LWOP</b> - Leave without pay
<b>EC</b> - Engineer Circular	<b>NEDR</b> - Fort Worth Engineer District Regulation
<b>EEO</b> - Equal Employment Opportunity	<b>NLT</b> - Not later than
<b>EM</b> - Engineer Manual	<b>NPDES</b> - National Pollutant Discharge Elimination System
<b>ENG Form</b> - Engineering Form	<b>NRMS</b> - Natural Resources Management System, a database of natural resources information.
<b>EP</b> - Engineer Pamphlet	<b>NRRS™</b> - National Recreation Reservation Service
<b>EOC</b> - Emergency Operations Center	<b>OCE</b> - Office of the Chief of Engineers (Washington, DC)
<b>ER</b> - Engineer Regulation	<b>OPM</b> - Operations Project Manager
<b>ERGO</b> - Environmental Review Guide for Operations (replaced by TEAM)	



### Acronyms (cont'd)

**OMBIL** - Operations and Management Business Information Links

**OMP** - Operational Management Plan

**OP** - Operations Division

**ORMS** – Outdoor Recreation Management Suite

**PCS** - Permanent change of station

**PDT** - Project Delivery Team

**PFD** - Personal flotation device

**PPSP** - Project Physical Security Plan

**PMBP** - Project Management Business Plan

**PMP** - Project Mobilization Plan

**POV** - Personally Owned Vehicle

**PUA** - Public Use Area

**PWC** - Personal Water Craft

**QC** - Quality Control

**SF** - Standard Form

**SWD** - Southwestern District

**SWF** - Fort Worth District

**SWG** - Galveston District

**SWL** - Little Rock District

**SWT** - Tulsa District

**Section 10** - Section of the Rivers and Harbors Act of 1899 concerning obstruction or alteration of navigable waters

**Section 404** - Section of the Clean Water Act concerning the direct discharge of dredged or fill material in waters or adjacent wetlands of the United States

**SMP** - Shoreline Management Plan

**SOP** - Standard Operating Procedure

**TEAM** - The Environmental Assessment and Management guide

**TDY** - Temporary duty

**Title 36** - Rules and regulations governing public use of Corps of Engineers projects

**TQM** - Total Quality Management

**USC** - United States Code

**VERS** - Visitor Estimation and Reporting System

Additional acronyms may be found at:

<http://www.swf.usace.army.mil/swd-cpac/acronym.asp>

The Natural Resources Management Glossary:

<http://corpslakes.usace.army.mil/employees/glossary.html>



**District Branch Codes**

District Commander	CESWF-DE
Deputy Commander	CESWF-DD
Deputy Program Manager	CESWF-PM
Executive Assistant	CESWF-EX
Human Resources	CHRA-CPAC
Security Office	CESWF-EM
Budget/Manpower	CESWF-RM-B
Contracting	CESWF-CT
Engineering/Construction	CESWF-EC
Equal Employment Office	CESWF-EE
Finance/Accounting	CESWF-RM-F
Information Management	CESWF-IM
Internal Review	CESWF-IR
Logistics	CESWF-LO
Office of Counsel	CESWF-OC
Operations	CESWF-OD
Planning/Environmental/Regulatory	CESWF-PER
Planning/Support Services	CESWF-IM-S
Programs/Project Management	CESWF-PM
Public Affairs	CESWF-PA
Real Estate	CESWF- RE
Regulatory	CESWF-PER-R
Resource Management	CESWF-RM
Safety/Health Office	CESWF-SO
Value Engineer Office	CESWF-VE



## OPERATIONS DIVISION OFFICE SYMBOLS - JULY 2008

<b>OPERATIONS DIVISION</b>	<b>CESWF-OD</b>
TECHNICAL SUPPORT BRANCH	CESWF-OD-T
MAINTENANCE SECTION	CESWF-OD-TM
NATURAL RESOURCES & RECREATION SECTION	CESWF-OD-TN
MANAGEMENT SUPPORT SECTION	CESWF-OD-TP
<b>TRINITY REGIONAL OFFICE</b>	<b>CESWF-OD-M</b>
LEWISVILLE/RAY ROBERTS LAKES	CESWF-OD-LE
GRAPEVINE LAKE	CESWF-OD-GR
BARDWELL LAKE	CESWF-OD-BR
BENBROOK LAKE	CESWF-OD-BB
JOE POOL LAKE	CESWF-OD-JP
LAVON LAKE	CESWF-OD-LA
<b>CAPITAL REGIONAL OFFICE</b>	<b>CESWF-OD-C</b>
BELTON LAKE	CESWF-OD-BN
STILLHOUSE HOLLOW LAKE	CESWF-OD-SH
CANYON LAKE	CESWF-OD-CN
GRANGER LAKE	CESWF-OD-GA
GEORGETOWN LAKE	CESWF-OD-NF
SOMERVILLE LAKE	CESWF-OD-SO
<b>THREE RIVERS REGIONAL OFFICE</b>	<b>CESWF-OD-R</b>
WHITNEY LAKE	CESWF-OD-WH
WHITNEY POWER PLANT	CESWF-OD-WH-PP
WACO LAKE	CESWF-OD-WA
HORDS CREEK/OC FISHER LAKES	CESWF-OD-HC
PROCTOR LAKE	CESWF-OD-PR
NAVARRO MILLS LAKE	CESWF-OD-NM
<b>PINEY WOODS REGIONAL OFFICE</b>	<b>CESWF-OD-P</b>
LAKE O' THE PINES	CESWF-OD-LP
WRIGHT PATMAN LAKE	CESWF-OD-WP
COOPER DAM/JIM CHAPMAN LAKE	CESWF-OD-CP
SAM RAYBURN LAKE	CESWF-OD-SR
SAM RAYBURN POWER PLANT	CESWF-OD-SR-PP
TOWN BLUFF LAKE	CESWF-OD-TB



## **ENGLISH TO SPANISH PHRASES**

**1. The use of the shoreline and islands for picnicking, swimming and fishing is permitted excepted in posted areas. Camping is permitted only in designated areas. Swimming areas are not supervised. Swim at your own risk. Swimming from or near boat launching ramps is prohibited.**

*El uso de las riberas e islas para picnics, natación, y pesca se permite excepto en las áreas prohibidas. Acampar sólo se permite en las áreas designadas. Las áreas de nado no están vigiladas. Nade a su propio riesgo. Nadar hacia o cerca de las rampas de lanzar botes está prohibido.*

**2. Refuse, garbage, or waste of any kind shall be disposed of in cans provided or as otherwise directed.**

*Desecho, basura, o residuos de cualquier tipo deberán depositarse en los cestos metálicos proporcionados o tal como se indique.*

**3. Pets in recreation area shall be on a leash and controlled at all times.**

*Los animales domésticos en el área de recreación deberán estar amarrados y controlados en todo momento.*

**4. Discharge of firearms, fireworks, or weapons of any kind are prohibited except in designated areas.**

*La descarga de armas de fuego, fuegos artificiales, o armas de cualquier tipo se prohíbe excepto en las áreas designadas.*

**5. Generators and other engines shall be adequately muffled.**

*Generadores y otros tipos de motores deberán poseer silenciadores de ruido adecuados.*

**6. Injury, defacement, removal or destruction of Government facilities or vegetation is prohibited.**

*Se prohíbe el daño, remoción, o destrucción de toda propiedad Gubernamental o la vegetación.*

**7. Motorized recreation vehicles must have a valid State registration, a licensed operator, and be operated in a safe manner. They shall be used only on the roadways and for the purpose of transportation into and out of the area.**

*Los vehículos de recreación motorizados deberán tener registraci3n Estatal v3lida, un operador licenciado, y se operaran de manera segura. Los veh3culos s3lo se usar3n en las carreteras y para el prop3sito de transporte en y fuera del 3rea.*



**8. Horseback riding is prohibited in developed areas.**

*El paseo a caballo se prohíbe en las áreas desarrolladas.*

**9. All boat operators will operate their craft in a safe manner at all times and adhere to all posted speed and horsepower limits.**

*Todos los operadores de botes conducirán sus embarcaciones de manera segura en todo momento y se adherirán a los límites de velocidad y caballos de fuerza.*

**10. Recreation use of the area is subject to all applicable Federal, State, and local laws and sanitary regulations.**

*El uso del área recreativa está sujeto a todas las leyes federales, estatales, y locales aplicables así como regulaciones sanitarias vigentes.*

**11. Operation of any commercial activity on Government property requires a permit, lease, or license agreement with the Government.**

*La práctica de cualquier actividad comercial en la propiedad Gubernamental requiere un permiso, arriendo, o licencia con el Gobierno.*

**12. Personal property abandoned longer than 24 hours may be impounded.**

*Propiedad personal abandonada por más de 24 horas será retenida.*

**13. Amplifiers and other audio equipment shall not be operated in such a manner as to be objectionable to other visitors.**

*No se operarán amplificadores u otros equipos de audio de manera tal que puedan ser inaceptables a otros visitantes.*

**14. Violation of any of the above will be cause for removal from the area and/or legal action.**

*La violación de cualquiera de las reglas arriba indicadas será causa para su remoción del área y/o acción legal.*

Additional English to Spanish phrases may be found on the NRM Gateway at:

<http://corpslakes.usace.army.mil/employees/interpretive/spanish.html>

## CENTRAL FLEET PROGRAM REGIONAL OPERATIONS GUIDE

The GSA Fleet Management Program is required by section 211 of the Federal Property and Administrative Services Act of 1949, as amended, to recover all costs it incurs in providing vehicles and related services.

The provisions in this guide shall apply to all Federal agencies using the services of the GSA Fleet Management Program. Information and operating procedures are contained in the following attachments:

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C	<b>USE OF SERVICES</b> <ol style="list-style-type: none"> <li>1. Equipment Requirements</li> <li>2. Utilization Guidelines</li> <li>3. Rotation of Vehicles</li> <li>4. Assignment Receipt</li> <li>5. Billed Office Address Code (BOAC)</li> <li>6. Mileage Reporting Methods</li> <li>7. Contractor Use of GSA Fleet Vehicles</li> <li>8. Alternative Fuel Vehicles (AFVs)</li> <li>9. Unmarked GSA Vehicles</li> <li>10. Card Services Team</li> </ol>	 1 1 1 2 2 2 3 4 4 5
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H	<b>VEHICLE REPLACEMENT STANDARDS</b>	1

## RESPONSIBILITIES

1. GSA fleet responsibilities - The GSA Fleet is responsible for:
  - a. Providing economical transportation and transportation services to meet the requirements of U. S. Government agencies and their personnel on official business;
  - b. Providing proper identification of GSA Fleet vehicles;
  - c. Obtaining optimum utilization of GSA Fleet vehicles;
  - d. Providing procedures to ensure economical and safe operation of motor vehicles used in conducting official Government business;
  - e. Promoting the use of alternative fuels;
  - f. Maintaining emission test records and notifying using agencies when vehicles are due for emissions testing where applicable;
2. Federal agency responsibility - Federal Agencies are responsible for:
  - a. General responsibilities. Employees of the Federal Government entrusted with motor vehicles are responsible at all times for the proper care, operation, maintenance, and protection of the vehicle. It is the responsibility of every official to ensure that all employees under their supervision who use a GSA Fleet vehicle are fully acquainted with the requirements of this section.
  - b. Use for official purposes only.
    - (1) Use of Government furnished vehicles--Federal Travel Regulation (FTR 301-2.6) - When a Government furnished vehicle is used by an employee for official travel, its use shall be limited to official purposes (31 U.S.C. 1344 as implemented in 41 Code of Federal Regulations (CFR), Federal Management Regulation (FMR) 102-34) which include transportation between places where the employee's presence is required incidental to official business; between such places and places of temporary lodging when public transportation is unavailable or its use is impractical; and between either of the above places and suitable eating places, drug stores, barber shops, place of worship, cleaning establishments, and such similar places necessary for the sustenance, comfort, or health of the employee to foster the continued efficient performance of Government business.
    - (2) Violations - When a violation of the provisions listed in item number 1 (above) comes to the attention of GSA, the matter will be referred to the Central Office/Headquarters level of the agency concerned for investigation and appropriate action. The official in charge of the local office of the agency involved is responsible for investigating reports of unofficial use of GSA Fleet vehicles by their employees and for appropriate disciplinary action.
    - (3) Grounds for withdrawal of a vehicle - GSA may withdraw the issued vehicle from further use by the agency or its contractor if it is determined the using agency has not complied

with the provisions of Federal Property Management Regulation (FPMR), Subpart 101-39.3, the vehicle has not been maintained in accordance with GSA Fleet maintenance standards, the vehicle has been used improperly, or the using agency has not reimbursed GSA for vehicle services. Improper use includes, but is not limited to, credit card abuse and misuse, continued violation of traffic ordinances, at-fault accidents, reckless driving, driving while intoxicated, use for other than official purposes, and incidental use when not authorized by the using agency.

c. Removing vehicles from defined areas.

- (1) When an agency remove vehicles from the defined area of the issuing Fleet Management Center (FMC) for a period exceeding 90 days, the agency shall advise the issuing FMC of the location at which vehicles are currently in use; the date vehicles were moved to this location; and expected date the vehicles will be returned to original location.
- (2) When GSA Fleet vehicles have been removed from the defined area of the issuing FMC for a period exceeding 90 days, the issuing FMC may elect to arrange to transfer accountability for the vehicles to the nearest FMC.

d. Operator misconduct or improper operation. Whenever a motor vehicle is damaged through misconduct or improper operation as defined in the 41 CFR (FPMR 101-39.406), the agency employing the operator of the vehicle will be furnished a complete statement thereof and shall be responsible for the damage. Costs resulting from such damage will be billed to the agency.

3. Agency-operator responsibility.

- a. Operator. The operator of a vehicle assumes full responsibility for the equipment until its return to the FMC. This responsibility includes possession of a valid state driver's license, storage charges, and personal responsibility for traffic and parking violations. Additionally, operators are responsible for the accomplishment of both scheduled preventive maintenance and needed repairs. Vehicles should be maintained in a safe and presentable (clean) condition. Minor repairs should not be allowed to accumulate.
- b. Employee. Employees issued a motor vehicle are responsible for exercising reasonable diligence in the care of the vehicle at all times. Failure to observe traffic regulations and to take proper care of a vehicle may be considered as justification for termination of the assignment or refusal of further vehicle issuance to such employee, after reasonable notice to the agency head of the activity concerned.
- c. Vehicle storage.
  - (1) GSA Fleet vehicles will be stored at the expense of the using agency. Storage facilities utilized by the using agency must provide protection from theft and malicious damage. **Damages caused by acts of nature will be charged to the using agency.**
  - (2) The operator must remove and properly safeguard the GSA Fleet Card at the using agency's office when the vehicle is left at a commercial facility for service, inspection, or

repair. The operator must remove both the keys and credit card when the vehicle is parked or left unattended. **(NOTE: It is the operator's responsibility to inspect all repairs made to the GSA vehicles)**

- (3) GSA Fleet vehicles cannot be stored at an employee's residence or in his/her garage, except in those cases where a properly authorized official of his/her agency has determined such storage to be in the best interest of the Government and has given the employee written approval. Home-to-work use of a GSA Fleet vehicle must be approved and documented in accordance with Public Law 99-550.
  - (4) GSA Fleet vehicles are to be protected from pilferage and malicious damage to the maximum extent possible. In the interest of economy, open storage shall be used whenever practical. If Government facilities are not available, Federal agencies electing to use commercial storage will bear all costs incurred. The vehicle operator must lock the vehicle when left unattended, except when prohibited by fire safety regulations. Car windows should be closed and the ignition, door, and trunk should be locked whenever the vehicle is left unattended. The GSA Fleet Card should be removed and kept in the possession of the driver in all instances.
- d. Display of agency legend, decals, and bumper stickers on GSA Fleet vehicles. An agency desiring to display its name as part of the vehicle identification is required to submit a request and justification to their servicing Fleet Management Center. The request should include a statement that the agency will furnish decals and will pay all costs for applying and removing the name of the agency, including any necessary restoration of the vehicle.
- e. Driver qualification. It is the responsibility of the using agency to ensure the driver is qualified to operate the type of vehicle he/she is assigned to operate and is licensed as required by the State and/or the Department of Transportation (DOT). As prescribed by Commercial Motor Vehicle Safety Act of 1986, all drivers of commercial motor vehicles (CMV) must have a commercial driver's license to operate any of the following:
- (1) A single vehicle having a gross vehicle weight rating (GVWR) in excess of 26,000 pounds;
  - (2) A trailer with a GVWR of more than 10,000 pounds if the combination weight rating is more than 26,000 pounds;
  - (3) A vehicle designed to transport more than 15 persons (including the driver); or,
  - (4) Any size vehicle used in the transportation of hazardous materials requiring a vehicle placard under 49 CFR Part 172, (your state may have additional definitions of a CMV).

**NOTE: The using agency is responsible for attaining, updating, and maintaining any qualifications and requirements associated with a commercial vehicle license endorsement.**

- f. In the event a vehicle or any of its component parts, including license plates, is lost or stolen, it will be the responsibility of the operator to report the theft to: (a) his/her immediate supervisor, (b) the appropriate Fleet Management Center, and (c) follow lost/stolen license

plate procedures.

- g. There is no immunity for operators of GSA Fleet vehicles from citations issued for parking in a fire hydrant area, restricted zones, double-parking, nonpayment of parking meter fees, etc. Citations for such violations must be responded to and become the personal liability of the vehicle operator.
  - h. All drivers of Government owned or leased vehicles must comply with all traffic & safety laws and regulations. All agencies will be responsible for the payments of all traffic and parking violations.
  - i. Executive Order 12566, dated September 26, 1986, requires motor vehicle occupant restraint systems to be used by the driver and all passengers at all time. Supervisors of Government vehicle operators should take action to ensure motor vehicle accidents involving agency personnel are kept to a minimum and personal safety and prevention of injury are assured.
  - j. Each vehicle is supplied with the following items:
    - (1) Vehicle Operator's Manual
    - (2) GSA Fleet Card
    - (3) GSA Form 1627, Motor Vehicle Accident Reporting Kit
    - (4) SF 91, Operator's Report of Motor Vehicle Accident
    - (5) SF 94, Statement of Witness (2 copies)
  - k. Prohibited use of tobacco products in GSA Fleet vehicles 41 CFR (FPMR Subpart 101-39.300). The use of tobacco products is prohibited in GSA Fleet vehicles. The agency to which the vehicle is assigned is responsible for ensuring its employees do not use tobacco products while occupying GSA Fleet vehicles. If a customer agency violates this prohibition, the agency will be charged for the cost of cleaning the affected vehicle(s) beyond normal detailing procedures to remove tobacco odor or residue or repairing damage caused as a result of tobacco use. The decision to perform such additional cleaning or repair will be made by the GSA Fleet Manager based upon the condition of the vehicle when assigned, the degree of tobacco residue and damage, and the cost effectiveness of such additional cleaning.
4. Vehicle Rate Schedule and Optional Equipment Rates - A current listing of the GSA rate schedule and the Optional Equipment rates can be obtained from the GSA, Fleet Leasing website at <http://gsa.gov/vehiclerates>.

## AVAILABLE SERVICES

1. Rental - Rental of non-tactical vehicles, i.e., passenger cars and vans, sport utility vehicles, light to heavy duty pick-up trucks, cargo trucks and vans, semi trucks, buses and some special purpose vehicles are available to Federal agencies on a continuous assignment, seasonal or unusual types of assignment, or on emergency request. Seasonal, unusual, or emergency requests will be based on vehicle availability at the servicing FMC. Please contact your local FMC locations for leasing information.
2. Short Term Rentals – GSA Fleet offers the Short Term Rental Program (STR) to customers needing replacements for, or additions to, their current fleet. The STR program can help you accomplish your mission by providing the right vehicles for seasonal work, special events, or surge related requirements. It is also a worry-free solution when you have a vehicle out of service due to an accident or maintenance. The STR program **CANNOT be used for TDY purposes**. In addition, please note that the maximum length of any one rental contract cannot exceed 60 days, per 41 CFR (FMR 102-34.25). Vehicle needs that exceed 60 days in length must be competed and new rental contracts issued.
3. Vehicle rental rate. The GSA rental rate is a combination of a mileage rate and monthly lease rate based on the class and type of vehicle leased. This rental rate covers all costs such as fuel, maintenance, depreciation, and replacement vehicle. Additional charges above the basic rental rates may be charged to the agency for reimbursement of damaged property. Explanation will be provided to agency by the FMC. A current listing of the GSA rate schedule and the Optional Equipment rates can be obtained from the GSA Fleet Leasing website at <http://gsa.gov/vehiclerates>.
4. Driver Training – A free on-line defensive driving course is available to all GSA Fleet customers. This four hour course was designed by the National Safety Council and is accessible through GSA Fleet Drive-thru. The course offers an engaging, interactive learning environment where drivers can analyze real driving situations, spot driving hazards, and identify the proper corrective actions. The goal is safer drivers, fewer accidents and injuries, and lower costs. The defensive driving course can be accessed through GSA, Fleet Drive-thru (<http://drivethru.fss.gsa.gov/drivethru/drivethru/>).
5. Vehicle repair and preventive maintenance services - GSA Fleet provides Federal agencies with a “toll-free” telephone number to arrange for vehicle repair and/or preventive maintenance service by calling the Maintenance Control Center (MCC) at 1-866-400-0411. Repair authorizations are needed for all maintenance/repairs over \$100 (to include purchases for all tires and batteries)
6. Vehicle Monitoring – The latest technology in vehicle monitoring equipment can help maximize the utilization of vehicles and improve safety by identifying poor and/or hazardous driving practices. GPS and cellular communication provide real time data on vehicles using a password protected web-site.
7. Vehicle sales - GSA utilizes commercial auto auction contractors to dispose of vehicles that meet the GSA vehicle replacement standard. GSA Fleet vehicle sales offer quality vehicles with many of the options that the public expects in a late model car or truck. These vehicles have been serviced regularly and maintained in good condition. Information on vehicle sales can be obtained from <http://www.autoauctions.gsa.gov>

## USE OF SERVICES

### 1. Equipment requirements.

#### a. Request for vehicles.

(1) Requests for vehicles on an indefinite assignment must be provided in writing in accordance with the requirements of 41 CFR (FPMR 101-39.204). Available vehicles may be assigned only upon receipt of a valid written request. Applicants should check with the appropriate GSA fleet manager for the required justification & format when requesting assignment of initial and/or additional vehicles. Each request should include the information required by FPMR. Some of the basic information is:

(a) Vehicle type

(b) Special equipment

(c) Estimated monthly mileage

(d) Period of assignment

(e) Billed Office Address Code (BOAC)

(f) Fuel Type

(g) Signature of approving official

b. Seasonal or unusual requirements. Agencies or activities having seasonal or unusual requirements for vehicles or vehicle services should inform the FMC as far in advance as possible, preferably 3 months in advance. This lead-time allows the FMC an opportunity to acquire additional equipment, if necessary, or to make other arrangements.

### 2. Utilization guidelines. FPMR 101-39.301 prescribes the following minimum mileage objectives:

a. Passenger-carrying vehicles - 1,000 miles/month; 12,000 miles per year;

b. Trucks, 12,500 GVW and under - 835 miles/month; 10,000 miles per year;

c. Trucks, 12,501 to 24,000 GVW - 625 miles/month; 7,500 miles per year; and

d. Truck tractors - 835 miles/month; 10,000 miles per year.

3. Rotation of vehicles. GSA Fleet vehicles on high mileage assignments may be rotated with those on low mileage assignments to ensure more uniform overall fleet utilization. In cases where the continued use of a vehicle is essential but its miles traveled are not consistent with utilization guidelines, the using agency may be required to justify, in writing, retention of the vehicle. Each GSA Fleet manager will decide on a case-by-case basis which vehicles, if any, will be rotated based upon vehicle type, vehicle location, location and availability of replacement vehicles, and the mission of the using agency.

4. Assignment receipt. Upon determination to assign a vehicle, the FMC will prepare a GSA Form 1152, Motor Vehicle Assignment Receipt/Termination Transaction, to be signed by an authorized representative of the requesting agency. A copy of the receipt will be furnished to the requesting agency upon delivery of each assigned vehicle. Upon termination of a vehicle from assignment, a new GSA Form 1152 will be completed at the time of termination, with a copy given to the customer.
5. Billed Office Address Code. Customer agencies should furnish their BOAC number for billing purposes. The BOAC provides the basis of a single six-digit billing number for identifying a particular office on a nationwide basis. A further explanation is provided below:
  - a. It identifies the activities and addresses to which all FMC services are billed. The BOACs are established by GSA Finance Office in Kansas City, MO. All requests for new BOACs, address changes, and deletions should be made through your servicing FMC.
  - b. In addition to the basic six digit BOAC entered on the GSA Form 1152, customers may elect to use a two digit fund code and/or two accounting fields (ACCT1, ACCT2) eight digits each. These fields are alphanumeric and may be used by the customer to assist in properly expensing GSA costs.
6. Mileage reporting methods. The customer agency will be responsible for reporting mileages each month using one of the methods listed below:
  - a. GORP - Get Odometer Reading at the Pump (GORP) is the newest and easiest way to report mileage and is the most preferred method for reporting mileage. When paying for fuel with your Fleet Services card, you are prompted to key in vehicle and mileage information. GSA Fleet will electronically retrieve the mileage from your last fuel purchase (for the month) and use it as your ending mileage. In utilizing the GORP method, you will greatly reduce the manual work involved in reporting mileage. This tool makes it easy and fast to report your mileage. Current mileage reporting systems such as 494 postcards, Dial-a-mile and Mileage Express are less convenient and more time consuming. Please contact your local FMC if you are interested in reporting your mileage with the use of GORP.
  - b. File Transfer Protocol (FTP) - FTP is best utilized by those customers having 100 or more vehicles that maintain their fleet inventory & mileages with the use of an internal database. Customers utilizing FTP must have access to the Internet. Customers interested in utilizing the FTP process should contact the FTP coordinator at **(703) - 605 - 2933**. The coordinator will forward the software and record the layout to the customers that FTP their mileages each month. The FTP needs to be sent in a timely manner before the end of the month to ensure there are no problems resulting in the FTP having to be redone. The FTP process is the 2nd most preferred method for mileage reporting.
  - c. Mileage Express - Mileage Express is utilized via the Internet at <http://drivethru.fss.gsa.gov/drivethru/drivethru/>. Mileages entered in "Mileage Express" should be entered by the last business day of each month. In order to access Mileage Express, you will need your customer number and access code. This information can be obtained by contacting your local FMC.

- d. Dial-a-Mile - Dial-a-Mile is intended for those customers with 20 or less vehicles that do not have access to the Internet. When contacting dial-a-mile, you will be required to have your access number which can be obtained by contacting your servicing fleet management center. Dial-a-Mile should be done by the last business day of each month. The telephone number to contact "dial-a-mile" is **1-877-472-3773**.
7. Contractor use of GSA Fleet vehicles. Federal Acquisition Regulation (FAR) 51.2 prescribes policies and procedures for use by contractors of GSA Fleet vehicles and related services. In this subpart, contracting officers may, if it is in the Government's interest, authorize cost-reimbursement contractors to obtain, for official purposes only, GSA Fleet vehicles and related services. Government contractors, performing other than cost-reimbursement contracts (e.g. fixed-price contractors), may not be authorized to use GSA Fleet vehicles and related services without the specific approval of the Assistant Commissioner of the FAS, Travel Motor Vehicles and Card Services, who has been delegated approval authority. All requests/authorizations for fixed price contractors to use GSA Fleet vehicles should be forwarded to the FMC prior to submission to the Assistant Commissioner of the FAS, Travel Motor Vehicles and Card Services.

The contracting officer, of the agency requesting/authorizing its contractors to use GSA Fleet vehicles, must provide a letter to the GSA FMC certifying that all requirements delineated in FAR 51.202 are met. These items pertain to both cost-reimbursement and other than cost-reimbursement contractors.

The agency contracting officer must:

- a. Determine that the authorization will accomplish the agency's contractual objectives and effect demonstrable economies;
- b. Received evidence that the contractor has obtained motor vehicle liability insurance;
- c. Arranged for periodic checks to ensure that authorized contractors are using vehicles and related services exclusively under **THE AUTHORIZED** contracts;
- d. Ensure that contractors establish and enforce suitable penalties for their employees who use vehicles for other than performance of Government contracts;
- e. Receive a written statement that the contractor will assume, without the right of reimbursement from the Government, the cost or expense of any use of vehicles and services not related to the performance of the contract;
- f. **Consider any recommendations of the contractor;**
  - (1) Authorizations shall --
    - a. Be in writing;
    - b. Cite the contract number;
    - c. Specify any limitation on authority;
    - d. Instruct the contractor to comply with the applicable policies and procedures provided in this subpart;

- (2) Authorizations to subcontractors shall be issued through, and with the approval of, the contractor.
- (3) Contracting officers authorizing contractor use of Fleet vehicles and related services subject their agencies **AND CONTRACTORS** to the responsibilities and liabilities provided in 41 CFR (FPMR 101-39.4) regarding accidents and claims.

**NOTE:** Indian tribal activities with grants or contracts under the auspices of the Indian Self-Determination Act and specifically approved by the Secretary of the Interior or the Secretary of Health and Human Services are eligible to use GSA Fleet vehicles if such support is available.

8. Alternative Fuel Vehicles (AFVs). EPACT 2005 and Executive Order 13149  
The Energy Policy Act of 2005 (EPACT 2005) and Executive Order (E.O.) 13149 require Federal agencies to acquire 75% of their annual light duty vehicle acquisitions within metropolitan statistical areas (MSAs) as AFVs. EPACT 2005 requires GSA Fleet to spread the incremental cost of AFVs over the entire GSA leased Fleet. E.O. 13149 requires agencies to reduce petroleum consumption by 20% based on their 1999 consumption levels. In order to meet these goals, GSA has met with headquarter agency representatives to discuss their strategies for meeting the legislative requirements. These strategies are:

In general, GSA Fleet's strategy is to:

- (1) Meet customer AFV plans by 100%;
- (2) Order all replacements, consolidations and additional with low cost alternative fuel vehicles, where appropriate;
- (3) Remain fuel neutral; and
- (4) Rely on private sector for maintenance and repair and fueling for AFVs/HEVS.

Public Law 107-107

The National Defense Authorization Act for Fiscal Year 2002, also known as Public Law 107-107, requires Department of Defense (DOD) agencies to acquire light duty HEV trucks in non-MSAs.

9. Unmarked GSA vehicle. In accordance with 41 CFR (FMR 102-34), requests and certifications for unmarking GSA Fleet vehicles (i.e., exemption from using official U.S. Government tags and other identification) should be submitted from the requesting Agency Head to their servicing GSA Fleet Management Center. Evidence of properly delegated authority must be furnished with the certifications.
- a. Activities with unlimited exemptions identified under 41 CFR (FMR Bulletin B-12 - located at [www.gsa.gov/bulletin](http://www.gsa.gov/bulletin)) need only request an unmarked vehicle from the appropriate Fleet Manager, certifying the use of the vehicle is in accordance with the applicable regulation.
  - b. GSA Fleet will no longer routinely permit customers to maintain possession of G-tags after a vehicle has obtained state plates. Customers must return G-tags to the GSA Fleet Service Representative as soon as possible after customer receipt of state tags. In the event a customer requests to keep the G-tag with the state-plated vehicle, a customer must submit a written justification request for approval to the FMC Manager. If approved, the FMC will maintain copies of the approval letter on file. If the justification is approved, the customer may maintain possession of G-tags and must agree in writing to keep the tags secured. If the

justification is not approved, the customer must turn in G-tags to their FSR who will destroy the tags and document the destruction.

10. Card Services Team. GSA Fleet will monitor all credit card transactions (to include credit card usage and maintenance) from a vehicle's initial assignment to its final termination and will provide the using agency with updates and information that is timely and conducive to meeting mission requirements. The Card Services Team coordinates with each Fleet Management Center to ensure fraud, waste, and abuse is detected in a timely manner.

## FUEL AND MAINTENANCE

### 1. Fuel.

a. GSA Fleet Card. A government credit card is issued with all vehicle assignments and is used to obtain fuel, service, maintenance and repair on the GSA vehicles. Each fleet card is unique to the vehicle that it is assigned to and is not to be used for personal items nor should it be used for other government or privately owned vehicles. The fleet card can be used to purchase regular unleaded gasoline, diesel, oil, and other such products and services as listed in (4) below, from commercial facilities. It is important to use the Voyager Credit Card at facilities that accept the card when purchasing petroleum supplies and services. A Quick Reference Guide "Using Your Voyager Credit Card" is provided with each card issued that informs drivers:

- \* How to Use the Voyager Card
- \* Key Voyager Telephone Numbers
- \* Service Station Attendant Instructions

- (1) Vehicle operators must utilize self-service pumps whenever possible in order to take advantage of the lower prices. The vehicle operator will be prompted at the pump or inside the station to enter an Access Code/Personal Identification Number (PIN). Information on the use of the PIN will be provided by your servicing Fleet Management Center.
- (2) Vehicle operators using alternative fuel vehicles should use alternative fuel in bi-fuel and flex-fuel vehicles as a first choice when such fuels are available.
- (3) If you encounter a problem at a service station you should call Voyager at 1-888-785-1732, also printed on the backside of the card for your convenience.
- (4) In addition to the purchase of regular unleaded gasoline and oil, use of the credit card is encouraged to purchase maintenance and repair services, washing and cleaning services, and miscellaneous vehicle maintenance related items such as antifreeze, windshield wipers, light bulbs and lamps.
- (5) The vehicle operator is responsible for ensuring that services and products are received as charged.
- (6) Like the vehicle itself, the GSA Fleet Card becomes the responsibility of the operator. If the card is lost, stolen, or misused in any way, the operator and/or employing agency may be held liable. If your Voyager Fleet card has been lost, stolen, or is inoperable you may submit a request for a replacement card to [fleetcard.r7@gsa.gov](mailto:fleetcard.r7@gsa.gov) or by FAX to 1-888-423-6848. Please note your email and/or FAX request must contain the following information: The vehicle license plate number; the reason the card needs to be replaced (lost, stolen, or inoperable). If the card has been lost or stolen, please include a statement explaining the circumstances and steps that have been taken to recover the card; the name, phone number and mailing address of the agency's official contact person for the GSA Fleet vehicle. (Note: Federal Express cannot deliver to a P.O. Box). The GSA Fleet Card, as with all credit cards, can be easily compromised. Therefore, it is imperative that those entrusted with it should take the following precautions:

- (a) Remove and properly safeguard the GSA Fleet Card when the vehicle is parked, left at a commercial facility for service, inspection, or repair, or otherwise left unattended;
  - (b) While in travel status, keep the GSA Fleet Card in your possession at all times;
  - (c) When the vehicle is stored at an agency location, keep the GSA Fleet Card in a secure place in the agency office; and
  - (d) When the vehicle is stored at an FMC, leave the GSA Fleet Card and vehicle keys at the FMC for safekeeping.
- (7) GSA Fleet is no longer able to reimburse Federal agency employees when they have to use cash or a personal credit card to purchase gasoline or related services at authorized vendors. The employee must provide adequate documentation to the servicing Fleet Manager and if acceptable, the servicing Fleet Manager will issue a credit to the Federal agency on the GSA Form 2556 Miscellaneous Charges and Adjustment Transactions, listing the out-of-pocket purchases. The applicable Federal agency will be responsible for handling any subsequent reimbursement to their personnel.

b. Supplies:

- (1) The need to conserve energy and control expenses associated with fuel costs continues to be a matter of concern. The acquisition of fuel efficient vehicles and upgrading preventive maintenance programs to achieve more efficient and economical operation of these vehicles are examples of GSA efforts in these areas. Regular grade leaded gasoline must never be used in vehicles requiring unleaded gasoline or diesel fuel. When purchasing fuel from commercial outlets, vehicle operators are required to **use self-service pumps, and ensure that regular unleaded gasoline is used, or for vehicles powered by diesel fuel, the operator must ensure that only ultra low-sulfur diesel fuel is used.** The following exemptions from this policy may apply.
- (a) Physical limitations of the vehicle operator;
  - (b) Service station refusal to honor the GSA Fleet Card for fuel pumped at self-service islands; and
  - (c) Severe weather conditions.
- (2) Most major service stations accept the GSA Fleet Card. Drivers should verify the service station accepts the GSA Fleet Card prior to obtaining services.
- (3) When purchases reflect improper credit card usage, the fleet manager may bill back to the customer agency the amount of purchase, plus a 10 percent administrative service charge. The customer agency must be notified in writing, usually via a completed GSA Form 2556 of all unauthorized or fraudulent purchases and subsequent bill-backs. A listing of questionable purchases citing the GSA Fleet Card account number will be enclosed with the written notification. Any suspected fraudulent use of the GSA Fleet Card shall be reported, in writing, through the Director, 7QMDB, to the Office of the Inspector General. The Director, Fleet Management Division, will also be provided a copy of the report.

2. General maintenance. Vehicles must be properly maintained in safe operating condition. Operators of GSA Fleet vehicles play a major role in assuring this. Items such as lights, horn, windshield wipers, tires, and brake operation are among the items for driver inspection. These items should be checked prior to taking the vehicle to the service station or repair shop for preventative maintenance service. After checking the safety items, the vehicle operator should list any deficiencies and have them repaired at the time service is performed. Following this procedure will increase driver awareness of vehicle safety and enhance the overall preventive maintenance program.
- a. Preventive maintenance program.
- (1) The preventive maintenance program is designed to provide maximum safety, efficiency, and economy in the operation of motor vehicles and minimize lost vehicle time caused by extensive repairs. The fleet management program requires periodic inspection and servicing of all GSA Fleet vehicles.
  - (2) To ensure uninterrupted service, motor vehicle preventive maintenance shall be performed on a scheduled basis and in accordance with instructions provided to the agency. **(NOTE: It is of the utmost importance that preventive maintenance inspections are accomplished on-time, as these schedules are established in accordance with the vehicle manufacturers recommendation, and if the scheduled inspections become delinquent, the vehicle manufacturer is empowered to void that specific vehicle's warranty coverage.)**
  - (3) Each vehicle is provided with an operator's manual containing instructions which outline the driver's responsibility for having preventive maintenance inspections performed on a mileage or time basis in accordance with notification received. The operator's manual also contains information about vehicle operation and maintenance, the availability of supplies, the GSA Fleet Card, accident reporting forms, etc.
- b. Emission inspections.
- (1) In accordance with the Clean Air Act, as amended, and the implementing regulations issued by the EPA, all Federal agencies are required to comply with the motor vehicle emissions testing programs established for the localities in which the vehicles are operated. GSA will monitor testing of GSA Fleet vehicles in compliance with applicable State laws; operators of GSA Fleet vehicles are responsible for having the emissions tests performed.
  - (2) Customer agencies are required to report to the FMC the zip code of the primary location of each assigned vehicle and also advise the FMC if that location changes. The FMC will notify the customer agency when any emissions test is due. Failure of an agency to comply is a violation of Federal law and exposes that agency to enforcement action by the EPA.
  - (3) State and Local Government vehicle emission requirements. Some State and local governments enacted legislation requiring exhaust emissions tests on a regular basis. Agencies operating GSA fleet vehicles within these areas for a period over 90 days must

have the emission test performed on each vehicle. Records indicating the test results, inspection station numbers, technician I.D., etc., must be forwarded to the FMC. This information is needed by GSA to complete the annual reports required by the various state and local governments.

- (4) Emission test exemption. All vehicles delivered in Colorado's emission test area are exempt from emissions testing for the first 3 years of life. An exemption sticker is placed in the windshield prior to delivery. Vehicles delivered to Utah are exempt from emissions testing the first year.

**NOTE: The customer agency will be responsible for all payments or charges related to Department of Transportation (DOT) state inspections.**

3. Maintenance and repair. The MCC is responsible for procuring maintenance and repair services necessary for the safe and dependable operation of your GSA assigned vehicle. Customers are required to call the MCC prior to obtaining any needed repair, service, or supplies estimated to cost over \$100 and/or repairs that include new tires, and batteries.

**Maintenance and repair authorization service is available by calling the toll-free number 1-866-400-0411 and following the prompts.** MCC personnel are trained technicians who, through an automated data base containing both complete maintenance histories of each GSA vehicle plus repair sources for repairs of all types, are responsible for diagnosing repairs required and directing customers to the appropriate facility. In addition, the technician will assume responsibility for authorizing work required of the commercial facility and providing information regarding payment for work performed.

- a. Obtaining regular services and maintenance. Maintenance and repair services will be obtained from commercial or contract sources. Repairs should be performed when possible by maintenance facilities that accept the GSA Fleet Card. Gasoline, oil, grease, and other necessary service station services should be purchased using the GSA Fleet Card furnished with each vehicle.
- (1) Repairs costing less than \$100. The vehicle operator is authorized to secure repairs and services costing less than \$100; however, **the MCC must approve all new tires, and batteries**. If additional authorization is needed, telephone the MCC by calling 1-866-400-0411. Any purchase of carry out parts by a customer agency employee is not allowed without prior approval from the FMC.
- (2) Repairs exceeding \$100. The agency must obtain advance approval from the Maintenance Control Center (MCC), 1-866-400-0411 (prompt# 1), for all maintenance and repair services (to include all tires and batteries) exceeding \$100.00 including parts and labor. The MCC will direct the user to a repair facility and provide authorization to the vendor for the necessary repairs.

**Note: The agency will need to obtain advance approval from the Accident Management Center (AMC), 1-866-400-0411 (prompt# 2), to include all body repairs and glass repairs.**

- b. Obtaining emergency vehicle repairs. Emergency repairs are unscheduled repairs that

take place after hours, or when it is impossible or impractical for the driver to contact the MCC, FMC or the Fleet Manager. The limit for emergency maintenance repairs charged to the GSA Fleet Card is \$500 and the phone number 1-888-785-1732 can be found on the backside of the Voyager card for your convenience. It is also the responsibility of the vehicle operator to contact the MCC or FMC the next working day to report the circumstances of the emergency repairs and to obtain instructions regarding further actions that are necessary. It is important to understand the distinction between unscheduled repairs and emergency repairs. The \$100 limit on unscheduled maintenance will remain the same. Unscheduled repairs are those repairs that have not been planned (i.e. a roadside vehicle breakdown during normal working hours).

**NOTE:** If it is determined by the servicing GSA Fleet Manager that a customer is using the GSA Fleet Card for something other than the purchase of fuel, lubricants and associated services, or repairs, the GSA Fleet Manager may bill the responsible customer agency back for unauthorized purchases.

4. Instructions for billing and mailing.

The preferred method of payment for repairs and maintenance is the GSA Fleet Card. Any deviation from this method of payment should be agreed upon prior to or at the time of the purchase. Customer activities or commercial vendors with questions regarding the method of payment should contact the MCC at 1-866-400-0411.

In those instances where the use of the GSA Fleet Card is not possible, the vendor repair facility shall invoice GSA for services provided (see the Vendor Maintenance Procedures Card provided to each vehicle operator). **The vehicle operator is not to retain the invoice for any reason.**

The vehicle operator shall ensure the vehicle license tag number, odometer reading, and authorization number provided by the MCC appears on each invoice. The vehicle operator is to ensure that the services are received as billed prior to leaving the repair facility. The vehicle operator must sign and date the invoice verifying the service was received, and request that the vendor mail the invoice the same day repairs or services are accepted, to:

GSA Fleet Mgmt PPC (7QMDBBC)  
819 Taylor Street, Rm 6A00  
Fort Worth, TX 76102

Phone: 866-400-0411  
Fax: 817-574-2601

**If the charge for repair or service is incurred against a GSA Fleet Card; DO NOT submit those invoices to the address identified above.**

When the vehicle point of contact, address, or telephone numbers change, please ensure that your local FMC is notified via telephone or a "Change of Address" notice, as soon as possible.

## CARE OF GSA FLEET VEHICLES

### 1. Vehicle appearance and condition.

- a. Customer agencies are ultimately responsible for the overall appearance and condition of assigned GSA Fleet vehicles. Failure to comply with these responsibilities frequently results in increased operating and administrative costs for the GSA Fleet. GSA is required, by law, to recover all costs in the operation of the GSA Fleet. Rather than imposing an overall rate increase to recover these additional costs, it is GSA's policy to bill agencies direct for the cost of repairs to assigned vehicles that have not been properly maintained or cared for. This policy is in accordance with the 41 CFR (FPMR 101-39.406).
- b. To avoid being charged for vehicle repairs or handling fees resulting from improper maintenance, abuse, or neglect, GSA customer agencies should maintain the vehicles assigned to them according to GSA Fleet maintenance procedures. All necessary repairs and services should be accomplished in a timely manner. Upon initial assignment, using agencies should inspect all vehicles prior to signing receiving documents. Defects arising from this inspection must be brought to the attention of the FMC personnel. All required maintenance should be coordinated with GSA and is performed prior to the turn-in or rotation of any vehicle. Specific questions should be referred to the MCC or appropriate FMC.
- c. GSA or its representative will jointly inspect vehicles with using agencies upon; assignment, termination, and rotation. Disputes regarding responsibility for repairs or damage will usually be resolved at that time. Agencies will be billed for the total cost of all damages resulting from neglect or abuse of assigned or issued GSA Fleet vehicles. Neglect is characterized as failure to maintain a vehicle in a safe and operable condition and non-compliance with GSA Fleet maintenance standards. Abuse is characterized as failure to exercise reasonable care in operating a vehicle. GSA will bill agencies for the total cost of damage due to acts of nature, accident, incident, off-road operation except when a third party is at fault and the agency has supplied all required information to GSA to make a claim against the third party. Whenever a using customer agency is billed for vehicle repairs, accident damage, or handling fees, GSA will notify the agency of the details surrounding the billing.
- d. In addition, program changes have necessitated the assessment of a handling fee which may be charged when GSA Fleet vehicles are turned in to GSA needing maintenance or repairs which should have been accomplished while the vehicle was assigned. This handling fee is necessary to recover the additional cost to the GSA Fleet for performing this work. The handling fee assessed will be 10 percent of the cost of the repair with a minimum of \$25 and a maximum of \$100. All vehicle repairs billed back to customer agencies will be consolidated to the fullest extent possible to avoid charging double handling fees.
- e. GSA will adhere to the national policy and guidelines in determining cost recoveries to the using agency. Consideration will be given to the age, mileage, and overall condition of the vehicle, the cost of repairs, and the impact on vehicle value by making the repairs, and the future use of the vehicle.

## ACCIDENTS: REPORTING AND RESPONSIBILITY

The operator of a vehicle is responsible for calling 1-866-400-0411 regarding all accidents and following the prompts. All GOV related accidents should be reported directly to the Accident Management Center (AMC), within 48 hours of an accident.

### 1. General.

- a. Officials, employees, and contractors responsible for the operation of GSA Fleet vehicles shall comply with procedures established by 49 CFR (FMR 102-34).
- b. Customer agencies utilizing GSA assigned vehicles are responsible for insuring that vehicle operator(s) involved in accidents report information pertaining to the accident utilizing SF 91, Motor Vehicle Accident Report; SF 94, Statement of Witness, etc., provided with each vehicle packet, within 5 days of the accident. Vehicle operators are cautioned to not make statements as to responsibility for the accident except to agency supervisory personnel or Government investigating officers.
- c. When an accident has resulted in a fatality, the agency employing the vehicle operator should notify the appropriate FMC manager, as well as the AMC, and provide the following information as soon as possible but not more than 48 hours from the time of the accident: **Vehicle tag number, date, time, location of accident, name of deceased, number of passengers in GSA vehicle, identification of other vehicle and occupants involved, safety belt usage, air bag deployment, and any other circumstances surrounding the accident.**

### 2. Repairs.

It is the AMC's responsibility to process the accident, ensure quality repairs are obtained and completed in a timely manner. If an inordinate amount of time elapses concerning repairs, or the quality of the repair is questionable, please contact your servicing FMC Fleet Service Representative as soon as possible.

### 3. Agency liability.

- a. Whenever GSA vehicles are damaged through improper operation as stated in 41 CFR (FPMR 101-39.4), **all costs incurred in the removal, repair, or replacement of vehicles will be charged to the agency employing the operator.**
- b. The basis for determining responsibility for negligence or misconduct that caused damage will be the findings of investigations conducted by, and in accordance with, administrative regulations of the agency employing the vehicle operator. Where agencies do not have established investigating procedures, GSA will investigate and affix responsibility in accordance with its established procedures.
- c. Using agencies are financially responsible for damage to GSA provided law enforcement vehicles used in the pursuit and/or apprehension of known or suspected violators of the law. GSA will not attempt to recover damages from third parties involved in such pursuit activities.

GSA will bill the using agency direct for such damage; and any attempt to recover monies from the third party will be the using agency's responsibility.

- d. It is the responsibility of agencies operating GSA Fleet vehicles to supply a SF 95, Claim for Damage, Injury or Death, to citizens wishing to file claims for recovery of damage sustained due to accidents involving a Federal agency or contractor personnel.

4. Personal liability.

- a. Operators of motor vehicles acting within the scope of their employment within the continental U. S. (CONUS) are protected against third party claims by Federal Tort Claims Legislation, (P.L. 87-25-8). If a Government driver is stopped by a police officer and the officer wants proof of insurance, the vehicle driver should have the police officer read "Notice to Law Enforcement Officials" (Financial Responsibility Laws) provided in the vehicle packet.
- b. The operation of motor vehicles by Federal employees outside CONUS is not covered by the Federal Tort Claims Act (FTCA). The purchase of liability insurance by driver(s) of Government-owned vehicles operating in foreign countries, including Mexico and Canada, is the responsibility of the agency employing the operator.
- c. FTR, Ch. 301, Subpart 301-3.2(c)(2), provides for reimbursement for trip insurance purchased by employees for use of Government-furnished or privately-owned vehicles used for official purposes during individual trips into foreign countries.

5. Withdrawal of vehicle support. Vehicle operators failing to report accidents involving GSA Fleet vehicles in accordance with 41 CFR (FPMR 101-39.401) or with records showing high accident frequency rates, misuse, or failure to obtain maintenance services or provide required usage reporting as requested, may have vehicle services terminated. In such cases, GSA will notify the appropriate official(s) of the operator's agency, and advise that such failure is considered by GSA to be sufficient justification for withdrawal of vehicle support.

## SPECIAL EQUIPMENT

### 1. Installation or modification of accessory equipment.

- a. The modification of a GSA Fleet vehicle, or the permanent installation of accessory equipment, such as, sirens, lights and/or light bars, two-way or Citizen Band radios, cellular telephones, trash packer bodies, cranes/"cherry-pickers", etc., on a GSA Fleet vehicle, may be accomplished only when the request for such modification or installation is supported by full written justification from the customer agency; and, approved by the FMC Manager.  
**(NOTE: Permanent installation means the actual bolting, fitting, or securing of an item to the vehicle.)** Such modifications or installation of accessory equipment must be considered by the using agency as essential for the accomplishment of the agency's mission, and is not to be accomplished on GSA Fleet vehicles merely for the personal convenience or comfort of the vehicle operator.
- b. The cost of acquisition, installation, maintenance, and the removal of the accessory equipment; and, the restoration of the GSA Fleet vehicle to its original condition will be at the expense of the using agency.
- c. The installation of accessory equipment does not automatically exempt the vehicle from rotation with other vehicles because of under/over utilization.

## VEHICLE REPLACEMENT STANDARDS

### Criteria

<u>Vehicle Category</u>	<u>Years</u>	and	<u>Miles</u>
<b>Sedans and station wagons</b>	3	and	36,000
	or 4	and (any)	miles
	or (any) year	and	60,000
<b>Light Trucks, 4X2</b>			
Gasoline / AFV	7	and (any)	miles
		or (any) year	60,000
Diesel	8	or	150,000
<b>Light Trucks, 4X4</b>			
Gasoline / AFV	7	and (any)	miles
		or (any) year	60,000
Diesel	8	or	150,000
<b>Medium Trucks, 4X2,4X4</b>			
Gasoline	10	or	100,000
Diesel	10	or	150,000
<b>Heavy Trucks, 4X2,4X4,6X4,6X6</b>			
Gasoline	12	or	100,000
Diesel	12	or	250,000
<b>Ambulances</b>			
Gasoline	7	or	70,000
Diesel	7	or	100,000
<b>Buses</b>			
School, Conventional	8	or	150,000
School, FC	10	or	250,000
Transit, City-type	12	or	500,000
Intercity Coach	15	or	1,000,000
<b>Airport Shuttle</b>			
Gasoline	8	or	100,000
Diesel	8	or	150,000

*\*The above vehicle replacement standards are the **minimum** criteria used to determine whether a GSA-leased vehicle is eligible for replacement and does not guarantee a vehicle will be replaced upon meeting these standards.*



***ON-THE-JOB TRAINING***  
***REFERENCE GUIDE***

**Fort Worth District**

**NATURAL RESOURCES MANAGEMENT  
PARK RANGER  
TRAINING MANUAL**

*October 2008*



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## A. PUBLIC RELATIONS

As a Park Ranger, possibly the most important single function you will perform is public relations. The quality and success of most of your work is directly influenced by your level of competence in practicing good public relations.

### Communications

The ability to communicate effectively is absolutely essential. Research has shown that seventy-five to eighty-five per cent of a ranger's duty time involves some form of communication.

The most common and important type of communication is person-to-person contact. Some important principles to remember follow:

- In person-to-person communication, you should be sincere, open, factual, and honest with the other person, but most of all honest with yourself.
- Be prepared to deal with prejudices, which may hinder communication.
- Communication is a two-way street; be a creative listener as well as a speaker. Avoid disarming the other person prematurely if he or she disagrees with you, no matter how good your defense is. You owe it to the other person and to yourself to hear the full value of their opinion.

Establishing and accomplishing communications with a group is an exciting challenge. With the ever increasing contact with the public, the ranger takes the role of instructor and public speaker more often. When speaking to a group, keep your objective in mind and know your audience. Be open and above-board; this inspires confidence. Be enthusiastic, as this inspires enthusiasm, maintain eye contact, and solicit feedback.



*Know your audience when speaking to a group*



When answering the telephone, identify yourself as to project, name, and title. Obtain the name, address, and phone number of the caller if a return call or letter is required. All important points should be recorded along with the date and time of the call. A notation should be made of any follow-up action required. Be courteous, alert, helpful, and concise. Ensure that all important points are covered and cleared up.

Effective letter writing is “producing desired results by written communication.” Writing letters is an important aspect of your job. You will be drafting letters of all types and a good understanding of proper writing techniques is necessary. Clear, concise, and properly worded written communications represent our agency favorably and must not be taken lightly. All letters should answer the appropriate questions of who, what, when, where, why, and how.

The news media consists of the press, radio, and television. In the course of your duties as a ranger, you will occasionally contribute to the production of news.

**Refer requests by reporters for information or interviews to the Site Manager, who will coordinate with the Public Affairs Office.**

If you are assigned to talk with a reporter, it is important that you maintain presence of mind, be alert, and straight-forward in your answers. Don’t skirt the issue - if you don’t know the answer to a question, say so. Follow up by finding the answer and providing it to the person as soon as possible.

Most reporters are extroverted, exuberant individuals who have the unusual ability to draw people out. Remember this and be prepared to furnish positive, accurate responses.

Rangers often write articles about their lake and submit them for publication in many of the local papers. This is an excellent method of communicating management methods and goals. A news article should be concise, include a photograph if possible, avoid technical or official language, and directly relate to the intended audience.

## **Information**

The public expects you to be an expert on information concerning your project, such as statistical information on the dam, power plant, and lake; visitation and the economic impact of recreation; the locations of commercial docks, multipurpose recreation areas, and access points; the condition of roads; crowding conditions in parks; wildlife identification; and the location of hospitals, doctors, law enforcement agencies, etc. Be prepared to provide this information; equip your vehicle with appropriate maps, state hunting and fishing guides, and other handy references.



## **B. STANDARDS OF CONDUCT**

It should be clearly understood that this section does not supersede, add to, or delete from the referenced regulations. The purpose is to provide the trainee with a brief standard that should be helpful in performing the duties of his or her position.

### **Image**

As a ranger, you represent the Corps to the public because of your visibility and accessibility; the manner in which you carry out your job is constantly under scrutiny. The public may not understand what your duties are, but they do understand the image you project. It is this image which must reflect professionalism and expertise.

The public expects a uniformed ranger to be dignified and will usually afford respect if merited by his or her personal conduct. Therefore, the manner in which you conduct day-to-day business with the public is vital to the success of the Corps mission. Here are several suggestions which should be helpful in maintaining a good image:

- Always drive safely and courteously. Follow the law to the letter, practice defensive driving, and sit upright in your vehicle with an alert look. As a ranger, you are considered a professional driver. Always keep your vehicle clean inside and out. Check your oil, water, windshield wipers, etc., on a regular basis, and report any needs to your supervisor.
- Stop to assist people who need guidance and help. When patrolling a recreation area, roll down the window and be approachable. As a public servant, you should always be friendly and courteous.
- Do not frequent the same restaurant, boat dock, service station, etc., all the time.



- If approaching an unruly or uncooperative group, try to control your emotions. You may be angry or anxious, but don't let it show. Talk in an even, clear voice. Speak strongly enough so that people can easily understand you, but don't raise your voice above normal levels. If your contact involves a citation, make your visit as brief as possible.



## Uniform

Wear your uniform with pride. When you put it on you carry the responsibility for playing the role expected of persons who wear the uniform.



*Wear your uniform with pride*

Wear only authorized articles for the uniform, never just part of it, and don't wear the uniform or parts of it when off duty. There is no "casual" dress with a uniform.

The uniform should be purchased only from the authorized supplier. (A uniform account will be set up for you with the supplier). The uniform should be carefully maintained and replaced when it becomes worn or damaged.

Keep the uniform clean and pressed at all times. Keep polish and cleaning material for your shoes and buckle in the office or your vehicle. Take pride in keeping a good shine on your shoes and belt buckle.

Keep all buttons fastened and your hair neatly trimmed and combed. Avoid wearing glasses, jewelry, or accessories that detract from the uniform.

## Professional Conduct

Always be on time for work. If you are going to be late for work, always call in and let your supervisor know. Do not exceed the prescribed time limits for breaks or lunch. Be sure to ask for leave well in advance so that your supervisor can plan efficiently.

When you have an appointment, arrive slightly early with your materials already organized. If you can't keep the appointment or are going to be late, get word to the other party. Always follow-up and take the initiative in rescheduling the appointment.

Rangers have frequent contacts with contract personnel such as park attendants. Cultivate a good working relationship with these people, but avoid becoming too familiar - keep everything at a professional level and never accept a gratuity or special favor from a contractor.

Many times you must make quick decisions on small matters that affect campers and other visitors. Be impartial in rendering these decisions regardless of personal feelings. Your decisions must be based on existing rules, regulations, and policies. You must avoid giving permission for some people to do things that are forbidden to others.

As a Corps Ranger, you must be constantly aware of the fact you are the representative of the federal government. You bear the responsibility for maintaining an orderly two-way flow of information, with emphasis on promptness and accuracy. You must accurately state Corps policy and regulations and be alert to significant points presented by the other party.

In dealing with commercial marina operators, the ranger must ensure that positive understanding exists concerning the position of the Corps and the concessionaire. Carry out discussions in a friendly but businesslike manner. Avoid levity as this may cause misunderstanding as to the seriousness of the



purpose. Do not be apologetic for regulations and policy, and do not belittle or criticize the government in order to gain favor with the other party. However, you should show interest in the well-being of the concessionaire and readily carry his or her requests and recommendations back to the resource manager.

When dealing with an adjacent landowner, strive to present yourself as a good neighbor. Show respect for the dignity and rights of the landowner, yet diligently guard the interests of the government. A condition of friendly, cooperative, mutual respect should exist between the Corps and adjacent landowners. The quality of being personable is an important asset because often you must depend upon the good will of the other party in order to obtain information.

Your conduct and actions off duty affect your relations with people in your area with whom you must deal while on the job. Never accept any “favors” from people with whom you may come in contact while on the job. Always be fair and truthful with everyone. Do not hesitate to tell people that you must treat everyone equally. While off duty, keep your activities on the job confidential. Never discuss trespass cases, etc., with people who are not directly involved. Never use government property or information for personal purposes.

### **References**

- ER 1130-2-550, Chapter 8 - Uniforms for Natural Resources Management Team



## **C. SAFETY AND SECURITY**

Safety is every employee's responsibility. The objectives of the safety program are to prevent loss of life, personal injury, and damage to property. The basic safety philosophy of the Corps of Engineers is to create and maintain safe conditions of employment, to promote safe practices by all Corps employees and contractors, and to provide for the safety of all persons while they are on premises under the jurisdiction of the Chief of Engineers.

Every employee has the responsibility to comply with rules, regulations, and standard operating procedures (SOP); correct or report unsafe conditions immediately; report all accidents; use protective devices; and warn others of known hazards or their failure to observe appropriate safety regulations.

As a ranger, you are in a key position to promote safety consciousness because you are involved in a wide variety of activities and are in direct contact with the general public as well as co-workers. The public expects a ranger to set a good example of safety and courtesy. You should observe all activities and facilities on public property to ensure safety in construction, operation, and maintenance.

You should be thoroughly familiar with the project safety program outlined in the project Operational Management Plan (OMP). Safety guidelines in the U.S. Army Corps of Engineers Safety and Health Requirements Manual, EM 385-1-1, also must be followed at all times.

### **Water Safety**

As the largest Federal provider of water-oriented recreation, the Corps has a critical interest in maximizing our visitors' safety around the water. Since the 1970s, when the Corps and our many partners in the boating and water safety community made the commitment to reduce water-related fatalities, our agency (and our Fort Worth District) recreational public fatality rate has dropped significantly. In Fort Worth District specifically, water-related fatalities declined from a peak annual total of around 70 deaths in 1972 to an average of around 28 in the 2000-2007 period. This was accomplished despite the fact that the district contained only 19 lakes, while today we have 25.

Your role in the water safety program may include everything from patrolling the lake in the Corps vessel to educate visitors in safe practices and to enforce applicable sections of Title 36, to presenting programs or water safety education to public or school groups, or to helping staff multi-agency special events or community safety awareness activities.



### **Recovery Operations**

Generally, recovery of drowning victims is carried out by local law enforcement or emergency services agencies. However, at some locations and under certain situations, Corps of Engineers equipment and personnel may be called on to assist in recovery operations. This may involve traffic and crowd control at the site or may involve boat operation. Your Training Officer will instruct you on the procedures at your lake and ensure you receive any training required.



## **Rescues**

Know the “Reach-Throw-Row-Go” procedure for rescuing persons in distress in the water. Attempting to rescue a drowning person without proper training is dangerous. An excellent text, *Life Saving and Water Safety*, prepared by the American National Red Cross, gives detailed instructions and illustrations on a number of rescue methods including self-rescue, swimming rescue, and other special forms of rescue. Your patrol vehicle should be equipped with a wearable life jacket for your use in an on-the-water emergency.

## **Accident Investigation and Reporting**

Thorough accident investigation is important in preventing additional accidents of a similar nature. In conducting an accident investigation, the investigator should be concerned with the following:

- What hazards were involved?
- How can they be eliminated?
- What unsafe behavior was involved?
- How can the unsafe behavior be corrected?

Proper reporting of accidents is extremely important because the effectiveness of an investigation is seriously reduced if the report is not accurate and complete. All reportable accidents should be documented using the Accident Investigation Report Form (ENG 3394). Investigations of criminal activities remain the jurisdiction and responsibility of state and local law enforcement authorities.

## **References**

- EM 385-1-1, Safety and Health Requirements Manual
- Water Safety Resources on the NRM Gateway:  
<http://corpslakes.usace.army.mil/employees/watersafety/water.html>
- Project Operational Management Plan
- *Life Saving and Water Safety*, American National Red Cross
- Accident Investigation Report Form (ENG 3394)

## **Fire Prevention and Control**

The ranger’s role in fire prevention and control will vary at each lake due to type and amount of forest cover, terrain, human activity, and other factors. However, it is essential that all rangers be familiar with fire suppression methods and equipment. In many cases, a ranger will be the first person to arrive at the fire. Refer to the Project Operational Management Plan (OMP) for detailed information on fire prevention and control at your lake.



This section deals primarily with wildfire prevention, suppression, and control. Fire prevention in administrative and maintenance buildings and areas is also of concern, but it is better addressed through the safety program. You should become familiar with the location of storage areas for flammable materials; the location of fire alarms; and the type, location, and use of the fire fighting equipment in administrative and maintenance areas.

Wildfires on public lands usually result from human activity, with less than one per cent being started by natural causes such as lightning. The majority of wildfires are caused by careless acts such as adjacent landowners not adequately controlling debris, brush, or grass fires on their property or visitors not completely extinguishing campfires and cigarettes. Regardless of the actual cause of a wildfire, the effects can be devastating to the environment as well as life threatening. Prevention includes controlling risks through employee awareness, public education, law enforcement, and closure of high hazard areas.



The cooperation of state forestry agencies and local fire departments is an important factor in the detection, suppression, and control of wildfires on public land. Refer to the OMP for the fire telephone directory and location of fire towers.

### **Investigation and Reporting**

Aggressive action will be taken to discover, investigate, and properly report all fire trespasses involving public land. Knowledge of the topography, roads, and trails and of the people who frequent the area and adjoining private property will be of assistance in a fire investigation. If there is an indication that the fire has been maliciously set, the first person to arrive at the fire will seek and preserve evidence if possible. Signed written statements will be obtained from witnesses and the violator. Detailed procedures for investigating the causes of wildfires and making proper fire reports are contained in the Project OMP.

A sanitation cut may be required in case of extensive forest fire damage in order to prevent insect infestation, disease outbreak, and redevelopment of fire hazards in the dead and dying timber.

### **References**

- Project Operational Management Plan
- “*Firefighter’s Guide*,” Forest Service Manual 5108

### **Pest Control**

Pest control, in its broadest sense, includes all factors that limit or control pests. Pests can include any form of terrestrial or aquatic plant or animal life, virus, bacteria, or other micro-organisms. Control methods can be divided into two main categories: natural and applied. Natural controls include the



effects of climate, habitat, interspecies competition, predation, and other natural factors. Applied controls are human control efforts such as herbicides, rodenticides, and other chemical measures, mechanical devices, (traps, mowers), biological controls, physical controls (lake drawdown, fire, grazing), and legal controls (quarantines, shipping restrictions, etc.).

The objectives of the pest control program are to maintain employee and public health and safety and to manage project resources to minimize aesthetic, environmental, and economic degradation.

All rangers should be familiar with a multitude of information including basic biology, physiology, life cycles, and habitats of potential pests. Rangers should also be familiar with control methodologies, such as the use of chemical, physical, and biological controls. While some controls are designed to react to existing problems, such as trapping to control problem rodent populations, pest control should also be preventative, such as ensuring proper sanitation and eliminating potential breeding areas.

You should be continuously alert to potential pest problems, including mosquitoes, ticks, ants, termites, tree and turf pathogens, rodents, poison ivy, exotic plants, etc. You should be familiar with pesticide labels, pest control equipment, safety, and first aid for poisoning, bites, etc.

You should be thoroughly acquainted with all aspects of the project pest control program, as described in the Project Operational Management Plan and provide technical assistance and information to maintenance personnel and the public. Visitors to the project may occasionally voice complaints or inquire about specific pests. You should be aware of the various control programs conducted and available at the project to be able to provide accurate information to the public.

Pest control operations are often carried out in cooperation with other agencies such as the county health department, state wildlife agency, U.S. Forest Service, and U.S. Department of Agriculture, Wildlife Services. You should maintain frequent contact with such officials; a program of periodic meetings and joint inspections will usually benefit all concerned.

### References

- ER 1130-2-500, Chapter 14 - Aquatic Plant Control Program
- ER 1130-2-540, Chapter 3 - Pest Control Program for Civil Works Projects
- Project Operational Management Plan
- *How to Identify and Control Water Weeds and Algae*, James C. Schmidt, Ed., 4th Edition, Applied Biochemists, Inc. Milwaukee, WI, 1990.
- Technical Report A-88-9, *Aquatic Plant Identification and Herbicide Use Guide, Vol. II: Aquatic Plants and Susceptibility to Herbicides*, Howard E. Westerdahl and Kurt D. Getsinger, Ed., Waterways Experiment Station (WES), Vicksburg, 1988.

### **Crime Prevention and Physical Security Programs**

The term “crime prevention,” can be defined as “those courses of action or measures to prevent criminal acts from occurring or to minimize the opportunity or motivation to commit, conceal, or engage in criminal activities.” “Physical security” can be defined as “that part of security concerned with the



physical measures designed to safeguard personnel; to prevent unauthorized access to equipment, facilities, material, and documents; and to safeguard them against espionage, sabotage, damage and theft.” These programs apply to Corps employees as well as outsiders.

As a ranger, you provide surveillance vital in the observation of security problems and detection of evidence of criminal activities. Your liaison role with local law enforcement officials is also vital to project security. The responsibility for crime prevention and physical security is continuous, not just limited to emergency situations or to any particular time or event. You must always be alert and safeguard both personnel and property. Many security hazards may also be related to safety; therefore, in many cases physical security measures will be closely coordinated with the safety program.

The Project Physical Security Plan (PPSP) provides the planning and organizational structure necessary to protect the project structures, i.e., the lock, dam, and power plant, in case of a major threat or disaster. The plan contains duty assignments corresponding to designated threat and security response levels.

Another aspect of physical security is bombing and/or bomb threats. Terrorist acts which include the use or the threat of use of explosives against public facilities place an urgent responsibility on the Corps of Engineers and law enforcement agencies for the protection of life and property. The Project Physical Security Plan contains bomb search team assignments and procedures for searches. It also provides guidance on what to do if you receive a bomb threat. You must be prepared to act properly in the event of a bombing or bomb threat.

ENG Form 4337, Offense/Incident Report, is used to report criminal activity or other incidents occurring on public property. You should learn how to complete this form properly.

### **References**

- AR 190-13, Army Physical Security Program
- Project Physical Security Plan
- ER 190-1-50, Law Enforcement Policy, U.S. Army Corps of Engineers



## D. EQUIPMENT

### Vehicle Operation

Rangers encounter a multitude of adverse driving conditions whether on routine patrol or in emergency situations. Extreme caution should be taken when patrolling crowded recreation areas.

**“Hot pursuit” of violators is not allowed either on or off government property.**

The *Central Fleet Program Regional Operations Guide* (Appendix K) contains specific instructions for vehicle operation and maintenance, as well as procedures for reporting motor vehicle accidents. A copy of this guide should be kept in each vehicle.

All drivers must possess a valid in-state driver’s license to operate a government vehicle rated less than one ton. Operation of vehicles rated over one ton or other heavy equipment requires a Commercial Driver’s License.

Within the first six months of training, each ranger must take the approved defensive driving course, either in a classroom environment, or online.

Drivers and all passengers are required to wear a seat belt at all times while in a government vehicle, and are expected to sign an affidavit so stating. When a motor vehicle is assigned to you, the responsibility for the care and maintenance of the vehicle is yours until returned to its designated storage point or released to another qualified operator. No employee shall operate a government vehicle while under the influence of alcohol or drugs. Even over-the-counter medications such as cold remedies can cause drowsiness and have a detrimental effect on driving abilities.

Routine service station purchases, such as gas and oil, will be made by use of a government vehicle credit card. Refer to the back of your credit card for information regarding non-fuel purchases which may or may not be made on the vehicle credit card. It is very important that credit card tickets or receipts for purchases are completed correctly.

- The date on the receipt is correct.
- The number of gallons, price per gallon, and total price are shown for gasoline purchases.
- The vehicle’s odometer reading appears on the receipt.
- The receipt is signed (if required).
- All printing on the receipt is legible and shows through all copies.

All vehicles should be equipped with an equipment log book containing Standard Form 91 (Operator’s Report of Motor Vehicle Accident), and ENG Form 3662 (Administrative Vehicle Operational Record).

### Radio Operation

Each ranger should be completely familiar with all communications equipment available, know how to operate the equipment and be well versed in the proper manner of communicating over radio systems.



At most lakes, hand-held radios and vehicle radios are capable of direct communication with local law enforcement agencies. It is important to become thoroughly familiar with the protocol and terminology used by the local agencies, and follow accepted, professional use policies.

Remember, radio transmissions can be monitored by anyone having a receiver (including a scanner) tuned to the transmitter's frequency. Be careful what you say and do not give out confidential information over the radio.

### **Boat Operation**

In addition to routine boat patrol, rangers may be called upon to operate a boat in emergency situations such as drownings, floods, storms, or oil spills. Other duties involving boat operation include water safety patrol, aquatic plant control, buoy maintenance, fish attractor installation, special events (dedications, fall color cruises, canoe races, water skiing contests, etc.), and occasional tours for official visitors and personnel from the district or division offices.



*A Park Ranger performing water safety patrol on Grapevine Lake*

Each ranger is required to receive comprehensive motorboat training under the supervision of a licensed motorboat operator at the district's three-day motorboat operator's course. This course is designed as a testing course and is not intended for the comprehensive training of rangers. The course includes written and practical tests in order to obtain a government motorboat operator's license (boats up to twenty-six feet long). The course will be conducted by certified license examiners in the district. A motorboat operators license is issued for a five-year term; with an eight-hour refresher course required for renewal.



## E. VISITOR ASSISTANCE

The authority for designated Natural Resources Management personnel of the Corps of Engineers to enforce rules and regulations (as set forth in Title 36, Chapter III, Part 327 of the Code of Federal Regulations) was granted by Congress in Section 234 of the Flood Control Act of 1970, PL 91-611, (84 Stat. 1818). A citation for violation of these regulations requires the violator either to forfeit collateral (pay a fine) or appear before the United States Magistrate within whose jurisdiction the water resource development project is located.

The Corps of Engineers maintains only proprietary jurisdiction at civil works projects, i.e., the same jurisdiction maintained by any other landowner. Consequently, the local and state law enforcement agencies maintain their statutory authority and inherent responsibilities to keep the peace and protect persons and property.



**It must be emphasized that the Corps of Engineers Visitor Assistance Program involves the authority to issue citations only and that no authority exists for arresting or searching an offender.** Corps Rangers have the authority to enforce the rules and regulations published in Title 36, Chapter III, Part 327, C.F.R. only and only on public property. It is your responsibility to maintain good rapport with local and state law enforcement officers and keep them aware of the limitations of the citation authority granted to rangers.

Generally, a criminal act is classified as either a felony or a misdemeanor. Under federal law, a felony is any criminal violation which is punishable by imprisonment for one year or more. Anything less is classified as a misdemeanor. Misdemeanor crimes for which the penalty does not exceed a \$5000 fine or six months imprisonment, or both, are further classified as petty offenses. Violations of the regulations in Title 36, Chapter III, Part 327, C.F.R. are classified as petty offenses.

It is a felony under Title 18 of the United States Code to forcibly assault, resist, oppose, impede, intimidate, interfere with, or kill any civilian official or employee of the Corps of Engineers assigned to perform investigations, inspections, law or regulatory enforcement functions, or field level real estate functions while they are in the performance of their official duties. Corps of Engineers personnel were added to the federal officials covered by this law in 1983.

Common sense is important in all aspects of visitor assistance. A prerequisite to a successful visitor assistance program is the education of the public about Corps of Engineers policies and regulations. Enforcement action should be taken only as a last resort. Individuals should be warned for minor infractions and cited for aggravated violations. As a federal officer, you must be fair but firm. You must be emotionally stable, react quickly and decisively under pressure, and be willing to accept harsh criticisms and even profanity directed toward you in the performance of your duties. Remember, no individual likes to be told that he has done something wrong, especially if there is a penalty involved.

You will receive formal classroom and practical field training in visitor assistance before being designated as an Officer of the United States. This training program will include instruction on authority and jurisdiction, procedure for issuing citations, enforcement considerations, investigative techniques, liaison with law enforcement and court officials, courtroom demeanor and testimony, standards for



rangers, patrol and observation, conflict resolution, and personal protection. Appropriate tests will be administered upon completion of the formal training course to determine if you are qualified to exercise citation authority. Once your citation authority has been issued, you will be required to complete annual refresher training including personal protection training in order to keep your authority current.

### **Cooperative Law Enforcement Agreements**

As mentioned previously, local and state law enforcement agencies maintain the statutory authority to keep the peace and protect people and property. The Corps of Engineers is authorized to enter into cooperative agreements with local law enforcement agencies to provide increased patrolling of water resources projects (Section 120, PL 94-587, Water Resources Development Act of 1976, as amended by PL 96-536). You should become familiar with these cooperative agreements at your lake. You will assist in formulating specifications and participate in negotiations with the local agency.

### **References**

- Section 234, Flood Control Act of 1970, PL 91-611, (84 Stat. 1818).
- Title 36, Chapter III, Part 327, C.F.R
- ER 1130-2-550, Chapter 6 – Visitor Assistance Program
- ER 1130-2-550, Chapter 7 - Cooperative Agreements for Law Enforcement Services at Civil Works Water Resource Projects
- Sections 111, 1111, 1112, 1114, Title 18, U.S.C.
- Federal Magistrates Act of 1968. PL 90-578, (82 Stat. 1107)
- AR 190-29, Misdemeanors and Uniform Violation Notices Referred to U.S. Magistrate



## **F. NATURAL RESOURCES MANAGEMENT**

### **Habitat Improvement**

Improving the habitat by increasing food and cover is a basic management technique that provides positive results. Wildlife food resources can be improved by manipulation of the habitat to provide greater production of natural foods. Where successional stages of plants are needed to provide food, the use of fire, timber harvests, or other methods of disturbing the natural vegetation will often produce good results. Fire in a forest will improve shrubs for deer; disturbance of grasslands will allow the invasion of weedy species that attract quail. Allowing fence rows to grow up will provide food and cover for quail, rabbit, and other small game and non-game species. Forest management practices such as establishing wildlife clearings, favoring mast bearing and den trees, and creating a wide range of forest age classes have significant potential to improve wildlife habitat on the public lands surrounding the district lakes.

Supplemental feeding of hay or grain in order to carry a population through a critical period should be discouraged because of its potentially undesirable effects. For example, if a population of deer is fed to carry it through the winter, an artificially high population can return to the summer range to produce an unusually large number of fawns. More deer would then require more supplemental feeding the next winter. Should this feeding be reduced or stopped, mortality would follow immediately. This mortality would be more severe than it would have been naturally because the higher population would have further exhausted any natural foods previously available. Long-term damage to the habitat may also occur as a result of overpopulation.

In general, the factors which affect wildlife food also affect cover. The amount of cover available is especially influenced by seasonal changes, natural plant succession, weather, soil conditions, and various disasters. Consideration should be given not only to the amount of cover needed, but also to its distribution and location in relation to feeding and watering areas.

### **Corps of Engineers Involvement in Wildlife Management**

The Texas Parks and Wildlife Department has the primary responsibility for management of wildlife. The Corps has issued outgrants to the state wildlife agencies for wildlife management programs on public property at the district lakes. The Corps cooperates with state and other federal agencies to maximize wildlife benefits on public property. This could include joint identification of areas suitable for forest management, goose browse fields, grain crops, etc.

In some areas not outgranted to the state for wildlife management purposes, lease agreements with local farmers are used to help create and/or maintain habitat diversity. Many of the bottomland areas farmed prior to creation of the lakes have reverted to brush, vines, and dense undergrowth. While this type of habitat provides useful cover and food, a diversity of habitat conditions is crucial to optimizing conditions for a variety of wildlife species.

Farming activities, such as hay or row crops or carefully controlled livestock grazing, can be used to convert some of these areas to early successional stages favored by rabbits, deer, quail, doves, rodents, raptors, and other animals. Farming activities should be managed for the proper association with cover and water. Lease agreements often include leaving a portion of the crop in the field for wildlife food and leaving wooded fence rows or other travel corridors for wildlife. Edge effects can be maximized by proper planning and coordination with the lessee.



At some lakes, wildlife food plots are planted on a limited basis (e.g., trails, environmental study areas, powerline right-of-ways, and other small or inaccessible areas not suitable for farming operations).



*A wildlife food plot*

Generally, wildlife management is thought of as improving conditions for wildlife. However, there are cases in which animals may cause damage, health and safety hazards, or nuisance situations. Examples are rodents burrowing into the earth fill portions of dams, skunks frequenting heavily used campgrounds, geese defecating on swimming beaches, and vultures plucking roofing on power plants and caulking in lock walls. Correcting these problems in the most environmentally sensitive and acceptable way is a management challenge.

### References

- Project Operational Management Plan
- U.S. Army Corps of Engineers Wildlife Resources Management Manual, Waterways Experiment Station (WES), Vicksburg, MS
- *Wildlife Management Techniques*, Robert H. Giles, Jr., Ed., The Wildlife Society, Edwards Brothers, Ann Arbor, MI, 1969.

### **Forest and Woodland Management**

The objective of forest and woodland management at operational Corps projects is set forth in ER-1130-2-540 as follows: Forest and woodland management will be applied to develop, maintain, protect, and/or improve vegetation conditions for timber, fish, wildlife, soils, recreation, water quality and other beneficial uses. A legislative mandate in The Forest Cover Act of 1960 directs the Corps to manage its lands for these multiple beneficial purposes and, where compatible with resource use objectives set forth in the project Master Plan and Operational Management Plan, forested lands shall be managed to provide for the continued production and harvest of forest products through sustained yield programs, reforestation, and accepted conservation practices. On the majority of Corps lands, the Corps complies with this mandate through the application of the concept of stewardship and ecosystem management as set forth in ER 1130-2-540. Other land management concepts used by the Corps on a relatively small



percentage of the Corps' land base are mitigation and enhancement. These latter two concepts are normally applied to achieve a very specific objective mandated by law or established in the pre-construction plan formulation for a given Corps project, and may preclude the forest from being managed under a sustained yield program.

To organize its land management efforts the Corps prepares a Master Plan for each lake which includes a land classification scheme setting forth broad resource use objectives as to how the land shall be managed. The Operational Management Plan is then prepared as a five-year operating plan to implement



the broad objectives of the Master Plan. It is in the MP and OMP where the type and degree of forest and woodland management should be identified. In the Fort Worth District, the five lakes in the Piney Woods Regional Project are heavily forested and, to varying degrees, practice sustained yield management but with a primary goal of always providing a diverse and aesthetically pleasing forested environment. The harvest of forest products, although very important in the overall management of the forest, is of secondary importance compared to the wildlife habitat and aesthetics provided by these forests. At more western projects, the forested areas are better described as woodlands and are not suitable for sustained yield

management. Instead these woodland areas provide some of the better wildlife habitat and outdoor recreational areas in the District. Many of the post oak/blackjack oak and live oak woodlands at these more western projects are now in excess of one hundred years old and have become a unique and rare resource in Texas. Fire and disease management are primary considerations in these western woodlands.

## Forestry and Woodland Ecology Fundamentals

**Some of the following information relates only to sustained yield forest management, but much of it applies equally to management of the Fort Worth District's western woodlands.**

- *Dendrology* is scientific study of trees and other woody plants with an emphasis on taxonomy. It is critically important to be able to identify tree species for discussion and planning for forest management. Many species can be identified by means of a guide containing leaf drawings or photos. Such guides are available from the U.S. Forest Service and state forestry agencies. *A Field Guide to Trees and Shrubs*, one of the Peterson Field Guide Series, by George A. Petrides, is an excellent reference. The *Fruit Key and Twig Key to Trees and Shrubs* by W. M. Harlow, which employs fruit and twig characteristics, can be used for more difficult identifications. More specific to Texas is *A Field Guide to Texas Trees* by Benny J. Simpson and *Trees, Shrubs and Woody Vines of the Southwest* by Robert A. Vines.
- *Silviculture* and *Silvics* are almost synonymous terms meaning the study of forests and their ecology, including the application of soil science, botany, entomology, tree pathology and related disciplines. Silviculture is a formal course of study in a degree program leading to a Bachelors Degree in Forestry. Silvicultural and ecological restoration practices with which the ranger will be involved



include regeneration reforestation; cultural practices to improve the forests and woodlands for wildlife habitat, recreation and aesthetics; and practices to insure forest vigor and health. Part I of the Project OMP gives the specific silvicultural practices to be carried out at the lake.

- *Timber cruising* is the process of preparing an inventory of a forest stand to determine the quantity of forest products that can be derived from the stand. The information obtained from a cruise may include data on tree quality, site quality, age of the stand, species composition, growth rate, and other special use information. A timber cruise on public land may be required for timber or fire trespass, timber sales, or resource inventory. Timber cruising is normally accomplished only by graduate foresters.

The measurement of the individual tree is the basis for all cruising. Depending on the size of the area and the forest products, the cruise may be made using the point sampling, plot, or strip method, or one hundred per cent of the timber may be cruised. The timber should be tallied as a specific product, such as saw timber, pulpwood, cordwood, etc.

Cruising one hundred per cent of the timber would be appropriate for a timber trespass on a small area, while sampling should be used on large areas to save time and labor. Consult the [Forestry Handbook](#) in your project library for a discussion of sampling methods and determining sampling errors. In daily practice, many of the measurements taken during a timber cruise are estimated. However, if a timber sale is anticipated, and the value of individual trees is high, careful, individual measurements may be necessary.



- *One aspect of Tree size* is measured as diameter at breast height (DBH). This measurement is assumed to be taken at four and one-half feet above the ground. Tree heights may be taken to the top of the tree or to a merchantable top diameter for volume computation. Measurements are usually tallied to the nearest five feet or sixteen-foot log length. The Abney hand level, a level with a scale for measuring the vertical angle above or below the horizontal plane, or a Clinometer, and one-hundred-foot measuring tape are usually used in determining tree height. Merchantable top diameters for different timber products are as follows:

- lumber - 8 to 10 inches
- posts and props - 3 inches
- pulpwood - 4 inches
- fuelwood - 2 inches

- There are numerous tables called *log rules* showing the board-foot volume for many combinations of log diameters and lengths. The three most commonly used are the Scribner Log Rule, Doyle Log Rule, and International 1/4-Inch Rule. The federal government uses the International 1/4-inch Rule in timber sales.



- *Tree vandalism* and unauthorized removal of trees is increasingly carried out by adjacent landowners who cut or poison trees on public lands in order to obtain a view of the lake from their property and/or enhance the value of the property. Each year, the number of these cases continues to grow.
- Prevention efforts through surveillance, communications with adjacent landowners and real estate agents, and public information are important in reducing the number of these incidents. Once discovered, however, rangers must work quickly to contact the landowner, obtain as much information as possible, do a thorough inventory of the damaged or destroyed trees, and coordinate with the appropriate person in the Natural Resources Management Section to develop a valuation of the damaged property and work towards restoration or legal action. The District's Real Estate/Operations Encroachment and Trespass SOP contains an Appendix detailing how to manage an act of trespass involving the unauthorized removal of trees and destruction of wildlife habitat.



*Tree vandalism at Georgetown Lake*

- *Hazardous Tree Management* is also an important responsibility for NRM personnel. As a provider of outdoor recreation opportunities, the Corps is responsible for reducing the public safety risk that may result from dead, injured or unhealthy trees located in developed portions of park areas, and along roads and trails. The District has periodically circulated guidance memorandums recommending the implementation of a hazardous tree management program that is practical within budget constraints. A very good source of information on hazardous tree management is *A Photographic Guide to the Evaluation of Hazard Trees in Urban Areas* by Nelda Metheny and James R. Clark and published by the International Society of Arboriculture.
- *Arboriculture* is the study and science of cultivating and caring for individual trees, generally in a developed landscape. It is a specialized field that requires knowledge of tree physiology, entomology, tree pathology, and the equipment, chemicals, materials, and techniques used to care for trees. NRM personnel should have a basic working knowledge of arboricultural practices, especially correct and safe tree removal and pruning practices. Several good reference books are available from the International Society of Arboriculture.

### References

- ER 1130-2-540, Environmental Stewardship Operations and Maintenance Policies
- Part I, Project Operational Management Plan



- *Forestry Handbook*, Society of American Foresters, Publication No. SAF 84-01, Karl F. Wenger, Ed., John Wiley and Sons, New York, 1984
- *A Field Guide to the Trees and Shrubs*, George A. Petrides, Houghton Mifflin, Boston, 1972.
- *A Field Guide to Texas Trees*, Benny J. Simpson, *Texas Monthly Press*, 1988.
- *Trees Shrubs and Woody Vines of the Southwest*, Robert A. Vines, *University of Texas Press*, 1960.
- *A Photographic Guide to the Evaluation of Hazard Trees in Urban Areas*, *International Society of Arboriculture*, 1994.

### **Range and Grassland Management**

All lakes within the Fort Worth District have rangelands and grasslands that vary considerably in size and quality. The variability ranges from the excellent 450-acre Culp Branch Tall Grass Prairie at Ray Roberts Lake to small wet meadows in the forests at Town Bluff. Included in the mix are thick stands of invasive Johnsongrass on old agricultural fields at Lavon Lake and Granger Lake, to the planted stands of native Indiangrass at Lake Georgetown. A unique initiative at Sam Rayburn Lake is the establishment of several hundred acres of Longleaf Pine – Little Bluestem savannah. Fortunately, because many Corps lands in the Fort Worth District have been in Federal ownership for more than 50 years, many of the native prairie sites have succeeded naturally to a quality stand of native prairie. However, without some degree of management, these valuable prairies could be overcome by invasive woody plants. To gain a broad overview of the status of grassland management throughout the Corps, it would be useful to read a report produced by the Corps of Engineers Ecosystem Management and Restoration Research Program entitled Status and Importance of Prairie Ecosystems on Corps of Engineers Projects, ERDC Technical Note, TN-EMRRP-SI-30, dated September 2005, by Chester Martin and Paul Peloquin. According to that report, the Fort Worth District has 31,524 acres of Prairie/Grassland out of a total of 748,612 acres of prairie/grassland Corps wide.

As odd as it sounds, the basis for our authority to manage grasslands lies in The Forest Cover Act of 1960 which provides a broad, although discretionary, directive for the Corps to manage all vegetation on agency lands for beneficial purposes. This directive is spelled out clearly in ER 1130-2-540 with the statement that grasslands will be managed to protect native grasslands or prairie, and/or improve vegetation conditions for soil conservation, watershed protection, and fish and wildlife habitat. Agricultural practices such as livestock grazing, hay harvesting, and crop production may be used as tools to improve grasslands, but must be used with great caution and are not to be employed as a stand alone management objective. Range and grassland management, like forest and woodland management, are complex topics in the field of applied sciences and should be carried out by professionals trained in the respective disciplines.

### **Management Goals, Concerns and Techniques**

As stated in the Technical Report cited above there are a number of management goals, concerns, activities and techniques common to the management of grasslands. Those most relevant to the Corps include:



- Prairie establishment related to water quality and quantity, sediment control and water retention (native prairie grasses are exceptionally deep-rooted providing superior erosion protection and water retention)
- Planting techniques and maintenance requirements (proper seedbed preparation, weed control, proper seed drill selection and use)
- Regional availability of plant materials (seed selected must be ecologically adapted to the area)
- Restoring unique prairie types (such as the Longleaf Pine/Bluestem savannah at Sam Rayburn)
- Fire Management (refer to Chapter 8 of EP 1130-2-540 for guidance on fire management)
- Control of noxious vegetation (converting stands of exotic Johnsongrass or Bermudagrass to an ecologically adapted vegetation type)

### **Agricultural Practices Applied to Grassland Management**

As noted earlier, agricultural practices such as livestock grazing or hay harvests may be useful tools in managing grasslands if used very carefully. Grazing should not be allowed in forests, woodlands, or wetlands. If prescribed burning is not practical in an area, then grazing by livestock may be a desirable way to remove excess biomass. This can be accomplished by granting short term grazing leases (usually not longer than a five year period). In almost all grazing leases the Corps will specify certain work to be done by the lessee in lieu of cash payment for the lease. The work to be specified should be of mutual benefit to the Corps and the lessee such as fence construction or repair, cross fencing to create grazing units, pond construction, firelane construction, etc. One of the key decisions in granting any grazing lease is to determine the desired intensity of grazing by specifying the number of animal units, and the timing and duration of grazing, to be applied to the leased area. In general, the Corps will specify a very conservative or low number of animal units to insure that the land is not damaged. Typical examples of grazing leases are available at most project offices or from Real Estate Division. Hay harvests may also be useful to reduce accumulated biomass or as part of a management plan to restore an area to a more ecologically sustainable grassland. Hay harvests are sometimes allowable as part of a grazing lease and are sometimes conducted as a one-time disposal action. A good reference book for a better understanding of grazing as a technique to manage grasslands is *Rangeland Management for Livestock Production* by Hershel M. Bell. A good pictorial reference book to pasture and range plants is *Pasture and Range Plants* published by the Phillips Petroleum Company. Also, any of the plant or prairie ecology books written by J. E. Weaver, PhD, would be useful.

### **Wildflowers**

One very visible benefit of good prairie management is the profusion of wildflowers that are associated with native prairies. When attempting to restore or re-create a native prairie, a healthy mix of native wildflower seeds should be included in the mix. A premier source of information on Texas wildflowers and other native plants, as well as landscaping with native plants is available from the Ladybird Johnson Wildflower Center in Austin, Texas. This 279-acre center was established in 1982 by Ladybird Johnson and Helen Hayes to preserve native plants and promote ecologically sustainable landscaping practices. The center became part of the University of Texas system in 2006. The website is <http://www.wildflower.org>



## **Environmental Management**

Environmental Management is the conservation, protection and restoration of our natural and cultural resources. The Corps of Engineers must manage resources for multiple uses. We, as resource managers, must be alert when actions by the Corps or others have the potential for environmental impacts on Federal lands. It might be helpful to think of stewardship instead of management since our goals are to preserve, safeguard, and enhance these resources at all field projects.

The Corps recognized the need for a reference guide for use by field managers to assist environmental management practices. A comprehensive information and self-evaluation program was developed. The Environmental Assessment and Management (TEAM) guide (which supplements ERGO), helps to ensure that project operations are being conducted in compliance with existing federal, state and local environmental laws and regulations. Furthermore, TEAM assures that project supervisors are implementing effective environmental practices in accordance with USACE goals and objectives. External assessments are conducted every five years and internal evaluations will assess project compliance. In your work as a ranger, you need to be aware of cultural and historical resources, hazardous waste management and other environmental concerns that affect the water resource project where you work.

### **References**

- Civil Works Environmental Compliance on the Gateway:  
<http://corpslakes.usace.army.mil/employees/envcomp/envcomp.html>

## **Cultural & Historic Resources**

ER 1130-2-540, Chapter 6 (CULTURAL RESOURCES STEWARDSHIP) establishes the Corps policy for the management and protection of cultural resources at operating civil works water resources projects. The term “cultural resources” includes all prehistoric or historic archeological sites, buildings, structures, or objects, including artifacts, records, and remains related to them. In consultation with the Fort Worth District Archeologist, each project is responsible for locating and documenting cultural resources within their jurisdiction.



As part of an approved Historic Properties Management Plan, a Cultural Resources Inventory should be maintained at each field project and at the Fort Worth District Office. This information, however, will not be available for public review.

Cultural Resource Sites should be inspected on a regular basis as part of your routine patrol of project lands. The unauthorized excavation, removal, damage, or alteration of historical and/or archeological resources on project lands is prohibited and enforced through CFR Title 36, the Archaeological Resources Protection Act (ARPA), or other appropriate statutes.

Special steps must be taken when operational and construction activities threaten cultural resources. Alternative considerations will be made in planning of all projects affecting cultural resources. If a site is



discovered during construction, the work will be halted until the situation is evaluated in consultation with the Fort Worth District Archeologist.

### **References**

- Environmental Compliance for Cultural Resources on the Gateway:  
<http://corpslakes.usace.army.mil/employees/cultres/cultres.html>

### **Hazardous Waste and Materials**

Hazardous waste and toxic materials pose a substantial risk to human health and/or the environment. The Fort Worth District is committed to implementing the best management practices concerning hazardous wastes.

Two types of hazardous wastes are recognized: characteristic and listed. A characteristic hazardous waste is one that has at least one of the following characteristics: ignitable, corrosive, reactive, or toxic. Listed wastes are those specifically listed as toxic or acutely hazardous by the Environmental Protection Agency (EPA). Further information can be found in the TEAM manual.

Hazardous materials are materials or substances listed by the Department of Transportation (DOT) capable of posing an unreasonable risk to health, safety and property when transported. The Fort Worth District Policy regarding hazardous waste is to prevent its generation, if possible, rather than having to control it after its production.

It is the responsibility of each project manager to comply with all federal, state and local environmental regulations. Each manager shall conduct and document an annual environmental compliance review. This review will follow the guidelines provided in the TEAM manual. Facility managers should purchase only the amount of supplies and materials needed and use what is purchased. Excess viable material can be transferred to another project. Under no circumstances will the Corps authorize the storage of hazardous waste at a field project beyond time limits specified in the TEAM manual.

“In 1976, Congress passed the Resource Conservation and Recovery Act (RCRA) which directed the U.S. Environmental Protection Agency (EPA) to develop and implement a program to protect human health and the environment from improper hazardous waste management practices. The program is designed to control the management of hazardous waste from its generation to its ultimate disposal-from ‘cradle-to-grave.’” District facilities must strive to maintain status as “Conditionally Exempt Small Quantity Generators” (CESQG). This means that our facilities can generate no more than 100 kilograms of hazardous waste per month. This amount is equivalent to approximately one-half of a 55 gallon barrel. Each project facility must never accumulate more than 1,000 kilograms of hazardous waste on site at any one time. A CESQG must properly identify and label all wastes generated and ship it through a licensed transporter to an approved hazardous waste collection facility. EPA identification numbers are not required by regulation for CESQG’s.

All waste generated at field locations must be disposed of in accordance with applicable federal, state, and local regulations. All hazardous waste disposals will be manifested. It is essential that disposal instructions on product labels, Material Safety Data Sheets (MSDS) and other available information be consulted and understood prior to disposal decisions.



## References

- Environmental Compliance for Hazardous Materials on the Gateway:  
<http://corpslakes.usace.army.mil/employees/hazmat/hazmat.html>
- Environmental Compliance for Hazardous Waste on the Gateway:  
<http://corpslakes.usace.army.mil/employees/hazwaste/hazwaste.html>

## **Emergency Procedures**

It is your responsibility as a ranger to be familiar with your project emergency procedures. If you come across an emergency situation such as a spill, leak, or other questionable occurrence, the safety of project personnel and the public are of paramount importance. Do not walk into or touch the spilled material. Avoid inhalation of fumes, smoke and vapor. Document all actions taken, such as who you called, date, time, and response received. Attempt to identify the hazard through placards, container labels, shipping papers, physical characteristics, or from a knowledgeable person on the scene.

## **Fisheries Management**

Fisheries management is the science of producing sustained yields of fish for recreational and commercial uses. The Texas Parks and Wildlife Department has the primary responsibility for fisheries management at Corps lakes. However as a ranger, your role in this area is important. You need a working knowledge of the fundamentals of fisheries management in order to cooperate with professional fishery biologists. You should be able to provide knowledgeable answers to the public about fish populations and fishing at your lake. Specifics of the fisheries management plan for your lake may be contained in the Project Operational Management Plan. Refer also to Chapter 2 of ER 1130-2-540, Environmental Stewardship Operations and Maintenance Policies.

## **Background**

Lakes in the Fort Worth District vary widely in the amount of cover and the types of fisheries supported. In many lakes, trees were removed from what would become the main body of the lake. In areas that would inundate, trees and brush were left to provide structure to enhance fish habitat. Almost any new lake, with or without cover treatment, offers excellent fishing for the first few years. Nutrition levels and invertebrate populations in the former fertile bottomlands are generally high, supporting a tremendous surge in the numbers and size of fish. As a lake ages, the fishing will decline. Although this is a natural phenomenon, proper management practices, including leaving more cover initially, will prevent a drastic decline in fishing success.

Management at older lakes which have passed their peak should be directed towards enhancing habitat and water quality and maintaining the proper ratio of



*Fish Attractors at Canyon Lake*



the various species. This is not an easy task because of the large size of the lakes, other project purposes, increased fishing pressure, and other types of recreation. Increased development adjacent to public property and in the watersheds of the lakes also affects fishing by the consequent degradation of water quality. The establishment of native aquatic plants can improve a fishery by providing cover and food. The introduction of certain exotic species, such as Eurasian Watermilfoil or Hydrilla, can initially enhance a fishery and improve fishing success, but the disadvantages of uncontrolled proliferation of these noxious plants often outweigh their advantages in the long term. These plants can block access totally to formerly fishable embayments, and they can choke much of the lake and can actually lead to overpopulation and stunting of game fish. Large populations of aquatic plants can hasten lake eutrophication and cause periods of insufficient dissolved oxygen for fish when the plants die and decompose.

### **Stocking and Regulation**

Early fisheries management consisted of stocking and regulation. If fishing was poor, the perceived solution was to restock the fish and close the season until they had reached spawning size. Insufficient consideration was given to whether the habitat could still support the fish and there was little knowledge of life histories of the various species. Consequently, this method often did not solve the problem of declining fish populations.

Every lake has a carrying capacity expressed by the pounds of fish per acre it can support. A lake may have a high carrying capacity but be considered a poor sport fishing lake because rough (non-game) fish are overabundant compared to game fish. Most of the game fish sought by anglers are predators at the top of the food chain and are much less abundant than prey species. If a lake is at its carrying capacity, stocking alone may be useless in achieving any long-term change.

Regulations can be an effective tool when supported by accurate data and knowledge. Most regulations are designed to prevent over-harvesting and generally restrict fishing methods. Sport fishing is usually limited to the "hook-and-line" method. Since this is an inefficient method, it can help prevent over-harvesting. Size limits are a form of regulation most useful when applied to large predatory or newly introduced species. Creel limits are another form of regulation commonly used. Generally, creel or size limits are not placed on pan and rough fish species. Just as stocking is useful only in specific situations, so is the case with closed fishing seasons. Research now indicates that there is a basic need for greater harvesting of many species rather than restricting fishing.

### **Population Manipulation**

Population manipulation involves managing fish populations in such a manner as to provide maximum numbers of fish of desirable size and species. Introductions of striped bass and white/striped bass hybrid have generated fishing opportunities in some Fort Worth District lakes. Both of these species are very desirable predators, because they can prey on rough fish that are too large for bass and other large predator fish to consume.

### **Habitat and Water Quality**

Pollution adversely affects habitat. It occurs in many forms and has a wide range of effects on aquatic life. Pollution from certain industrial wastes or misused pesticides may directly kill aquatic life. Many



fish kills go unnoticed or unreported; the number of fish killed by incidents of pollution is probably much higher than reported. An important factor not reflected by statistics is the alteration or destruction of habitat with no noticeable mortality. This includes destroying foods fish eat, interfering with reproduction cycles or requirements, reducing growth rates, or simply causing fish to move out of the area.

Oxygen depletion occurs quite commonly in fertile waters. Decomposition of organic matter may consume more oxygen than is produced, resulting in fish dying of suffocation. Seldom are all fish killed, but often bass and other larger fish have the highest mortality. Mortality in fish is also caused by parasites, diseases, and sudden temperature changes. Parasites and disease organisms are present in all natural bodies of water, and under conditions such as overcrowding, an epidemic may develop, resulting in a large fish kill. Severe winters or prolonged droughts may also significantly impact fish populations, particularly certain sensitive species.

Proper land use in the watershed is vitally important to the recreational and overall environmental quality of lakes. Overgrazing, uncontrolled burning, improper cultivation, poor timber management, and urban development all detrimentally affect fish and wildlife resources.

The Corps of Engineers is involved in monitoring, combating, and eliminating pollution. One important function of a ranger is to provide early warning that a pollution problem affecting the lake may exist. Sources of pollution such as sewage, industrial wastes, mine drainage, siltation, and oil or hazardous waste spills can result in severe degradation of the lakes and adjoining public lands.

### **References**

- Project Operational Management Plan
- ER 1130-2-540, Environmental Stewardship Operations and Maintenance Policies.

### **Wildlife Management**

The Texas Parks and Wildlife Department has the primary responsibility for wildlife management at Corps lakes. However as a ranger, you need a working knowledge of the fundamentals of wildlife management in order to cooperate with professional wildlife biologists.

### **Resources and Conservation**

Wildlife is a renewable natural resource. It can be harvested, will reproduce, and can be maintained indefinitely through sound management. The use of wildlife does not necessarily involve consumptive use through hunting, any more than its conservation implies complete protection. In wildlife management, there are often excellent reasons for complete protection at one time, and equally good reasons for harvesting at other times or places.

### **Wildlife Populations**

The wildlife population is the basic unit for management. It is defined as the sum total of animals of the same species inhabiting a common geographical area. Populations have various characteristics which



apply to the entire group but are not characteristics of the individuals that compose the population. For example, the population has a life history in that it grows, differentiates, and maintains itself as does the organism, while group characteristics, such as density, birth rate, death rate, and age ratio, apply only to the population. (Although an individual is born, dies, and has an age, it does not have a birth rate, death rate, or an age ratio.) These attributes are carefully measured by wildlife biologists to determine the success of management practices.

### **Wildlife Habitat**

The most effective way to manage wildlife is to manage habitat. Such management may range from complete protection of the habitat to keep it suitable for a certain species, to making drastic habitat modifications to produce or maintain wildlife populations. In all habitats, there are limitations as to the number of animals of any one species that can be maintained. This limitation is known as the carrying capacity of the habitat.

Each species has adapted to various combinations of factors in a given environment. The adaptations of each species suit it to a particular place in the environment and preclude its presence in other situations. When the proper combination of factors exists to permit a species to occupy an area, the numbers which can be supported in that area are determined by the amount and distribution of food and cover in relation to the mobility of the animal. The kind, distribution, quantity and quality of food and cover, as well as climate, predators, interspecies competition, and surrounding conditions are all important and may vary from one season to another.

### **Watershed Surveillance**

In addition to managing public property, the staff at each lake is responsible for an area which generally includes the drainage basin of that lake plus additional river channel (and tributaries) downstream of the dam. The Project Operational Management Plan includes a written description and a map of the area of responsibility for the lake.

Rangers are responsible for maintaining surveillance of the watershed in their area of responsibility. This includes conducting occasional aerial surveys. When patrolling the watershed, you should be aware of activities which should be documented and reported, including:

- unauthorized activities under Sections 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act
- uncontrolled sediment run-off
- discharges or spills of raw sewage, oil, or other pollutants
- unauthorized gravel dredging or other disturbance of streams
- fish kills
- flooding

Violations which adversely affect the lake, but are not under Corps of Engineers jurisdiction, should be reported to the appropriate state water pollution control or wildlife agency.



### **References**

- Project Operational Management Plan
- <http://www.usace.army.mil/cw/cecwo/reg/rhsec10.htm>
- <http://www.fws.gov/laws/lawsdigest/riv1899.html>
- <http://www.epa.gov/OWOW/wetlands/regs/sec404.html>
- *TEAM Manual with ERGO supplements*, U.S. Army Corps of Engineers
- *Commander's Guide to Environmental Management*, Veronique D. Hauschild and William B. Pringle, Ed., Potomac Research, Inc., October 1990
- ER 1130-2-540, Environmental Stewardship Operations and Maintenance Policies



## **G. RECREATION MANAGEMENT**

### **Facilities Management**

A primary management goal of the Fort Worth District is to operate and maintain the lakes for the continued enhancement of their primary and secondary benefits. Since most lakes are located in or near heavily populated and developing areas and receive heavy public use, it is vitally important that the objectives of outdoor recreation management are aimed at the conservation and protection of resources. Plans and programs are implemented for protecting and rehabilitating existing facilities and also for identifying needs for additional facilities and encouraging their development through existing authorities. Existing facilities, areas, and programs are regularly evaluated for operational efficiency to determine if closure, consolidation, modification, or cancellation is warranted.

The Corps of Engineers has a great responsibility for providing a variety of recreational facilities to the visiting public. We must not only be efficient in the operation of these facilities but must also plan, budget, construct, and maintain the facilities to the highest standard possible.

We must also be people managers as well as facilities managers. We must know and understand the needs and desires of visitors to better serve them. As a ranger, you have a unique opportunity to observe recreational facilities during periods of peak usage and receive feedback directly from visitors. Your input in the process of siting, constructing, operating, and maintaining recreational facilities is invaluable.

### **Americans with Disabilities Act**

We are responsible under Section 504 of the Rehabilitation Act to provide access to all of our programs or activities. This is not meant to imply that every facility must be accessible by American Disabilities Act Accessibility Guidelines (ADAAG), though that is the ideal. Some of the facilities for a particular activity must meet the guidelines.



As an example, not every picnic or camping site has to meet the ADAAG, but some of the sites must. It is always desirable to avoid creating obstacles such as steps wherever possible. New facilities should meet ADAAG and older facilities should be retrofitted to the extent practicable. The District Accessibility Coordinator can be contacted for more information or advice.



### **References**

- Project Master Plan and Operational Management Plan
- EM-1110-2-410, Design of Recreation Areas and Facilities
- EM-385-1-1, Safety and Health Requirements
- EP 310-1-6a/6b, Sign Standards Manual

### **Public Use Data**

The monitoring of project visitation is vital to the overall operation of recreational facilities. Planning, funding, and staffing requirements are, in part, justified by visitation figures. Public use data can also be used to indicate the economic impact of recreation for the area surrounding a lake. Studies have shown that on average, day use visitors to Corps of Engineers lakes spend over \$21.50 for every recreation visit that they make in the lake area. Likewise, overnight visitors spend over \$82.50 for every recreation visit they make. These expenditures include those for food, lodging, fuel, bait, souvenirs, etc.

As a ranger, your responsibilities in monitoring project visitation consist of physically collecting vehicle counts in recreation areas or obtaining visitation counts from outgranted areas, entering the raw visitation data into the Corps of Engineers' web-based visitation reporting system, (WebVERS), and conducting recreation use surveys to update the Visitation Estimation and Reporting System (VERS) program's load factors.

Counting vehicles which enter Corps recreation areas, outgranted areas, quasi-public group camps, and commercial concessions is the primary method of obtaining raw data used to compute project visitation. Traffic counters, which may be one of several types; optical laser counters, inductive loop types, or pneumatic hose types; are used to count vehicles. A comprehensive look at traffic meters is available on the Corpslakes website at <http://corpslakes.usace.army.mil/employees/usurveys/meters.html>. It is recommended that all individuals responsible for the VERS program review this presentation.

At the end of each month, the traffic counters are read and the data collected is entered into WebVERS. When the raw visitation data has been entered, WebVERS applies statistical data (referred to as "load factors") entered from the most recent recreation use survey and calculates the project visitation. The resulting report on visitation and distribution of recreational use may then be used by Corps personnel.

The visitation report expresses monthly and year-to-date visitation in terms of "visits," "visitor hours," and "visitor days." A visit is defined as a visit by one individual to a recreation development or area for recreation purposes. A visitor hour is defined as the presence of one or more persons on an area of land or water for the purpose of engaging in one or more recreation activities during continuous, intermittent, or simultaneous periods of time aggregating 60 minutes. A visitor hour equals one-twelfth of a visitor day. Monthly visitation reports may be obtained through WebVERS or through hard copies kept on file at the field office, depending on the preference of the lake manager and the VERS coordinator.

Recreation use surveys are conducted at Corps lakes in coordination with ERDC when funding allows. These traffic-stop interviews at representative areas on the project are scheduled so as to increase the chances of obtaining an accurate sample according to time, day of the week, and season. The Waterways Experiment Station (WES) in Vicksburg, Mississippi has developed a computer program that allows the data to be entered at the site by the surveyor.



The surveys provide information about the types of vehicles crossing the meter, number of people per vehicle, length of stay, and types of visitor activities. This information is then used to generate the load factors for that particular type of site. The load factors are applied to future readings from that site and other similar sites to estimate recreation use.

Data entered into WebVERS is electronically transferred to OMBIL at some point during each month. If a lake VERS coordinator misses entering data in a particular month, a special “oversync” needs to be run by ERDC to transfer the missing data into OMBIL. VERS coordinators are urged to keep their visitation data current so that the most up to date information will be available in OMBIL for use by Corps personnel.

### References

- ER 1130-2-550, Chapter 13 - Recreation Use Surveys.
- ER 1130-2-550, Chapter 12 - Natural Resource Management System
- VERS on the Gateway: <http://corpslakes.usace.army.mil/employees/usurveys/usurveys.html>

### **Administration of Recreation Use Fee Areas**

Public laws provide that each federal agency developing, administering, or providing specialized site facilities, equipment, or services related to outdoor recreation will provide for the collection of special recreation use fees for those facilities furnished at federal expense. Currently, entrance or admission fees to Corps recreation areas are not allowed, although fees may be charged for use of campsites, launching ramps, swimming beaches, or reserving picnic shelters in these areas.



The Fort Worth District initiated the fee program in 1971 at two campgrounds. The program has progressed from roving rangers who collected fees and issued user permits to the present system of live-in contract park attendants who collect fees, prepare remittances, issue permits, take reservations, and control access.

The fee structure at the fee campgrounds operated by the Fort Worth District is such that campers have a wide range from which to choose. Sites range from basic sites that offer amenities such as a picnic table



and grill up to fully improved “impact” sites that offer electrical, water, and sewer hookups and direct access to the lake.

Not only are the obvious benefits of revenues realized from the fee areas, but the presence of park attendants in these areas has greatly reduced the number of incidents of vandalism, rowdiness, and overuse/overcrowding. Campsite reservations are currently handled through the National Recreation Reservation System (NRRS™), a federal multi-agency initiative that allows customers to access reservations for a variety of recreation facilities by calling a central toll free number or on the internet.

Desktop PCs are now used at district fee campgrounds to facilitate the campground management system. With this computerized campground management system, park attendants can connect to the database at the call center, issue permits, create and confirm reservations, locate campers, generate necessary forms, track collections, and prepare bills for collection.

### **References**

- ER 1130-2-550, Chapter 9 - Recreation Use Fees
- NRRS™ on the Gateway: <http://corpslakes.usace.army.mil/employees/nrrs/nrrs.html>



## H. VOLUNTEER PROGRAM

The Corps of Engineers is authorized to accept the services of volunteers and to provide for their incidental expenses to carry out any activity of the Army Corps of Engineers except policy making or law/regulatory enforcement. The Corps objective is to utilize voluntary services having some value to the Corps in a manner mutually beneficial to the volunteer and the public interest.

Volunteers may carry out many activities for the Corps of Engineers. Voluntary service may include work that would not otherwise be accomplished because of funding or personnel limitations. Volunteers may produce products for the Corps at off-site locations.

A successful volunteer program requires a step-by-step approach to assess Corps needs, develop a plan to accomplish those needs, and evaluate program success. The program should also tailor Corps needs to the volunteer talents available in the local area.



*Volunteers at Canyon Lake*

The major steps in this procedure are:

1. Assess overall needs. Define the tasks that need to be done at the individual project or office.
2. Evaluate costs and benefits. This program is not "free." It will require staff time and administrative support. Regulate the size of the program to match individual organizational capability.
3. Refine task descriptions. The supervisor will develop simple descriptions for the tasks that need to be accomplished. Existing information will be used to the greatest extent possible. The level of work described will be used to establish a value of the service performed. This replacement cost classification determination, as well as the number of hours volunteered, will give the accepting official the means to determine the value of each volunteer's work effort.
4. Recruit and select. Advertise the volunteer program through public service announcements, news releases, personal contact and brochures. Screen all applicants and identify the talents that are available. Match the volunteer applicants with the tasks identified and finish the acceptance process.
5. Provide orientation (training). Provide initial orientation and follow-up training commensurate with the type of job, length of proposed service and the requirements for safety.
6. Provide supervision. Identify supervisory channels for the volunteer and clearly describe the work to be accomplished. Follow up on the job as you would with a paid staff member.
7. Keep records. The supervisor will monitor the hours worked by each volunteer.



8. Develop a volunteer plan. A volunteer plan is a synopsis of the information resulting from paragraphs 1 through 7 above. Such a plan should be included as an appendix to the project "Operational Management Plan." A Corps Volunteer Coordinator's Handbook (EP 1130-2-429), has been developed to assist coordinators in the formation of the volunteer plan and the overall operation of the volunteer program.

Most individuals can qualify to become volunteers for the Corps. It doesn't matter if the person is receiving pay, academic credit, or other types of compensation from sources other than the Corps; if the Corps is not paying for the work that is done, the person can be considered a volunteer. Individuals convicted of crimes and participating in court-approved probation, work release, or alternate sentencing programs may serve as volunteers at the discretion of the accepting official; however, no person referred from a court-approved program, who has been convicted of any violent crime, crime against person, or crime involving the use of a weapon shall be utilized in the Corps of Engineers volunteer program in any manner.

Volunteers must be qualified to perform the work assigned. Additionally, they must be physically able to do the work. The accepting official may request the volunteer to complete a Standard Form 256, Self-identification of Handicap, or obtain a medical examination if there is a question regarding the volunteer's ability to perform assigned work. In special circumstances, the cost of medical examinations may be considered incidental expenses of the volunteer. These circumstances should reflect the need for medical examination and the value of the voluntary services that the Corps would receive.

Volunteers will not be used to displace any personnel of the Corps of Engineers. They may, however, perform duties which once were, or are presently, performed by Corps personnel or contractors. Volunteers should not be required to perform any type of work that he or she does not feel comfortable doing or does not willingly agree to do. Volunteers who are assigned to operate machinery or equipment (such as chain saws, power shop tools, or specialized equipment) must first have demonstrated their proficiency in the operation of that equipment and their understanding of safety requirements to the satisfaction of the supervisor and the accepting official.

Voluntary service may be accepted by any official designated by Site Managers or their representatives. Voluntary service may be accepted from individuals or from members of organized groups. Volunteers will be recruited and service accepted without regard to race, creed, religion, age, sex, color, national origin, or handicap.

Whenever possible, volunteers will be provided a work environment which is equivalent to that provided for Corps personnel performing similar duties. Volunteers will not normally be used in work assignments in which Corps personnel would receive hazardous duty pay. The same safety training and briefings provided to Corps personnel in a given circumstance will also be provided to volunteers. This should include the review of an "Activity Hazard Analysis." Injuries to volunteers will be reported in the same manner as those involving Corps personnel. The reporting procedures will be the same except that item 17 of ENG Form 3394, U.S. Army Corps of Engineers Accident Investigation Report will be checked "other-volunteer." The activity will also report all hours of volunteer work (reported as USACE personnel work-hours) for accident statistical analysis purposes.

The agreement for volunteer services may be terminated at any time by the accepting official or the volunteer.



Volunteers receive the same benefits and protection as federal employees under the Federal Employees Compensation Act (5 USC, Chapter 81) and the Tort Claims Act (28 USC, 2671-2680) and are considered to be federal employees for only those purposes. Since volunteers are considered the same as paid personnel for the purpose of this Act, they are offered the protection of the Act for personal liability as long as the volunteer is within the scope of his/her responsibilities.

Incidental Expenses. PL 98-63 grants the Corps authority to provide for the incidental expenses of volunteers. Reimbursement of incidental expenses is not to be understood as salary. Many volunteers do not want or need reimbursement for their out-of-pocket expenses; others could not volunteer without some financial assistance. Reimbursement should be handled on a case-by-case basis. Accepting officials and volunteers should enter into volunteer agreements with the understanding that reimbursement is not mandatory. Volunteers may be reimbursed for actual out-of-pocket expenses they incur in performing voluntary service when approved in advance.

Volunteers may be housed in Government provided quarters. They will not normally be charged for such occupancy. Volunteers may also be provided campsites at Civil Works projects where their voluntary service occurs and not be required to pay a user fee.

It's important to remember to:

- Be enthusiastic. Volunteers need an enthusiastic supervisor, as well as an interesting work experience.
- Respect your volunteers. Probably the most positive work atmosphere is mutual respect, where you provide encouragement, concern, support, and recognition.
- Recognize the efforts of your volunteers. Knowing why people volunteer helps accomplish this goal. Some people may volunteer to receive public recognition, while others may prefer their work be anonymous. Evaluate the contribution, evaluate the volunteer, and tailor the recognition to each case.

If you need additional information, contact your Regional Volunteer Coordinator.

#### References

- NRM Gateway Volunteer Information:  
<http://corpslakes.usace.army.mil/employees/volunteer/volunteer.html>
- Volunteer Coordinator's Handbook (EP 1130-2-429):  
<http://www.usace.army.mil/publications/eng-pamphlets/ep1130-2-500/c-10.pdf>
- Volunteer Clearinghouse: <http://www.orn.usace.army.mil/volunteer/>



## I. INTERPRETIVE SERVICES

The ranger as an interpreter is a teacher in the purest sense of the word. He or she works with people who are at leisure in the special places of beauty and solitude which have been established for their use. The interpreter seeks to translate vividly the language of the earth and of the earth's inhabitants.

Since it was published in 1957, Freeman Tilden's book, Interpreting Our Heritage, has served as the definitive expression of the philosophy of visitor education and interpretation. Tilden defines interpretation as "an educational activity which aims to reveal meanings and relationships through the use of original objects by firsthand experience and by illustrative media rather than simply to communicate factual information." Tilden further states that an interpretive effort is based on the following principles of interpretation:

- Any interpretation that does not somehow relate what is being displayed or described to something within the personality or experience of the visitor will be sterile.
- Information as such is not interpretation; interpretation is revelation based upon information. However, all interpretation includes information.
- Interpretation is an art which combines many arts, whether the materials presented are scientific, historical, or architectural. Any art is in some degree teachable.
- The chief aim of interpretation is not instruction but provocation.
- Interpretation should aim to present a whole rather than a part and must address itself to the whole person rather than any phase.
- Interpretation addressed to children (up to the age of twelve) should not be a dilution of the presentation to adults but should follow a fundamentally different approach. To be at its best it will require a separate program.



*A Park Ranger presenting an interpretive program*

Visitor perception and interpretive programs can be classified according to central themes and interpretive techniques employed.

### Interpretive Themes

If one principle of interpretation is to present a whole rather than a part, then a central theme must be developed to focus the various parts of a presentation into that whole. The theme should tell the story of the whole message and easily relate to the lives of the visitors in the audience. Determination of the theme whether natural, historical, cultural (archaeological and historical remains), operational (flood control, hydropower production, etc), or recreational, is based on management objectives and the resources which are being featured.



Two principles are important in developing a theme. First, never simply identify an object. If nothing else of interest can be said about a tree, do not mention it in the program. Secondly, do not attempt to interpret everything. Many subjects are too involved to be covered completely in a short presentation. Select relevant examples instead to illustrate and develop your theme.

### **Interpretive Techniques**

*Personal Services* - A program which involves direct interpersonal contact between the interpreter and visitors is considered the ideal interpretive method. Personal services can be tailored to the needs of individuals or groups and take advantage of unexpected and unusual opportunities. The personality and uniform of the interpreter can enhance the appeal of the message and effectiveness of communication. The interpreter can obtain feedback directly from the audience in order to determine if his or her message is clear and relevant. Eye contact between the interpreter and audience is essential. The following types of personal service can be effective in informing the visitor:

- *Talks* - Rangers are called upon to speak to many different groups on a variety of topics. The interpreter can use group reaction to stimulate individual interest and encourage desired attitudes.
- *Guided Walks* - This method capitalizes on the ability of project resources in their normal environs to stimulate interest and enhance understanding. Visitors can use all of their senses. Guided walks include nature walks, tours of the dam and power plant, etc.
- *Campfire Programs* - A campfire program can be a uniquely satisfying experience enhanced by the enjoyment of song, the romance of the campfire, and the simple, informal, relaxing mood of the surroundings. It offers an excellent opportunity to encourage appreciation and concern for natural resources.
- *Demonstrations* - Demonstrations are especially effective because they offer first-hand experience with real objects and locales. Topics for demonstrations include safety equipment for boats, knot tying, simple rescue techniques (use of life jugs, etc.), wildlife management practices, etc.

Other types of personal service include *boat tours*, *information booths* at fairs or outdoor shows, *living history programs*, etc.

### **Audio-visual Media**

*Motion Pictures* - Many excellent films are available from public agencies, educational institutions, and corporations at no charge. The films should be current, not too long, and pertinent to an interpretive theme.

*Slide and Slide/Sound Programs* - If lighting conditions allow, slides can be used to vividly illustrate talks and demonstrations. Slide programs are relatively inexpensive and easily changed. Each slide has a cassette tape recorder which is capable of cueing a slide projector as well as playing a sound track. Thus, a slide program may be enhanced with narration, music, or sound effects.

*Videocassette Recordings* - Professionally produced videotapes on many topics are becoming increasingly available. Videotapes may also be shot and edited locally. Most schools, libraries, and many other



organizations have televisions and videocassette recorders that facilitate off-site programs to organized groups.

*Audio Messages* - If the minimum text required to convey a message is so long that few visitors would read it, a recording might convey the message more successfully. An audio device also provides the opportunity to enhance an interpretive message with personality, dramatic impact, historic recordings, and natural sounds. Audio devices would be appropriate at points of interest, such as an overlook, lock wall, or visitor center.

*Multimedia* - The use of a combination of several slide projectors, with or without sound, and with or without movies or videotapes, offers new and exciting experiences for viewers. Interactive computer programs can also enhance the learning experience with a mix of graphics, video clips, as well as music and narration. These varied techniques of presentation command more attention and interest but are necessarily limited to fixed locations such as visitor centers.

*Visitor Center Exhibits* - The visitor center should introduce the visitor to the lake and its resources and provide information on recreational opportunities and rules and regulations. Exhibits in the visitor center should make a strong, lasting visual impression. A fossil, a mounted animal in its natural "habitat," or a historical photograph can tell much and suggest even more. Pictures, maps, and diagrams in an exhibit can effectively present ideas as long as they do not require long verbal explanations or complex graphic treatment. Interactive exhibits, which enlighten through physical participation by the visitor are particularly effective. The security and extensive facilities of the visitor center make the use of audio devices especially practical. Sound strengthens the impact of the message of an interpretive exhibit. The exhibits in the newer visitor centers in the Fort Worth District have been designed and installed by private contractors.

*Signs, Markers, Bulletin Boards, and Wayside Exhibits* - The message should relate to what is actually being seen by the visitor: the dam, wildlife management practices, geology of the area, historic structure, etc. Markers serve merely to mark a significant site or object, such as a tree label.

*Self-Guiding Trails and Tours* - Visitors may use self-guiding trails or tour routes at their own pace, and with as much interpretation as they wish. Self-guiding trails and tours may use either stake-and-leaflet or text-in-place media. Self-guiding interpretive trails should not connect with hiking, horse, or bike trails.

*Written Messages and Publications* - One of the most valuable and necessary tools of interpretation is the written word. Publications inform visitors before and during their visits to the lake. Some publications (e.g., well illustrated lake brochures) serve as souvenirs as well as sources of information. Publications which are important in a lake interpretive program include:

- Lake brochures
- Literature on environmental awareness
- Announcements of special events
- Checklists of flora and fauna
- Newspaper articles
- News briefs
- Special information brochures (such as hunting maps, water safety information, etc.)



*Environmental Study Areas* - Environmental study areas are intended to support and stimulate environmental education programs in natural settings for schools, scouts, adjacent landowners, and other groups. These areas should be rich in educational resources that interpret the environment by illustrating natural, historical, or cultural relationships. Ideally, teachers and rangers should work together to plan the development and use of an environmental study area

#### **References**

- *Interpretive Skills for Environmental Communicators*, John W. Hanna, Texas A&M University, College Station, 1972, <http://www.nps.gov/idp/interp/103/questechlp.pdf>
- *Interpreting Our Heritage*, Freeman Tilden, The University of North Carolina Press, Chapel Hill, 1967
- *Interpreting the Environment*, Grant W. Sharpe, John Wiley and Sons, New York, 1976



## **J. EMERGENCY RESPONSE**

### **Emergency Management**

The Corps of Engineers emergency management program addresses natural disasters such as floods, earthquakes, tornadoes, explosions, and droughts; and man-made emergencies including oil or chemical spills, riots, terrorism, and warfare (nuclear, biological, chemical and conventional).



*Corps Personnel at the World Trade Center*

Rangers are the primary field representatives of the Corps of Engineers and as such will be called upon to make the initial survey of the severity and extent of damage in a national or local emergency caused by natural or man-made forces. The operational management plan (OMP) for each lake outlines the actions to be taken in the event that emergency situations arise.

The procedure for reporting all emergency operations activities is as follows:

Gather the necessary information when reporting any emergency activities. After all necessary information is gathered, call the Emergency Manager at the Readiness Branch/Emergency Operations Center at (817) 886-1445. The Emergency Manager can then give you guidance as to any additional information that may be essential to the operation. As soon as the emergency situation has passed, each ranger involved will complete the report on ORN Form 363 and send it through the Resource Manager to the Emergency Manager. The Resource Manager will ensure that a duplicate copy of the report is sent to the Chief, Natural Resources Management Branch.

### **Natural Disasters**

The broad objective of the Corps of Engineers is to be responsive to the public need and be prepared to utilize its full capabilities and authorities for the common good in order to save human life, prevent immediate human suffering, or mitigate property damage.

The district is to use available resources to protect Corps of Engineers facilities, to provide and perform supplemental aid to civil authorities, and to perform tasks as directed by the Federal Emergency Management Agency (FEMA).



## **Floods**

Public Law 84-99 requires the Corps of Engineers to conduct emergency operations when flooding conditions exist or are imminent. Rangers may be directed to provide initial technical assistance and contact local officials of affected communities to inform them of the assistance available from the Corps of Engineers. Sandbags, pumps, generators, etc., are examples of equipment available for loan to local entities. Federal assistance shall always be supplementary to and not a substitution for local efforts.



*Road closure due to flood conditions*

## **Other Natural Emergencies**

When a major natural disaster occurs (e.g., earthquake, tornado, major fire, etc.), rangers may be called upon to make a preliminary survey to evaluate the overall damage. With the help of the initial damage survey, the Federal Emergency Management Agency (FEMA) determines whether the severity and magnitude of the damage warrant federal assistance. Only after a presidential declaration of a “major disaster” or “emergency” has been made, can the affected state or municipality receive federal aid.

Preparation of Damage Survey Reports (DSR), providing ice and water, temporary housing and roofing, debris and wreckage clearance, and emergency repairs or replacement of roads, highways, utilities, dikes, or levees are examples of tasks that may be assigned to the Corps of Engineers by FEMA. This is only as a result of an application for federal aid after a disaster has been declared.

## **Oil or Chemical Spills**

If you detect or are notified of a discharge of oil or hazardous substance, you should immediately ascertain the nature of the discharge, the amount (estimated), and location; its potential impact on the environment; the probable direction and rate of travel of the material; the resources and installations which may be affected; and actions necessary for protection.

The ranger should immediately notify the Site Manager of the spill. Detailed contingency and action plans, which include precautionary measures and the procedure for further notification are contained in the Project Spill Prevention, Countermeasures and Control Plan (SPCC).



## **Project Mobilization**

In the event of the declaration of a national emergency there will be a transition from a peacetime to a mobilization situation, involving rapid changes in the operations of the District. Upon receipt of an order to mobilize, the District will provide engineering and construction support utilizing available resources to specified military installations and facilities within the civil works boundary. Essential operations will continue at civil works projects needed to support the mobilization effort.

A Project Mobilization Plan (PMP) has been prepared for each lake, outlining functions which will continue or change during mobilization, staffing requirements required to support mobilization activities, and other requirements and programs to be implemented. This plan is on file at the resource manager's office.

In the event of a nuclear attack, field personnel and their families will take shelter in the facilities on hand at their project (usually located within the dam or power plant). A designated shelter manager will be responsible for organization of recovery teams, monitoring teams, and all necessary recording and reporting of radiological information.

## **References**

- ER 500-1-1, Natural Disaster Procedures
- Project Operational Management Plan
- Project Mobilization Plan
- Project Spill Prevention, Countermeasures and Control Plan (SPCC)



## **K. SHORELINE MANAGEMENT AND REGULATORY PERMITS**

As a ranger, you will be the initial contact for individuals who wish to make private exclusive use of public property or perform work in streams or wetlands in the drainage basin of your lake. You will be involved with shoreline use permits and Department of the Army (Regulatory) permits. You must become familiar with the authorities, regulations, and administrative procedures for the various types of shoreline uses and permits. Procedures for processing applications and conducting inspections vary slightly at each lake according to workload and staffing.

### **Shoreline Management**

Prior to 1972 private boat docks, residential mowing privileges, retaining walls, sidewalks, ramps, and other forms of private exclusive use were permitted on public property at some lakes in the Fort Worth District without limitations on the numbers of such activities. The enactment of the National Environmental Policy Act of 1969 (NEPA) led to action to address the already perceived need for a clear policy on use of public resources by adjoining property owners. There was concern that, if allowed to continue unrestricted, proliferating private alteration of shorelines would seriously detract from natural aesthetics and imply private use by a limited number of people fortunate enough to own adjoining property.

Fort Worth District personnel undertook a detailed study of the impacts of existing and potential private use at all lakes in the district during 1972 and 1973. This study concluded that problems related to ecology, aesthetics, pollution, and conservation of natural resources had reached serious proportions on some lakes, and that steps had to be taken to protect the recreational and natural values of district lakes for future users. As a result of this study, a new policy on private exclusive use of public shorelines was formulated and publicized. Four public meetings were held to provide information and seek comments.

District policy and lakeshore management was established. Their primary objective was to set forth guidance and policies on how to judiciously balance public and private use of the shorelines while protecting scenic, environmental, cultural, and other natural values. The plans allocated areas where private moorage and residential mowing or hand-clipping privileges were authorized and protected areas where such uses were prohibited. District policy prohibited new permits or outgrants for these privileges at the other lakes in the district. Private use by adjoining property owners at these lakes was mainly restricted to water pipelines, agricultural leases, paths, and fire lanes on a case-by-case basis. Existing permits or outgrants in variance with the new policy were honored under the “grandfather” clause (allowed to remain in effect until sale or transfer of the adjacent property or removal of the nonconforming structure).

The Fort Worth District was a pioneer in the development of the Corps-wide lakeshore management program, which became effective through ER 1130-2-406 on 13 December 1974. This regulation required the preparation of a lakeshore management plan at each lake supporting private facilities or privileges and specified that no permits or outgrants for private exclusive use would be issued on new lakes or older lakes where no such privileges were granted previously.

Lakeshore management plans have proved effective in providing consistent policies and guidelines on private use of public property for Site Managers and the public alike.



## **Shoreline Use Permits**

Shoreline use permits are issued primarily for private moorage and mowing privileges. They grant no real estate interest in public property and may be revoked in the public interest, under emergency circumstances, or for noncompliance with permit conditions. The term of this permit is five years. Specific policies and guidelines for administering shoreline use permits at a lake are contained in the Project Shoreline Management Plan. The Shoreline Management Plan is designed to clearly set forth what privileges are and are not permitted on public property.

## **Fees for Shoreline Use Permits**

Section 4 of the 1944 Flood Control Act authorizes fees to cover administrative and inspection costs for five-year shoreline use permits (e.g., boathouses). These fees are established via the lake's Shoreline Management Plan.

## **Application Procedures for Shoreline Use Permits**

Shoreline use permits are processed at the Site Manager's Office. Usually the first step in this process is an on-site meeting between the ranger and applicant. During this meeting, you should review the proposed work and advise the applicant on applicable laws, regulations, and policies. If appropriate, provide the proper application forms to the applicant and show him or her how to complete them. Keep a record of the meeting in case unauthorized activity occurs at the site later.

## **Inspections**

Floating facilities and mowing, landscaping, or trimming work authorized by shoreline use permit must be inspected at least once a year. In the course of normal operations, these permit sites are actually inspected more often.

## **Department of the Army Permits**

Department of the Army (DA) Permits are issued pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. Approval under Section 10 is required for the construction of any structure in or over any navigable waters of the United States, the excavation from or depositing of material in such waters, or the accomplishment of any other work affecting the course, location, condition, or capacity of these waters. Section 404 regulates the direct discharge of dredged or fill material into any waters of the United States, including wetlands. Both laws apply to private as well as public property. Depending on the location and extent of activity, either a nationwide, regional, or individual permit will be required.

A *nationwide permit* is a form of a general permit which may authorize activities throughout the nation. Nationwide permits are designed to allow certain activities to occur with little, if any, delay or paperwork. Nationwide permits are valid only if the conditions applicable to the nationwide permits are met. Failure to comply with a condition does not necessarily mean an activity cannot be authorized but rather that the activity can only be authorized by an individual or regional permit. Several of the nationwide permits require notification to the district commander prior to commencement of the authorized activity.



A *regional permit* is a form of a general permit which may authorize a specific activity only within the geographical limits of an Engineer District. They are similar to Nationwide permits, but are limited to the Fort Worth District and may have some notification or reporting requirements.

*Individual permits* are required for more extensive activities which are not covered by nationwide or regional permits. Applicants must submit a formal application which includes plans of the proposed work.

Activities on public property which require a Department of the Army Permit also require a proper real estate outgrant if the work involves a structure or fill (e.g., construction of a barge terminal or causeway).

Information on applying for individual Department of the Army Permits is contained in EP-1145-2-1, Regulatory Program Applicant Information Pamphlet. In addition to the information required on ENG Form 4345, Application for Department of the Army Permit, each application also must include a vicinity map and detailed plan and elevation views of the proposed work. (A cross section view may be added to or substituted for the elevation view as appropriate.) Applications are submitted to the appropriate Site Manager, or in the case of an engineering firm or governmental agency that has widespread operations and applies frequently, directly to the Regulatory Branch. In either situation, the Site Manager in whose area of responsibility the work is to occur provides a brief site evaluation and comments on the proposed work.

As a ranger, you will be required to conduct preliminary site evaluations and provide other documentation necessary for processing Department of the Army Permits. You should inspect the site of the proposed work and prepare a brief general description of the environmental and cultural features. Include appropriate comments and recommendations on possible benefits and/or negative impacts. Attach a copy of a topographic map marked to show the location of the work. If the activity is to take place on public or flowage easement property, attach a copy of the segment map marked to show the location. This will allow the Real Estate Division to review the application and process an outgrant if necessary. Photographs are helpful, particularly if unauthorized activity occurs later. The Site Manager will review this information and forward it to the Natural Resources Management Branch. After review there, it will be forwarded to the Regulatory Branch for final action, which includes billing the applicant for the required fee. The goal is to reach a decision regarding issuance or denial of the permit within sixty days of receipt of a complete application by the Regulatory Branch. Rangers may also inspect activities performed under Department of the Army Permits to assure compliance with plans and all permit conditions.

No fees are charged for Department of the Army Permit transfers, Letters of Permission, permits to governmental agencies, nationwide permits, or regional permits. A fee is charged for individual permits.

### **References**

- ER 1130-2-406, Shoreline Management at Civil Works Projects, 31 October 1990
- EP-1145-2-1, Regulatory Program Applicant Information
- Project Shoreline Management Plans
- SWF Regulatory Program Website:  
<http://www.swf.usace.army.mil/pubdata/envIRON/regulatory/index.asp>



## L. REAL ESTATE

### Real Estate Outgrants

Real estate outgrants are required for activities on public property that involve structures, changes in landforms, commercial activities, agricultural use, and private or quasi-private recreational development. Leases, licenses, easements, and consents to easement are types of real estate outgrants.

A *lease* grants a substantial interest in real property, subject to all laws and terms set forth in the instrument. Commercial marinas, state parks, group camps, private yacht clubs, and hay and grazing areas are covered under this type of outgrant. Leases for hay and grazing operations normally have five-year terms; leases for recreational development are issued for substantially longer terms.

A *license* is a more restricted outgrant designated for a single specific use. The licensee has no basic interest in real property, and the term is usually five years. These outgrants may be issued for residential water pipelines, electric lines, security lights, driveways, marine railways, rip-rap, etc. on public property. Also, long-term licenses (twenty-five years) are issued to state wildlife agencies for management activities on public property at district lakes.

*Easements* grant rights-of-way for public roads and utility lines. Easements for utility lines usually are issued for twenty-year terms. The easements for roads have longer terms.

*Consents to easement* may be granted in areas where the federal government has acquired a flowage easement (the right to flood as necessary) but not the fee simple title to the property. Flowage easement conditions usually also provide that the area may be cleared of obstructions and that the Corps must approve any proposed structures or changes in existing drainage patterns (including fills) prior to construction. These outgrants may be issued to authorize steps, fences, camping pads, small residential storage buildings, minor roads, etc. Consents to easement are issued for indefinite terms.

### Application Procedures for Real Estate Outgrants

Real estate outgrant applications are submitted to the Site Manager's Office. You will be responsible for checking incoming applications for real estate outgrants in your area of the lake. Applications must include:

- A letter of application
- Detailed design plans of the proposed work including elevations at the proposed site
- A map showing the location of the proposed action and the relationship with the U.S. boundary line
- Written approval of the appropriate agencies

Plans are required for activities that involve structures or changes in landforms on public property. They must be complete, accurate, and consistent with lake policy. Rangers may be required to create a depiction of the proposed outgrant location on GIS. The outgrant request is then transmitted to the Real Estate Division, Management and Disposal Branch, for approval and entering into the Real Estate Management Information System (REMIS). A copy is also filed at the Site Manager's Office.



Competitive bidding is required for hay and/or grazing leases unless the applicant was an owner or tenant at the time the federal government acquired the property in question.

### **Fees for Real Estate Outgrants**

The Real Estate Division, Management and Disposal Branch, establishes the fees for real estate outgrants. These fees are based on fair market value except commercial marinas, which are charged according to a graduated rental schedule. Public and quasi-public agencies pay nominal or no fees for real estate outgrants.

### **Inspections**

All outgrants are inspected on an annual basis. A ranger accompanies the compliance inspector from the Real Estate Division on inspections of outgrants, such as commercial marinas, state parks, group camps, etc.

### **References**

- Standard Operating Procedures, Outgrant Management Administration of Areas Leased for Recreation or Concession Purposes, Public or Private, Appendix D (CESWF-RE/CESWF-OD)



## **M. CONTRACT ADMINISTRATION**

Because of ever decreasing maintenance forces, Resource Managers have had to rely increasingly on contracting for operations and maintenance work. As a result, more and more time is consumed in the proper administration and inspection of these contracts. Throughout the years various types of contracts have been used at the lakes in the district. However, with increases in the contract workload and gains in administrative experience, the requirements contract has emerged as the primary means of accomplishing the majority of the work. The requirements contract is a type of indefinite delivery contract that provides for a wide variety of work items and the flexibility needed to effectively and efficiently operate and maintain project facilities. The objective of this section of the training manual is to familiarize you with the requirements contract and the activities involved in its day-to-day administration.

The requirements contract is a competitively negotiated procurement and is awarded for one year with normally two to four one-year renewal options. These options permit the renewal of the contract at the government's option, which results in continuity of services and precludes the necessity of advertising and awarding a new contract each year. The services provided in the contract can be divided primarily into two types:

- **Routine Work** - frequent, recurring maintenance work. These items are on a firm fixed price per job basis, such as \$15 to clean a picnic shelter, \$200 per mowing of a picnic area, or \$0.25 per linear foot of pavement striping. When a delivery order is issued for routine work, the contractor is required to provide all necessary management, personnel, materials, supplies, parts, tools, equipment, vehicles, and transportation to accomplish the job in accordance with the specifications contained in the contract.
- **Non-Routine Work** - those jobs that do not occur on a routine basis, such as emergency work, rip-rapping, erecting a prefabricated picnic shelter, or renovating campsites. This work is on an hourly rather than per job basis. Each individual job, such as erecting a picnic shelter, is accomplished by the issuance of a delivery order. Each delivery order is based on an agreement reached between the government and the contractor on the number of hours of each service (e.g., carpenter, laborer, dump truck) required to perform the work. The government provides all the necessary materials, and the contractor provides everything else.

The processes involved in the administration of a requirements contract at the field level can best be demonstrated by describing each of the basic steps involved in the completion of a particular job. The following paragraphs summarize each of these basic steps from the decision to perform the work to its completion.

### **Non-Routine Work Orders**

This process is unnecessary for routine work items since the price for these services was established prior to awarding the contract. ORN Form 564, Delivery Order Cost Estimate, is presented to the contractor to initiate discussions for non-routine work. At this point, the contractor's copy of the form contains only the description of the work to be performed and any other plans and specifications necessary to describe exactly what is to be done. The contractor then prepares an estimate of the required number of hours of labor and/or equipment and the materials necessary to perform the work. Corps personnel prepare a government estimate and list of required materials and/or government furnished items (GFI). Then the contractor's estimate is reviewed, and if it is found unacceptable, documented discussions take place in an effort to reach an agreement. If discussions are successful in reaching an agreement on the number of



hours of each line item to perform the work the agreed upon hours are multiplied by the bid price for each item and the total becomes a firm, fixed price to perform the work. If these discussions do not succeed, the government is at liberty to obtain the needed services by whatever means deemed to be in its best interest.

### **Delivery Orders**

When an agreement is reached on an acceptable estimate for a particular job, a delivery order is issued to the contractor. Delivery orders are prepared on DD Form 1155 and are approved by the ordering officer for the contract. **Neither routine nor non-routine work can begin prior to issuance of the delivery order.** A delivery order for non-routine work may be modified after issuance to reflect changes in the scope of work, delivery dates, cost codes, etc. Unless errors are discovered, delivery orders for routine work normally are not modified because the contractor bid these services on a firm, fixed price basis.

### **Property Accounting**

As previously discussed, the government is responsible for providing the materials necessary to complete non-routine work. Upon issuance of a delivery order, these materials are turned over to the contractor using a Property Control Receipt, ENG Form 4900. The form lists all government furnished items (GFI) and the purpose for which they are to be used. It is signed by the Hand Receipt Holder (or designee) and the contractor. Property control receipts are filed and can be used to account for any unused property returned by the contractor.

### **Quality Control and Quality Assurance**

Before the contractor performs any work, two important programs must be established to ensure that the final product will be of acceptable quality. The contractor establishes a quality control (QC) program which is described in their Quality Control Plan and must be approved by the COR. The Corps initiates a quality assurance (QA) program that is part of a written quality assurance plan. Among other things, the quality assurance plan addresses the standards by which the contractor's performance will be evaluated and includes the inspection to be used. All records of inspections by both the Corps and the contractor are kept on file.

### **Deficiency Reports**

If the contractor fails to perform according to the standards set forth in the contract, the contracting officer's representative (COR) may issue a deficiency report. This report completely describes the deficiency and requires the contractor to explain, in writing, why performance was not satisfactory and how recurrence of the problem will be prevented. Records of deficiencies are the basis for development of contractor evaluations and for deductions from the contractor's payments for unsatisfactory performance.

### **Payments**

Normally the contractor submits a monthly invoice for work completed; invoices for non-routine work, however, may be submitted on completion of the job. After reviewing inspection records and any other



performance reports, the receiving agent signs the receiving report portion of the DD Form 1155, verifying that the services ordered have been inspected, received, and accepted. If it is necessary to deduct an amount from the contractor's payment due to unsatisfactory performance, the new total is shown, and an explanation of the deduction is included. An electronic receiving report is completed in CEFMS and the Finance and Accounting Center in Millington, Tennessee processes payment to the contractor.

#### **References**

- Training Manual, Administration of O&M Contracts (PROSPECT)
- Training Manual, O&M Contracts-Advanced (PROSPECT)



## N. SPECIAL SKILLS

### Surveying

Surveying is the science and art of making the measurements necessary to determine the relative positions of points above, on, or beneath the surface of the earth or to establish such points. Throughout the history of civilization it has been found necessary to divide land and mark boundaries.

There are many types of surveys. As a ranger, you will primarily be involved with property surveying. This type establishes property corners, boundary lines, and areas of parcels of land. It is also known as land, boundary, or cadastral surveying. In your work, you will be faced with numerous decisions involving project boundaries. Thus, a working knowledge of property surveying is essential.

Your work also may involve topographic and construction surveying. Topographic surveying is the process of determining the locations of natural and cultural features and finding the elevations of points. It is used in site planning and mapping. Construction surveys provide the points and elevations necessary for building structures and facilities.

### Overview

- Plane surveying (surveying on a flat, horizontal reference surface) consists of five measurements: horizontal angles, horizontal distances, vertical angles, vertical distances, and slope distances.
- Horizontal and vertical angles are measured (or laid out) with a transit or theodolite. For rough measurements, a compass may be used for horizontal angles, and a clinometer may be used for vertical angles.
- Horizontal distances are measured by taping, stadia, or use of an electronic distance measuring instrument (EDM). For rough measurements of horizontal distances, pacing or using an odometer may be satisfactory.
- Vertical distances may be determined by using the level and level rod, graduated tape (buildings, shafts, etc.), or trigonometric leveling method. In trigonometric leveling, the vertical angle and slope distance are applied to the proper formula in order to find the vertical distance.
- Slope distance measurements are usually inclined sights using the stadia method or electronic distance measuring equipment. Slope length is usually reduced to horizontal and vertical distances.
- You will need both study and practical experience to develop basic skills in surveying. Complete descriptions of surveying equipment and techniques can be found in a current textbook on the subject. The following areas of surveying are important in ranger work:
- *Stadia Method* - This is a means of measuring distances quickly and efficiently with a rod and transit, theodolite, or level. In an instrument equipped for stadia work, the telescope reticule has two additional horizontal cross wires which are equidistantly spaced from the center one. When sighting through most instruments, the interval between these two additional cross wires gives a vertical intercept of one foot on a rod one hundred feet away. Thus, the distance can be read to



the nearest foot on a rod graduated in hundredths of a foot. Except for long shots, ordinary level rods can be used for stadia work.

- *Leveling* - Leveling is the process used to determine and establish elevations of points, to determine differences in elevation between points, and to determine grades in construction surveys. Differential leveling with the level and level rod is the method most commonly used. It is used frequently to determine the extent of flowage easement lands. Stadia leveling (a form of trigonometric leveling) with the transit or theodolite can be used for more rapid leveling in variable terrain when moderate precision is sufficient.
- *Horizontal Distances* - For precise measurements of horizontal distance, such as determining property lines, the steel tape or electronic distance measuring instrument is used. Stadia measurements are used in topographical surveys.
- *Directions of Lines* - In surveying, the direction of a line in the horizontal plane is determined by measuring the horizontal angle between it and a known reference line. The sight along the reference line to a known point is called a backsight, and the sight along the line whose direction is to be measured or laid out is known as a foresight. (These terms are also used in differential leveling to describe shots on points of known and unknown elevation.)
- The directions of property lines are expressed as bearings. The bearing of a property line is the acute angle between the line and the true or grid north-south meridian, measured from north or south toward due east or west, e.g., N 29°30'25" E, S 15°20'10" W, etc. Therefore, any line will fall within either the northeast, northwest, southeast, or southwest quadrant.
- *Vertical Angles* - The horizontal plane through the point of observation usually serves as the reference line for vertical angles. Angles above this plane are called plus angles or angles of elevation; angles below it are called minus angles or angles of depression.
- *Traverses* - A traverse is a series of consecutive lines whose lengths and directions have been measured. Traverses may be either open or closed; in a closed traverse, the lines either return to the starting point to form a polygon or close on a known reference line of equal or greater precision than that of the beginning. Property line surveys are closed traverses.

### References

- *Elementary Surveying*, Sixth Ed., Russell C. Brinker and Paul R. Wolf, Harper and Row, New York, 1977
- *Surveying*, Harry Bouchard, Rev. by Francis H. Moffitt, International Text books, Scranton, 1961

### **Photography**

Photography is an important aspect of ranger work. Slides, prints, digital images, and videotape recordings are useful means of documenting field conditions, new facilities and management programs, public meetings, recreational use, incidents, accidents, etc. They are used in the project interpretive program, as evidence in court proceedings, and in official briefings. High quality slides and prints are also required for publications such as brochure maps.



You should periodically inspect the slides, color and black and white prints and negatives, and videotapes on file in the Resource Manager's Office at your lake. Advise your supervisor of topics which require updating or additional coverage.

The photographic equipment commonly used by rangers includes 35mm single-lens reflex cameras, digital cameras, Polaroid "instant" cameras, and 1/2-inch VHS format videotape cassette camera-recorders (camcorders).

The high quality 35mm cameras currently in use at the district lakes feature automatic light metering systems which make them easy to use yet capable of producing excellent results. With an electronic strobe unit attached, the 35mm camera may be used in practically all lighting conditions. Compact 35mm cameras used at some lakes feature automatic focusing as well as light metering. Because they are convenient to carry and use, these compact cameras are particularly suited for ranger patrol.

Polaroid "instant" cameras also feature automatic light metering and are simple to operate. They produce only color prints without negatives. These cameras are very portable and relatively inexpensive. They are extremely useful for documenting safety problems, permit or outgrant inspections, trespasses, and other violations of federal regulations.

Digital cameras operate much like standard 35 mm cameras, except that the image is saved digitally to a diskette or memory card. The digital image can then be transferred to a PC and the image can be enhanced through the use of photo-imaging software and then printed or "dropped" into PowerPoint presentations or publications. Digital image files may also be attached to email messages and can be used for a variety of purposes to depict actual field conditions.



Keep in mind however, that because of some of the attributes of digital cameras and the images they produce, these tools have limitations. For instance, because the digital image can easily be manipulated by computer applications, courtroom judges often do not give a printed digital image as much legal weight as other types of photos which are more difficult with which to tamper.

The use of the videotape camcorder is somewhat more complex and requires practice. The lens allows zooming in for a close-up or fading to a more distant shot. The term, "panning," refers to moving the camera smoothly in an arc from subject to subject. The camcorder also records sound. An internal clock allows the video recording to be marked with the date or time and date.

You should strive to photograph and film the features, facilities, management activities, and public use of your lake. Make a special effort to obtain scenic shots stressing features unique to your lake. Include visitors in pictures of recreational facilities whenever possible, but be sure that they are observing good safety practices such as wearing PFD's when water skiing or riding in boats. The visitors should be the central element of the picture, and their faces should be clearly visible if possible.

Shots of ranger activities are always in demand, particularly those involving interaction with members of the public. Be sure that the ranger's uniform is correct and complete, including the hat if outdoors. When



taking a profile shot, use the left side so that the Corps of Engineers shoulder patch will be visible. Sunglasses should be removed.

### **Plans and Drawings**

Before a structure or facility can be constructed or fabricated, there must be a means of communicating certain essential information about it. Information such as dimensions, configuration, grade, finished appearance, necessary materials, and construction details must be communicated through proper plans or drawings. Your career will require you to develop skills in interpreting, preparing, and updating various plans and drawings.

As-built site plans depict the structures and facilities developed at Corps multipurpose recreation areas. These plan views show utility lines (underground and overhead) as well as roads, sidewalks, buildings, fences, campsites, picnic sites, playgrounds, beaches, launching ramps, parking lots, etc. The as-built plan for an area must be updated as soon as possible due to maintenance or construction activities. The original copies of these plans are maintained at the respective Site Manager's Office.

Applications for shoreline use permits, real estate outgrants, and Department of the Army Permits must include appropriate plans or drawings that depict the proposed work. Plans and specifications are also required for improvements within the leased area of a commercial marina. You will work with diagrams which range in complexity from a simple sketch of a private boat dock to extensive, professionally prepared plans and specifications which provide multiple views of a proposed structure. You must be able to evaluate these plans and drawings for completeness, accuracy, and conformity to regulations and policies.

You also must be able to prepare and interpret plans and drawings of structures and facilities in Corps recreation areas. Because most construction, renovation, and maintenance work is now accomplished by contracting, the preparation of precise plans, drawings, and specifications is essential in achieving good finished products. Proper interpretation of diagrams and specifications is required in quality assurance work.

Each Site Manager's Office has a drafting table complete with drafting machine and other equipment. You should work with the other rangers and your Formal Training Officer to learn the basic use of this equipment.

### **Maps and Aerial Photographs**

Reading maps and aerial photographs is an essential skill to the ranger. Maps and aerial photographs provide the means of fixing the exact locations of objects and activities. They may also be used to scale or calculate the distances between points and the surface areas of parcels, tracts, compartments, parks, etc. Patrolling by boat, vehicle, foot, and especially by airplane requires the use of both maps and photographs for maximum efficiency. You can determine topography, cultural and natural features, and property boundaries through the use of the proper maps.

You must become totally familiar with the maps maintained at the Site Manager's Office as your duties will include assignments such as locating property lines, investigating trespasses, processing permit and outgrant applications, and siting recreational facilities, which require their use.



## Survey Maps

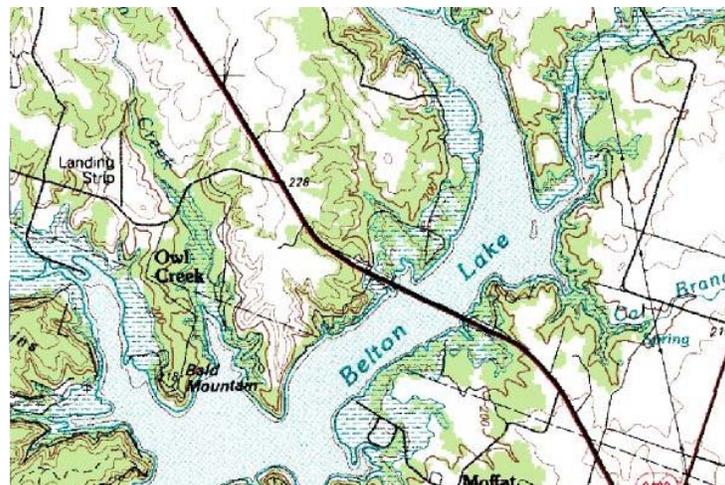
Survey (property line) maps depict the project boundaries. These maps provide the bearing and distance of each property line and identify each property corner by government tract number and consecutive order within that tract. The shoreline and other major elevation contours are also shown. The newer survey maps also are plotted on the state plane coordinate system.

## Segment Maps

Project segment maps depict project property lines and the tracts of land as they existed when they were severed (partially acquired) by the federal government prior to impoundment. Each tract is identified by a number (e.g., E-536, G-705, 1105, etc.). The original owners and the amount of land acquired from each of them are listed on a tract register printed on each segment map. Although property lines are shown, bearings and distances are not provided on these acquisition maps. Before a segment map can be released or viewed by anyone other than Corps employees, all individual names in the acquisition register must be removed or blacked out: a process called 'redacting'. Redacted maps must be approved by Office of Counsel prior to releasing for public viewing. Land use maps are segment maps which show significant real estate outgrants (e.g., road and utility line easements, commercial concessions, quasi-public group camps, state and municipal parks, state wildlife management areas, barge terminals, etc.).

## Topographical Maps

Topographical quadrangle maps, published by the U.S. Geological Service, show elevation contours (usually in twenty-foot intervals), cultural and natural features, urban areas (pink shading), and vegetative cover (green shading for wooded areas and white for cleared areas). They are called quadrangles because they cover seven and one-half minutes of latitude and seven and one-half minutes of longitude.



Pre-impoundment topographical maps prepared by the Corps for some of the projects provide views of the lake bottom. These maps may be helpful in fish attractor work, and they are prized by anglers.



## Tax Maps

County tax maps and subdivision plats are helpful in locating adjoining private property owners and processing applications for outgrants and permits. Check with the county property assessor and register of deeds.

## Aerial Photographs

Aerial photographs are accurate pictorial representations of both the natural and cultural features of the earth's surface. In cultivated regions, the first impression of the observer is that of a surface covered with a checkerboard pattern. In heavily forested areas, the first impression is of a region carpeted with vegetation. Regardless of climate, vegetation, location, or human activity, aerial photographs can impart much information about the terrain and suitability of an area for various management practices.



Aerial photographs are taken in consecutive order along a linear flight path. A map constructed from these individual photos in such a manner as to eliminate the distortion caused by the curvature of the earth's surface is known as an aerial photo mosaic. If two consecutive individual photos are viewed with the aid of an optical instrument called a stereoscope, a three-dimensional (relief) image can be seen.

## Global Positioning System (GPS)

Global Positioning System (GPS) is a satellite-based navigation system made up of a network of satellites placed into orbit by the U.S. Department of Defense. GPS was originally intended for military applications, but in the 1980s, the government made the system available for civilian use. GPS works in any weather conditions, anywhere in the world, 24 hours a day. GPS satellites circle the earth twice a day in a very precise orbit and transmit signal information to earth. GPS receivers take this information and use triangulation to calculate the user's exact location. Essentially, the GPS receiver compares the time a signal was transmitted by a satellite with the time it was received. The time difference tells the GPS receiver how far away the satellite is. Now, with distance measurements from a few more satellites, the receiver can determine the user's position and display it on the unit's electronic map.

A GPS receiver must be locked on to the signal of at least three satellites to calculate a 2D position (latitude and longitude) and track movement. With four or more satellites in view, the receiver can



determine the user's 3D position (latitude, longitude and altitude). Once the user's position has been determined, the GPS unit can calculate other information, such as speed, bearing, track, trip distance, distance to destination, sunrise and sunset time and more.

**Some uses for GPS include:**

- Property boundary line maintenance tracking
- Shoreline management
- Real estate tract identification
- Invasive species management
- Forestry management
- Cultural resources
- Endangered species
- Master plan updates
- Environmental Impact Statements
- Tree vandalism
- Buoys and navigation





## O. COMPUTER APPLICATIONS

Several computer applications are used regularly. The Corps of Engineers Financial Management System (CEFMS) is a computer program (really a *system* of several databases and financial management programs) accessed through an intranet site, and all employees have some rights to it through User IDs and passwords. CEFMS is used to create purchase requests, request travel reimbursements, etc.

The Visitation Estimation and Reporting System (VERS) is a program developed by the Waterways Experiment Station (WES) that is used to calculate and report the monthly visitation at the project.

The Natural Resources Management System (NRMS) program was an example of a large applied database system. The NRMS was a data collection and reporting system which contained statistical data on all Corps lakes in the nation. The NRMS had existed since the late 1970's. The NRMS data, although independent in the past, is now incorporated into a larger system of databases, the Operations and Maintenance Business Information Links (OMBIL). The OMBIL system, which is a web-based data system, will collect NRMS-type data and replace the older System. The purpose of the OMBIL system is to provide the data and information requirements for program and project management at all levels of the Corps' Operations and Maintenance (O&M) community. It is intended to increase effectiveness and efficiency in data management by using and linking present data management systems and providing Corps-wide distribution and easy access to the same data.

The Natural Resources Management Gateway website is an important source of information on various aspects of Natural Resources Management. The Gateway takes Corps staff into the world of the Corps' recreation, environmental stewardship and environmental compliance programs. This tool will improve communication within the NRM community and preserve the organization's institutional knowledge. The NRM Gateway can be accessed at: <http://corpslakes.usace.army.mil>.

The equipment and software used in the Fort Worth District are some of the best available and offer rangers excellent potential to develop their knowledge and use of personal computers, as well as generate new applications to improve management techniques using existing software. The variety of software available and the capability of existing hardware offer the potential for many new applications.



## P. PROCUREMENT AND SUPPLY

To adequately operate and maintain a water resources project, it is necessary to buy materials, supplies, parts, tools, and equipment, as well as obtain a wide variety of services. During any given period of time, it may be necessary to buy supplies ranging from a two-dollar part for a vehicle to several thousand dollars worth of materials for a particular job. Services may range from simple plumbing repairs to a comprehensive contract for maintenance services costing over half a million dollars.

For any procurement of supplies or services, there are generally several methods available to accomplish the task. Each method has a specified set of procedures, processes, and limitations that have to be considered prior to the actual purchase. Regardless of the procedure selected, the following limitations are generally applicable to all procurement methods:

- *Competition* - Currently obtaining competitive bids (prices) is mandatory for all purchases in excess of \$2,500 for supplies or materials and \$2,000 for construction activities. However, it is often prudent to get prices from more than one source (usually three or more). Obtaining prices from three or more sources of supply helps to ensure that the government will get goods and services at a fair and reasonable cost. It can be compared to shopping around town for the best deal on a new car.
- *Wage Rates* - Federal law requires government contractors to pay wages that are commensurate with those being paid in the private sector in the area where the work is being performed. The Department of Labor provides wage determinations; they are required for the procurement of services over \$2,500 and for construction work over \$2,000.
- *Small Business* - The Federal Acquisition Regulation (FAR) requires that simplified purchases between \$2,500 and \$100,000 be set aside for small business. The purpose of this requirement is to improve opportunities for small and small disadvantaged business concerns to obtain a fair proportion of government contracts. Larger procurements may also be set aside for small business.
- *Purchase, Request and Commitment* - The first step in most procurement procedures is the completion and approval of a Purchase Request and Commitment (PR&C) in the computer database, Corps of Engineers Financial Management System (CEFMS). This electronic form describes the item to be purchased, the quantity, the cost, and the purpose for which the item is to be used. Some PR&Cs are approved at the field level (i.e., miscellaneous purchases less than \$2,500 using the VISA card), while others require approval at various district levels depending on the item and the method of procurement.

After consideration of the above requirements and limitations, the most appropriate procurement method is selected. The most commonly used methods and their limitations follow:

- *Credit Card* - The government generally utilizes two types of credit cards:
  - *VISA Card* - This card is generally used like any other bank credit card. The cards are issued to certain field employees for the purchase of materials, supplies, and services up to \$2,500 and to purchase construction services up to \$2,000. Each individual and office has a monthly dollar limit on purchases. This is considered the most efficient method for making local purchases.
  - *Bank of America Card* - The Bank of America credit card is similar to the Visa card, except that it is issued to a specific employee for the payment of authorized travel expenses such as lodging and meals. The individual is responsible for paying the entire credit card bill from his or her reimbursement for travel expenses. Although responsible for payment, the employee cannot use the card for unauthorized purchases.



- Blanket Purchase Agreement (BPA) - This method is similar to a charge account at a local hardware store. The supplier keeps an account (runs a tab) of purchases and submits a monthly invoice for payment. Certain personnel may place calls or orders for items, within the limits of their authority, to pre-authorized suppliers. The limitations are \$1,000 or \$2,500 for authorized field personnel and up to \$50,000 for certain employees in the Contracting Division.
- Purchase Order, DD Form 1155 – Operations Managers and Contracting Officers (Contracting Division) may issue Purchase Orders for simplified purchases. Upon receipt of an approved PR&C, a purchase order is issued for services, supplies, and construction. The limitations are \$25,000 for Operations Managers and \$100,000 for Contracting Officers.
- Formal Contract - Although this method can be used for smaller purchases, it must be used for the procurement of services, supplies, or construction work over \$100,000. All contracts in excess of \$100,000 must be announced (synopsized) in the Commerce Business Daily (CBD) for thirty days before being advertised (sent to prospective contractors for bids or proposals). Then they must be advertised for at least thirty days. Two primary methods are used to award contracts in the Fort Worth District:
  - Sealed Bid - a method of solicitation that is issued as an Invitation for Bid (IFB), in which a contract is awarded to the lowest responsive, responsible bidder. This method is normally used to award most contracts for materials, supplies, and equipment. Some service contracts also are awarded in this manner.
  - Competitive Negotiation - a method of solicitation that is issued as a Request for Proposals (RFP), in which a contract is awarded based on other factors as well as price. In this type of solicitation, the offerors (bidders) must submit a technical proposal as well as one for price. The technical proposal generally includes information about such things as the offeror's past experience, quality control plan, the number and type of personnel and equipment to be used, and the overall plan for performing the specified work. The proposals then are evaluated by an appointed panel that consists of personnel from both the field and district office. The panel is free to discuss both technical and price proposals with the offerors. The offerors then are permitted to change their proposals and submit "best and final offers" (BAFO's). The contract is awarded to the offeror whose overall proposal is determined to be most advantageous to the government, not necessarily to the one with the lowest price.

The following terms are commonly associated with procurement and supply activities:

- Contracting Officer (CO) - The Chief of Contracting Division and other selected employees of CT have been appointed contracting officers by name, and they are the only people authorized to execute contracts or modifications or to legally bind the government to a contract. The Operations Managers also have Contracting Division warrants limited to \$25,000. They are subject to the restrictions of the certificate of appointment, controlling laws, regulations, and directives.
- Contracting Officer's Representative (COR) - an individual appointed by and authorized to represent the contracting officer in the administration of a particular contract. The authority delegated to a COR varies with each individual appointment, but it normally **does not** include the authority to:
  - waive any requirements of the contract provisions
  - award, agree to, or sign a modification to a contract
  - obligate payments



- render a decision on a dispute
- terminate a contract
- approve final pay estimates
- Ordering Officer - an individual appointed by name and in writing by the contracting officer for the purpose of placing delivery orders under an indefinite delivery contract such as a requirements contract for project operations and maintenance services.
- Authorized Caller - an individual appointed by name in writing by a contracting officer to place orders against blanket purchase agreements (BPA's).
- Hand Receipt Holder - the individual appointed to be responsible for government property.
- Receiving Agent - An individual appointed to sign receiving reports for goods and services received.
- FAR - the Federal Acquisition Regulation. This document governs the procurement activities of the U.S. Government.
- DFAR - The Defense Acquisition Regulation is the Department of Defense supplement to the FAR.
- AFAR - the Army supplement to the FAR.
- EFAR - the Corps of Engineers supplement to the FAR.

### **References**

- Federal Acquisition Regulation (FAR)
- Defense Federal Acquisition Regulation Supplement (DFARS)
- Army Federal Acquisition Regulation Supplement (AFARS)
- Engineer Federal Acquisition Regulation Supplement (EFARS)

**Personnel—General**

**Standards of  
Conduct for  
Department of the  
Army Personnel**

**Headquarters  
Department of the Army  
Washington, DC  
28 January 1988**

# SUMMARY of CHANGE

AR 600-50  
Standards of Conduct for  
Department of the Army Personnel

This revision--

- o Incorporates guidance from revised DOD Directive 5500.7 (Standards of Conduct) throughout the regulation.
- o Adds a prohibition to paragraph 2-1e concerning use of "inside information" after termination of Government employment.
- o Adds a prohibition to paragraph 2-1g concerning the release of acquisition information through briefings or other presentations provided to former DA personnel.
- o Adds paragraph 2-1p providing guidance concerning participation in fund-raising activities of charitable or nonprofit organizations.
- o Adds paragraph 2-1q prohibiting use of DA's relationship with defense contractors to obtain favors or actions not authorized by contract or law.
- o Adds paragraph 2-2a(2)(1) concerning the acceptance of benefits resulting from the business activities of a spouse.
- o Adds paragraph 2-2a(2)(m) concerning the acceptance of food and refreshments during the ordinary course of mealtime gatherings attended for official purposes.
- o Revises paragraph 2-2c(8) providing specific guidance concerning the receipt of benefits incident to official travel, including participation in airline frequent flyer programs.
- o Adds paragraph 2-2c(9) concerning attendance and acceptance of gifts related to vehicle rollouts and similar ceremonies.
- o Revises paragraph 2-3a regarding gifts to DOD personnel, providing a maximum limit of \$180 with respect to such gifts.
- o Revises figure 2-1 (Sample Disqualification Statement) to clearly define situations where an official action would create a conflict or the appearance of a conflict of interest.

- o Adds a requirement to paragraph 2-10b to report all standards of conduct violations involving procurement activities to HQDA (DAJA-PF).
- o Adds figure 2-2 (Sample memorandum of notification of a conflict or appearance of a conflict).
- o Adds a requirement to paragraph 3-2b for military personnel who are required to file the DD Form 1555 to note that responsibility on their DA Form 67-8-1 (OER Support Form).
- o Adds a requirement to paragraph 3-12 for MACOM and ARSTAF Ethics Counselors to include in the DD Form 1555 Status Report, a breakdown, by installation or activity, concerning the annual filing of DD Forms 1555.
- o Adds paragraph 5-3c providing guidance concerning employment restrictions on certain former DOD officials implemented by 10 USC 2397b.
- o Revises paragraph 5-5a to incorporate changes to 18 USC 281 (reduces the lifetime bar on sales through former Services to a 2-year prohibition).
- o Adds paragraph 5-8 providing specific guidance concerning the filing of DD Form 1787 (Report of DOD and Defense Related Employment).
- o Adds definitions of "Compensation," "Contractor operated facility," "Defense contractor," "Major defense contractor," "Major defense system," "Majority of working days," "Negotiation and settlement," "Primary Government representative," and "Separation of a member of the Armed Forces" to the glossary.

Effective 29 February 1988

Personnel—General

## Standards of Conduct for Department of the Army Personnel

This UPDATE printing publishes a revision that is effective 29 February 1988. Because the structure of the entire revised text has been reorganized, no attempt has been made to highlight changes from the earlier regulation dated 20 November 1984.

By Order of the Secretary of the Army:

CARL E. VUONO  
General, United States Army  
Chief of Staff

Official:

R. L. DILWORTH  
Brigadier General, United States Army  
The Adjutant General

**Summary.** This regulation prescribes standards of conduct required of all Department of the Army (DA) personnel, regardless of assignment, and establishes criteria and procedures for reports required of certain former and retired military officers and former civilian officers and employees of the Department of the Army presently employed by defense contractors and former officers and employees of defense contractors presently employed by the Department of the Army. It is intended to regulate the individual conduct of DA personnel and to define only the minimum standards of conduct required of DA personnel. These standards are designed to provide notice of conduct required of DA personnel and to enable them to avoid conflicts of interest and the appearance of conflicts of interest between their private interests and their official duties.

### Applicability.

a. This regulation applies to all DA personnel, military and civilian (including those employed by nonappropriated fund instrumentalities (NAFIs)). Chapters 4 and 5 and portions of chapter 2 apply also to former DA personnel. The reporting procedures on DOD and defense related employment also apply to certain former officers and employees as indicated in this paragraph.

b. Chapters 1 and 2 of this regulation also apply to all officers and enlisted personnel of the U.S. Army Reserve and of the Army National Guard of the United States when they are performing Federal duties or engaging in any activity directly related to the performance of a Federal duty or function. Chapters 3 and 4, where appropriate, are also applicable to U.S. Army Reserve and Army National Guard personnel.

c. Penalties for violations of these standards apply to military and civilian personnel and include the full range of statutory and regulatory sanctions, both criminal and administrative.

**Impact on New Manning System.** This regulation does not contain information that affects the New Manning System.

**Internal control systems.** This regulation is subject to the requirements of AR 11-2. It contains internal control provisions but does not contain checklists for conducting internal control reviews. These checklists are being developed and will be published at a later date.

**Supplementation.** Local supplementation of this regulation and establishment of command and local forms are prohibited without prior approval from HQDA (DAJA-ALG), WASH DC 20310-2212.

**Interim changes.** Interim changes to this regulation are not official unless they are authenticated by The Adjutant General. Users will destroy interim changes on their expiration dates unless sooner superseded or rescinded.

**Suggested improvements.** The proponent agency of this regulation is the Office of The Judge Advocate General. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to HQDA (DAJA-ALG), WASH DC 20310-2212.

**Distribution.** Distribution of this publication is made in accordance with DA Form 12-9A-R requirements for 600-series publications. The number of copies distributed to a given subscriber is the number of copies requested in Block, 382 of the subscriber's DA Form 12-9A-R. AR 600-50 distribution is A for the Active Army, ARNG, and USAR. Existing account quantities will be adjusted and new account quantities will be established upon receipt of a signed DA Form 12-9U-R (Subscription for Army UPDATE Publications Requirements) from the publications account holder.

**Distribution Information.** This regulation supersedes AR 600-50, 20 November 1984.

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\*This regulation supersedes AR 600-50, 20 November 1988

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### Glossary

## Chapter 1 Standards of Conduct

### 1-1. Purpose

This regulation prescribes standards of conduct required of all DA personnel, regardless of assignment, to avoid conflicts and the appearance of conflicts between private interests and official duties. Personnel subject to the Uniform Code of Military Justice (UCMJ) who fail to comply with the requirements of this regulation are subject to punishment under the UCMJ, as well as to adverse administrative action and other adverse action authorized by applicable United States code sections or Federal regulations. Personnel not subject to the UCMJ who fail to comply with the provisions of this regulation are subject to adverse administrative action or criminal prosecution as authorized by applicable sections of the United States Code or Federal regulation.

### 1-2. References

Related publications are listed in appendix A.

### 1-3. Explanation of abbreviations and terms

Abbreviations and special terms used in this regulation are explained in the glossary.

### 1-4. General policy on proper conduct of official activities

a. DA personnel will become familiar with the scope, authority for, and the limitations of the activities for which they are responsible. Further, DA personnel will gain a working knowledge of appropriate statutory prohibitions on standards of conduct. A digest of these provisions is at appendix B.

b. Government service or employment, as a public trust, requires soldiers and Army civilians to act with integrity and abide by the values of the Professional Army Ethic (FM 100-1). This ethic conveys the sense of purpose necessary to preserve the Nation. It prescribes that all employees and soldiers in the Department of the Army live and work using loyalty, duty, selfless service, and integrity to serve the Nation and other people—before personal interest.

c. DA personnel place loyalty to country, ethical principles, and law above private gain and other interests. DA personnel will not make or recommend any expenditure of funds or take or recommend any action known or believed to be in violation of U.S. laws, Executive orders, or applicable directives, instructions, or regulations.

d. If the propriety of a proposed action or decision in terms of the regulation or law is doubtful, DA personnel will consult legal counsel or, if appropriate, the appropriate Ethics Counselor for guidance. This will ensure the proper and lawful conduct of DA programs.

e. DA personnel will strictly adhere to the DA program of equal opportunity regardless of race, color, religion, sex, age,

marital status, physical handicap, or national or ethnic origin, in accordance with AR 600-20 and CPR 713.

f. DA personnel will avoid any action, whether or not specifically prohibited by this regulation, that might result in or reasonably be expected to create the appearance of—

(1) Using public office for private gain.

(2) Giving preferential treatment to any person or entity.

(3) Impeding Government efficiency or economy.

(4) Losing independence or impartiality.

(5) Making a Government decision outside official channels.

(6) Affecting adversely the confidence of the public in the integrity of the Government.

### 1-5. Governing directives

a. Executive Order 11222, 8 May 1965. This directive, which prescribes standards of ethical conduct for Government officers and employees is at appendix C.

b. DODD 5500.7.

c. Federal Personnel Manual, chapter 734, Financial Disclosure Requirements, chapter 735, Employee Responsibilities and Conduct, and chapter 737, Post Employment Conflicts of Interests, supplemented by AR 690-700, chapter 735, subchapters 1, 2, and 3.

d. The Ethics in Government Act of 1978 (as amended), Pub.L. No. 95-521 (1978).

e. Parts 734, 735, and 737, title 5, Code of Federal Regulations.

### 1-6. Information to personnel

a. *Initial orientation.* All new DA personnel, except enlisted personnel not required to file a DD Form 1555, will be given an opportunity to review this regulation and will be given an oral standards of conduct briefing not later than 60 days after initial employment, assumption of duties, or entry on active duty. Enlisted personnel not required to file the statement will be given standards of conduct briefings. These briefings may be given at the same time as the explanations required by 10 USC 937 and other statutes or regulations.

(1) The U.S. Army Training and Doctrine Command (TRADOC) or the appropriate service school will conduct initial briefings for military personnel. The employing management/supervisory official will brief new civilian personnel. An entry will be made on personnel records to show military personnel have received the initial briefing. For civilian personnel, an entry will be made on the civilian personnel orientation checklist after the initial briefing. This requirement is not retroactive.

(2) These briefings will be conducted in such a way as to make DA personnel aware of the standards of conduct that apply to their prospective duties. Appropriate methods may include—

(a) An orientation packet directed to all pertinent standards of conduct documents.

(b) An explanation of sections of the Standards of Conduct regulation rather than simple notice of their existence.

(c) An information summary of the standards designed to alert personnel to potential conflicts and areas in which they should seek advice.

(d) Use of videotapes or training films.

b. *Semiannual reminder.* Commanders in conjunction with Ethics Counselors will evaluate command ethics training programs on a regular basis to ensure that appropriate emphasis is being given to identified problem areas and that the topic as a whole is adequately covered. All DA personnel will be reminded at least semiannually of their duty to comply with required standards of conduct. This may be accomplished through notices printed in command bulletins, letters, or similar publications of wide dissemination, or through live presentations, videotapes, training films, or other media. Copies of this regulation will be provided upon request and may be circulated in reading files. Commanders or supervisors must be able to show by some written method (e.g., training schedule, memorandum) that the semiannual requirement has been met.

c. *Departing personnel.* Commanders will establish procedures to ensure that—

(1) Officers and civilian employees who have indicated that they will be separating from service will be counseled concerning negotiating for employment (para 2-10) and postemployment restrictions (paras 5-3, 5-5, 5-6, and 5-7) 4 to 6 months (or as soon as possible thereafter) before their proposed separation date.

(2) All officers and civilian employees ending service with the Army will be given a copy of the summary of Post Employment Restrictions (fig 1-1). They also will be provided a copy of this regulation for review during their outprocessing. Those who request additional information will be referred to the local Ethics Counselor or legal office as appropriate.

### 1-7. Display of the Code of Ethics for Government Service

Pub.L. No. 96-303 (1980) requires the Army to display copies of the Code of Ethics for Government Service (app D) in appropriate areas of Federally owned or leased office space. Army activities must display the Code at all military installations and other facilities where at least 20 persons are regularly employed as civilian employees. The Code may be displayed in lobbies, conference rooms, reception areas, auditoriums, cafeterias, and other high traffic areas. (Code of Ethics posters are self-service supply items and may be procured under National Stock Number 7690-01-099-8167.)

### 1-8. Report forms

The following forms, which may be obtained from the sources cited, will be used in complying with this regulation:

a. DD Form 1357, Statement of Employment (Regular Retired Officers), is stocked

and issued by the Cdr, U.S. Army Finance and Accounting Center (USAFAC), ATTN: FINCM-T, Indianapolis, IN 46249-1501. See figure 1-2 for a sample of a completed DD Form 1357.

b. DD Form 1555, Confidential Statement of Affiliations and Financial Interests, is available through normal publications supply channels. See figure 1-3 for a sample of a completed DD Form 1555.

c. Standard Form 278, Financial Disclosure Report, is available through publication supply channels from the US Army AG Publications Center, Baltimore, MD 21220-2896. See figure 1-4 for a sample of a completed SF 278.

d. DA Form 4971-R, Certificate of Preliminary Review of SF 278, is located at the back of this regulation. It may be reproduced locally on 8½- by 11-inch paper, printed head to head.

e. DD Form 1787, Report of DOD and Defense Related Employment as Required by 10 USC 2397, is available through normal publication supply channels. See figure 1-5 for a sample of a completed DD Form 1787.

## Chapter 2 Conflicts of Interest and General Prohibitions

### 2-1. Conflicts of interest

a. *General.* DA personnel should place loyalty to country, ethical principles, and law above private gain and other interests. The performance of their duties should be in keeping with the highest tradition of the military service and civilian service to the US Government.

b. *Affiliations and financial interests.* In performing their duties and responsibilities, DA personnel will not engage in any personal business or professional activity, or have or retain any direct or indirect financial interest, that places them in a position in which there is a conflict or the appearance of a conflict between their private interests or affiliations and the public interests of the United States as it relates to their duties and responsibilities as DA personnel. For the purpose of this prohibition, the private financial interests of a spouse, dependent child, and any household members are treated as private financial interests of DA personnel. Therefore, if such a family member is receiving anything of value from any organization, the Government employee will have a financial interest in that entity.

c. *Avoiding actual or apparent conflicts of interest.* Direct or indirect financial interest in a defense-related contractor, in any amount and in any form (e.g., common or preferred stock, bonds, options), may give rise to an impermissible actual or apparent conflict of interest. Examples of circumstances or situations that may result in actual or apparent conflicts of interest because of financial interests or outside activities are provided in appendix E. These examples are

not inclusive; they merely illustrate a few situations in which conflicts arise. These examples demonstrate that conflicts of interest arise more often in situations that are more indirect than when a contracting officer administers a contract held by a company in which he holds stock. DA personnel (military and civilian) with holdings in defense related contractors that could lead to an actual or apparent conflict of interest should seek guidance from their Ethics Counselor.

d. *Conflicts of interest resulting from outside employment.* Outside employment or other outside activity, either with or without compensation, may also create a conflict or the appearance of a conflict of interest. Before any negotiations for employment, DA personnel (military and civilian) are encouraged to consult with their Ethics Counselor to determine whether a disqualification is required. This applies to all negotiations for employment conducted while the individual is on active duty or currently employed with the Government.

e. *Using "inside information."* DA personnel will not engage in any personal business or professional activity, or enter into any financial transaction, that involves or appears to involve the direct or indirect use of "inside information" to further a private gain for themselves or others. This prohibition regarding "inside information" obtained while at the Department of the Army continues even after the individual terminates Government service or employment.

f. *Using official positions.* DA personnel are prohibited from using their official positions to induce, coerce, or in any way influence any person, including subordinates, to provide any unauthorized benefits, financial or otherwise, to themselves or others.

g. *Unauthorized release of acquisition information.* Except as provided herein, DA personnel are prohibited from releasing to an individual or to a business concern or its representatives any information concerning future DA requirements or a proposed acquisition or purchase by any contracting activity of DA. Such information will be released to all potential contractors as nearly simultaneously as possible. These releases will be made only through duly designated agencies, so that one potential source may not be given an advantage over another. Such information will be provided in accordance with existing authorized procedures and only in connection with the necessary and proper discharge of official duties. It will not be included in briefings or other presentations to former officers or employees of DA or DOD based solely on their status as such.

h. *Unauthorized statements or commitments with respect to award of contracts.* Only contracting officers and their duly authorized representatives acting within their authority are authorized to commit the Government with respect to award of contracts. Unauthorized discussion and commitments may place DA in the position of not acting in good faith. Unauthorized personnel are prohibited from making any

commitment or promise relating to award of contract and will make no representation that would be construed as such a commitment. DA personnel will never advise a business representative that an attempt will be made to influence another person or agency to give preferential treatment to his or her concern in the award of future contracts. Persons requesting preferential treatment will be informed by official letter that DA contracts are awarded only in accordance with established contracting procedures.

i. *Membership in associations.* DA personnel who are members or officers of non-Government associations or organizations must not engage in activities on behalf of the association or organization that are incompatible with their official Government positions. (See AR 1-210 and AR 1-211.) (See also app E, para f.)

j. *Commercial dealings and other solicitation.* To eliminate the appearance of coercion, intimidation, or pressure from rank, grade, or position, DA personnel, except special Government employees, will not make personal commercial solicitations or sales to DOD personnel who are junior in rank, grade, or position at any time, on or off duty. "Personal commercial solicitation" refers to those situations where DA personnel are employed as sales agent on commission or salary, or conduct business, and have contact with prospective purchasers concerning the commodity, real or intangible, that is being offered for sale.

(1) This prohibition includes, but is not limited to, the solicitation and sale of insurance, stocks, mutual funds, real estate, and any other commodities, goods, or services. (See also AR 210-7 and AR 210-10.)

(2) This prohibition does not apply to the sale or lease, by a person, of a privately owned former residence; nor does it apply to the sale of personal property not held for commercial or business purposes. It also does not apply to the off-duty employment of DA personnel or their spouses as employees in retail stores or other situations not involving personal commercial solicitation.

(3) *Personal commercial solicitation (or other commercial dealings)* between military personnel and the spouses of their military superiors at any level (e.g., spouses of commanders, supervisors, instructors, etc.) may also give rise to the appearance of preferential treatment or the improper use of rank or position for personal gain and may undermine discipline, morale, or authority. Such activities generally are to be avoided. Commanders and supervisors of such military personnel will counsel those involved or take other action, as appropriate, if the commercial activities—

(a) Cause actual or perceived partiality or unfairness;

(b) Involve the actual or apparent use of rank or position for personal gain; or

(c) Can otherwise be expected to undermine discipline, morale, or authority.

k. *Assignment of Reserves for training.* DA personnel who assign Reserves for

training will not assign them to duties in which they will obtain information that they or their private sector employers could use to gain unfair advantage over civilian competitors. Reservists must disclose to superiors or assignment personnel information necessary to ensure that no conflict exists between their duty assignment and their private interests. Reservists on promotion boards will not participate in promotion decisions that may directly or predictably affect their private financial interests.

*l. Prohibited selling by retired military officers.* Legal limitations on sales by retired Regular military officers to any component of the DOD, Coast Guard, National Oceanic and Atmospheric Administration, or Public Health Service are listed in appendix B.

*m. Dealing with present or former military or civilian personnel.* DA personnel will not knowingly deal, on behalf of the Government, with present or former military or civilian personnel of the Government whose participation in the transaction violates a statute described in chapter 5 or any provision or policy set forth in this regulation. Contracting officers, as well as other DA personnel who deal frequently with contractor representatives, will establish a system to determine whether the contractor representatives with whom they deal are former Government employees or military personnel and, if so, whether they are subject to a restriction on selling or were officially involved in the same matter on behalf of the Government.

*n. Honoraria.* DA personnel may not accept honoraria or other salary supplementation for performance of official duties. (See 18 USC 209.) They may not suggest charitable contributions in place of honoraria. Even when acting in a personal rather than official capacity, there are the following restrictions.

(1) DA personnel may not accept an honorarium or more than \$2,000 (excluding expenses for travel and subsistence, agents, fees, or commissions) for any appearance, speech, or article. (See 2 USC 441i.)

(2) Under no circumstances will DA personnel accept honoraria from DOD contractors. Neither will DA personnel accept honoraria from others whose interests are reasonably likely to be affected by official DA actions. Before accepting any honorarium DA personnel should consult their Ethics Counselor. This will enable the Ethics Counselor to examine the relationship between the group, the person, or the organization offering the honorarium and the potential recipient's official duties within DA. (See paras 2-6d and e.)

(3) Personnel required to file an SF 278 must report honoraria received. (See para 4-3.)

*o. Negotiating for employment.*

(1) DA officers and civilian employees may not participate on behalf of the Government personally and substantially in any particular matter in which, to their knowledge, an organization with which they are

negotiating for employment or have any arrangement concerning prospective employment, has a financial interest. (See 18 U.S.C. 208) "Negotiating" includes any action by DA personnel that reasonably could be construed as an indication of interest in future employment, including sending letters or resumes, making telephone inquiries, or failing to clearly reject a personally directed proposal from the entity's representative regarding future employment. It is not necessary that there be any firm offer of employment.

(2) DA personnel who have any contacts regarding future employment with an entity which has a financial interest which may be affected by the performance of their official duties will not participate in any manner whatsoever in any official action involving that entity until such time as the possibility of future employment with that entity has been rejected. Formal disqualification normally will be required. (See para 2-11g.)

(3) DA personnel in grades GS-11 or O-4 and above who have participated in a procurement function in connection with a particular DOD contract for \$25,000 or more, and who either contact or are contacted by the contractor regarding future employment opportunities, will—

(a) Disqualify himself or herself, as provided in paragraph 2-11g, from participating in any procurement functions involving that contractor until such time as the possibility of future employment with that contractor has been rejected by either the procurement official or the contractor; and

(b) Submit a written report of every such contact to his or her supervisor and Ethics Counselor within 7 days. The report will include the date of each contact covered by the report, a brief description of the substance of the contact, and a copy of the related disqualification statement, if any, submitted under (a) above. This reporting requirement does not apply to the first contact initiated by the contractor, provided the DA procurement official terminates that contact immediately. However, if any additional contacts regarding employment opportunities are made by or with the same contractor, the DA procurement official must then also report the first contact if it occurred during the preceding 90 days.

(4) Failure to comply with either the disqualification or reporting requirements described in (3) above may result in an administrative fine of up to \$10,000 and a 10 year bar on employment with the particular defense contractor effective upon separation from Government service. (10 USC 2397a)

*p. Fund-raising by charitable or nonprofit organizations.* The high visibility of DA officials generates requests from charitable and nonprofit organizations to use an official's name and title in conjunction with fund-raising activities. The use of names and titles of DA officials, even regarding fund-raising activities of charitable organizations,

may give an improper impression that DA endorses the activities of a particular organization, thereby resulting in unauthorized assistance for the organization or sponsors of the activities. The presence of DA officials may be sought, under the guise of bestowing awards upon the official, to promote attendance at programs. DA officials will not allow the use of their names or titles in connection with charitable or nonprofit organizations, subject to the following:

(1) The Department of the Army may assist only those charitable programs administered by the Office of Personnel Management under its delegation from the President and those other programs authorized by DA regulations. See DOD Directive 5053.1 and AR 600-29.

(2) This prohibition does not preclude speeches before such organizations by DA officials if the speech is designed to express an official position in a public forum. See AR 360-61.

(3) This prohibition does not preclude volunteer efforts on behalf of charitable or nonprofit organizations by individuals who do not use their official titles in relation to solicitations and who do not solicit from individuals or entities with whom they do business in their official capacity. However, civilian Presidential appointees and general officers above O-8 may not lend their names in any capacity to such fund-raising activities.

*q. Relationship with Defense Contractor.* DA personnel will not use the Department's relationship with defense contractors or potential defense contractors to induce, coerce, or seek any favors or actions other than those authorized by the contract, or by law.

## **2-2. Gratuities, reimbursements, and other benefits from outside sources**

*a. General policy on gratuities.* The acceptance of gratuities by DA personnel or members of their families, from those who have or seek business with DOD and from those whose business interests are affected by DOD functions, cannot be condoned. Such acceptance, no matter how innocently tendered or received may be a source of embarrassment to DA, may affect the objective judgment of the DOD personnel involved, and may impair public confidence in the integrity of the Government.

(1) *General prohibition.* Except as provided in (2) below, DA personnel and their families will not solicit, accept, or agree to accept any gratuity for themselves, members of their families, or others, either directly or indirectly from, or on behalf of, any defense contractor or any source that—

(a) Is engaged in or seeks business or financial relations of any sort with any DOD component.

(b) Conducts operations or activities that are either regulated by a DOD component or significantly affected directly by DOD decision, or

(c) Has interests that may be substantially affected by the performance or nonperformance of the official duties of DOD personnel, or

(d) Is a foreign government or representative of a foreign government that is engaged in selling to DOD, where the gratuity is tendered in the context of the foreign government's commercial activities.

(e) Offers or appears to offer the gratuity primarily because of the recipient's position as a DA officer or employee.

(f) Is an association or organization a substantial majority of whose members fall within the description in (a) or (b).

(2) *Limited exceptions.* The general prohibition in (1) above does not apply to the following:

(a) The acceptance of unsolicited advertising or promotional items that are less than \$10 in retail value.

(b) Benefits available to the public (such as university scholarships covered by AR 621-7) and free exhibitions by Defense contractors at public trade fairs.

(c) Discounts or concessions generally available to all DA military or civilian personnel, provided that such concessions are not used to obtain any item for the purpose of resale at a profit.

(d) Participation by DA personnel in civic and community activities when any relationship with Defense contractors is remote (for example, participation in a Little League or Combined Federal Campaign luncheon that is subsidized by a Defense contractor).

(e) Activities engaged in by officials of the Army and officers in command, or their representatives, with local civic or military leaders as part of authorized Army community relations programs in the United States and overseas. (See AR 360-61.)

(f) Situations in which participation by DA personnel at public ceremonial activities of mutual interest to industry, local communities, and the Army serves the interests of the Government and acceptance of the invitation is approved by the DA Staff agency head, or MACOM, corps, division, or installation commander with the advice of the appropriate Ethics Counselor. (See also para 2-9 and AR 360-61.)

(g) When on official Government business and when the DA employee reports the circumstances in writing to the superior or supervisor and to the Ethics Counselor as soon as possible:

1. Space available use of previously scheduled ground transportation to or from the contractor's place of business provided by the contractor for its own employees, and

2. Contractor-provided transportation, meals, or overnight accommodations when arrangements for Government or commercial transportation, meals, or accommodations are clearly impracticable.

(h) Attendance at vendor training sessions when the vendor's products or systems are provided under contract to DOD and the training is to make the use of those

products or systems by DOD personnel easier.

(i) Situations in which, in the sound judgment of both the persons concerned and their superior, the Government's interest will be served by taking part in activities otherwise prohibited. In any such cases, the persons will first consult with their superior and Ethics Counselor. A written report of the circumstances will be made in advance or, when an advance report is not possible, within 48 hours after such activities, by the individual or his or her supervisor to the supervisor's Ethics Counselor.

(j) Customary exchanges of gratuities between DA personnel and their friends and relatives and the friends and relatives of their spouses, minor children, and members of their household. The circumstances must clearly indicate that the relationship, rather than the business of the person concerned, is the motivating factor for the gratuity and that the gratuity is not paid for by the United States Government or any DOD contractor.

(k) Coffee, donuts, and similar refreshments of nominal value offered as a normal courtesy incidental to the performance of duty.

(l) Acceptance of benefits resulting from the business activities of a spouse, where it is clear that such benefits are accorded the spouse in the normal course of the spouse's employment or business, and have not been proffered or made more attractive because of the DA personnel's status.

(m) Food and refreshments of nominal value on infrequent occasions in the ordinary course of a mealtime gathering at which DA personnel are in attendance for official purposes; in the course of a working meeting at which food is brought in to permit the work to continue uninterrupted and where the meal itself is not a primary purpose for the meeting; or, in the course of an inspection tour.

b. *Reimbursement for official travel.* DA personnel may not accept from any source, other than the U.S. Government, either personal reimbursement for expenses incident to official travel or in kind accommodations, subsistence, transportation, or service, except as indicated below. Where acceptance is authorized, DA personnel will not accept benefits that are extravagant or excessive in nature. When accommodations, subsistence, or services in kind are furnished to DA personnel by non-U.S. Government sources as authorized by this paragraph, appropriate deductions will be reported and made in the travel, per diem, or other allowances payable.

(1) DA personnel who are to be speakers, panelists, project officers, or other bona fide participants in the activity attended may accept accommodations, subsistence, transportation, or services in kind furnished in connection with official travel, but only from those tax exempt organizations listed in 26 USC 501(c)(3) or as otherwise authorized by statute, and only when acceptance is approved by the supervisor or superior,

consistent with guidance from the latter's ethics counselor. (See 5 USC 4111 and 5 CFR 410.702.) Monetary reimbursement for expenses incurred under these circumstances may be made to the U.S. Government by check payable to the Treasurer of the United States.

(2) Persons may accept travel, or reimbursement for travel expenses, from a foreign government as provided in AR 672-5-1.

(3) Other cash reimbursements, or accommodations, subsistence, transportation, or other services in kind, may be accepted only in accordance with applicable statutory gift acceptance authority. (See, e.g., 10 USC 2601) In such cases, any monetary reimbursement must be to the Government, rather than the individual, by check payable to the Treasurer of the United States.

c. *Other benefits from outside sources.*

(1) *Benefits made available to ROTC staff members.* Procedures for ROTC staff members receiving payments or other benefits offered by educational institutions are in AR 145-1 and AR 145-2.

(2) *Government contractor training.* Guidance in (a) through (e) below applies when Government contractors provide training, orientation, and refresher courses to Government personnel. These courses range from executive orientation courses in which all expenses are borne by the contractor to annual seminars devoted to technical developments in which the only "gratuity" may be lectures given free of charge.

(a) When a course is given pursuant to a contractual undertaking with the Government, the course itself is not a gratuity. The furnishing of meals, lodging, and transportation to the extent required by the contract is likewise not a gratuity. However, if such services (or entertainment or the like) are provided when not required by the contract and without charge to the individual, they constitute a gratuity. If lodging, meals, transportation, and the like are furnished as a part of a contract, travel and other expenses otherwise chargeable to the Government will be reduced according to applicable regulations.

(b) Attendance at tuition-free, nonacademic training or refresher courses, seminars, and the like offered by contractors (although not required to do so by the contract) may be authorized when attendance is clearly in the best interest of the Government, and provided the contractor waives all claims against the Government for such training. In these cases the training or instruction itself will not be regarded as a reportable gratuity as required in d below.

(c) Selection of personnel to attend such courses will be made by the Government and not by the contractor. Invitations to persons to attend courses at the expense of the contractor may not be accepted.

(d) Authorized attendance at such courses will be considered official business, with payment of transportation and per diem as well as reimbursement for any tuition or other training expenses paid.

Attendance will not be authorized if there is any doubt of the contractor's intention to impose appropriate charges for meals, lodging, and entertainment not required by contracts, as may be furnished in connection with the course.

(e) The guidance in (a) through (d) above amplifies the guidance in a and b above; the provisions of a and b remain fully applicable to the conduct of those attending courses of any kind.

(3) *Employee welfare or benefit plans.* DA personnel may continue to participate in employee welfare or benefit plans of a former employer when permitted by law and approved by the appropriate supervisor with the advice of the Senior Ethics Counselor or appropriate Ethics Counselor.

(4) *Trophies or awards.* DA personnel may retain trophies and awards for public service or achievement in an individual, unofficial capacity, or given in games or contests that do not relate to official duties and are clearly open to a broad segment of the public generally or that are officially approved for DOD personnel participation.

(5) *Events sponsored by professional associations.* DA personnel may participate in widely attended gatherings of mutual interest to Government and industry, sponsored or hosted by industrial, technical, and professional associations (other than those described in a(1)(f)) provided that they have been approved in accordance with DOD 5410.20.

(6) *Events hosted by foreign governments or international organizations.* DA personnel may attend or participate in gatherings (including social events such as receptions) that are hosted by foreign governments or international organizations. Acceptance of the invitation must be approved by the DA Staff agency head, MACOM, corps, division, or installation commander, with the advice of the Ethics Counselor. (See para 2-9.) Approval authority may be delegated to a general officer. This approval is not required if—

(a) Attendance or participation is authorized by other exceptions, as in a(2)(e) and (i), above, or

(b) The social event involves a routine or customary social exchange with officials of foreign governments (including military forces) in pursuance of official duties.

(7) *Travel expenses for job interviews.* DA personnel may accept transportation and related travel expenses from a potential employer in connection with a job interview, provided that the recipient notifies his or her immediate superior of these travel arrangements and, when appropriate, that he or she files a disqualification statement concerning any possible official actions involving the potential employer. Notification to the immediate superior should include some evidence that the potential employer offers the same benefits to all similarly situated applicants, not only those employed within DA.

(8) *Benefits received incident to official travel.* Travel coupons, tickets, promotional

items, and other benefits received by DA personnel from private sources (e.g., airlines, rental car companies, hotels) wholly or partly as a result of official travel generally belong to the Government and will be turned over to the appropriate official. Certain exceptions are indicated below. See Joint Federal Travel Regulation, Volume 1, Chapter 2, part A (military personnel) and Joint Travel Regulation, and 41 C.F.R. 101-25.103.

(a) DA personnel may accept promotional items (e.g., pens and calendars) or items offered for customer relations purposes (e.g., free wine on delayed flights) having a retail value of less than \$10 and offered to other similarly situated travelers.

(b) DA personnel may keep payments or free tickets received from a carrier for voluntarily giving up a seat on an overbooked flight so long as the resulting delay in taking a later flight does not interfere with the performance of duty or increase the cost to the Government. Any additional travel expenses incurred are not the responsibility of the Government. (This exception does not apply if the person is involuntarily "bumped.")

(c) DA personnel may accept a travel upgrade (e.g., airline seat upgrade, rental car upgrade, hotel room upgrade) under circumstances in which such upgrades are generally available to the public. For example, an upgrade may be initiated by a private source as a result of overbooking or overcrowding or for customer relations purposes. Care will be exercised by DA personnel to ensure that any such upgrade offer is truly unsolicited and does not constitute preferential treatment, improper influence, or favoritism. To avoid any public perception of extravagant use of official funds, field grade officers and above will not accept an upgrade while in uniform.

(d) Bonus mileage earned in traveler incentive programs (e.g., airline frequent flyer programs) as a result of official travel becomes the property of the Government. DA personnel may accept a travel upgrade only where such use does not result in a loss of credits toward discounts or free tickets that could be used by the Government. This prohibition applies even if the benefit is nontransferable.

(9) *Vehicle rollouts and similar ceremonies.* The following guidance applies to ceremonies and gifts associated with the rollout of a vehicle, aircraft, or vessel, and all similar events:

(a) *Attendance at ceremonies.* Acceptance of an invitation to attend a ceremony will be approved by the commanding officer or head of the activity in which the invitee serves or is employed. Attendance is permitted at appropriate functions incident to the ceremony, such as dinner preceding the ceremony and the reception following it, as long as the function is not lavish, excessive, or extravagant.

(b) *Acceptance of gifts.* DA personnel, their spouses, and their dependent children,

who are official participants may accept a tangible thing of value as a gift or memento in connection with the ceremony as long as its retail value does not exceed \$100 per family and the cost is not borne by the Government. Questions in this regard should be referred to the serving Ethics counselor.

d. *Reporting gratuities.* DA personnel who are offered or receive gratuities, reimbursements, or other benefits from outside sources, or have such items received for them in circumstances that do not conform to the standards of this paragraph will promptly report the circumstances to their immediate superior for review and to the Ethics Counselor. If the source is a DOD contractor, the Ethics Counselor will ensure that the offer or gratuity is promptly reported to the appropriate commander as required by section 3.203, AFARS.

### 2-3. Prohibitions concerning gifts and donations

a. DA personnel will not solicit a contribution from other DOD personnel for a gift to an official superior, make a donation or a gift to an official superior, or accept a gift or donation from DOD subordinate personnel. For purposes of this prohibition, gifts to immediate family members of the official superior are regarded as gifts to the official superior. This paragraph does not prohibit truly voluntary gifts or contributions of minimal value (or acceptance thereof) on special occasions such as marriage, transfer out of the command, illness, or retirement, if any gift acquired with such contributions is primarily of a sentimental nature. In no case will the retail value (i.e., commercial replacement cost) of such a gift exceed the equivalent limitation, currently \$180, with respect to the receipt of gifts or mementos from foreign governments.

b. As a general rule, the presentation to or acceptance by official DA visitors of mementos during visits to U.S. installations or units should be discouraged. On appropriate occasions, however, military organizations may wish to demonstrate their unit pride and esprit de corps by presenting distinctive mementos to such official visitors. Accordingly, appropriate mementos may be presented on such occasions provided the memento is of nominal value and the other conditions of this paragraph are observed (i.e., voluntariness of contributions, minimal value of contributions).

c. DA personnel will not act as a conduit to give any foreign recipient any gift that has been provided by a private U.S. citizen or business firm.

d. Guidance on the acceptance by DA personnel of gifts and mementos from foreign governments is in AR 672-5-1, chapter 7, section III.

e. The presentation of mementos to distinguished foreign visitors is governed by AR 37-47.

#### **2-4. Use of Government facilities, property, and personnel**

Government facilities, property, and work assistance will be used only for official Government business. This includes but is not limited to stationery, stenographic services, typing assistance, duplication and chauffeur services, and computer facilities. DA personnel will not directly or indirectly use, or allow the use of, Government property of any kind, including property leased to the Government, for other than official purposes. This prohibition applies where the individual either knew or should have known that the property or service in question belonged to the Government.

#### **2-5. Use of civilian and military titles in connection with a commercial enterprise**

a. DA personnel, other than special Government employees, may not use their titles or positions in connection with any commercial enterprise or to endorse any commercial product. The foregoing does not prevent such personnel from publishing books or articles which identify them as authors by reference to their title or position, provided that publication of such material has been cleared under DOD procedures prescribed in AR 360-5.

b. Retired military personnel and members of Reserve Components, not on active duty, may use their military titles in connection with commercial enterprises, provided they indicate their Reserve or retired status. However, the use of military titles is prohibited if it in any way casts discredit on the Army or the Department of Defense or gives the appearance of sponsorship, sanction, endorsement, or approval by the Army or DOD. In addition, oversea commanders may further restrict the use of titles, including use by retired military personnel and members of Reserve Components not on active duty, in an oversea area.

#### **2-6. Outside employment and other activities of DA personnel**

a. DA personnel will not engage in outside employment, affiliations, or other outside activity, with or without compensation, that—

(1) Interferes, or is not compatible, with the performance of their Government duties.

(2) May reasonably be expected to bring discredit upon the Government or DA.

(3) Is otherwise inconsistent with the requirements of this regulation. This includes the requirement to avoid actions that reasonably can be expected to create a conflict or the appearance of a conflict of interest.

b. Outside employment activities and other business relationships present special problems for personnel who occupy sensitive positions involving classified information or significant decision-making authority. Commanders should consider requiring such personnel to obtain approval prior to accepting any outside employment or engaging in other business relationships

having the potential for creating a conflict of interest or related problem (e.g., DA personnel who file Financial Disclosure Reports should report outside employment of self, spouse, or child by a DOD contractor).

c. No enlisted members of the armed forces on active duty may be ordered or permitted to leave their post to engage in a civilian pursuit or business, or a professional activity in civil life, for emolument, hire, or otherwise if the pursuit, business, or professional activity interferes with the customary or regular employment of local civilians in their art, trade, or profession. (See 10 USC 974.) This provision will not normally preclude off-duty employment by enlisted members of the armed forces. When questions arise, advice should be sought from the Ethics Counselor concerning impact, if any, in the local area.

d. Off-duty employment of military personnel by an entity involved in a strike is permissible if the person was on the payroll of the entity before the strike began and if the employment is otherwise in conformance with the provisions of this regulation. After a strike begins and while it continues, no military personnel may accept employment with the involved entity at the strike location.

e. DA personnel are encouraged to engage in teaching, lecturing, and writing, subject to the standards set out in this regulation (See paragraph 2-1m.). However, DA personnel will not, either with or without compensation, engage in activities that are dependent on information obtained as a result of their Government employment, except when the information does not focus specifically on the agency's responsibilities, policies, and programs, and—

(1) The information has been published or is generally available to the public; or

(2) The information would be made available to the public under the Freedom of Information Act, 5 USC 552, or

(3) It will be made generally available to the public and the appropriate commander gives written authorization for the use of nonpublic information on the basis that the use is in the public interest. (See AR 360-5.)

f. Civilian presidential appointees will not receive compensation or anything of monetary value for any consultation, lecture, discussion, writing, or appearance, when the subject matter—

(1) Is devoted substantially to DA responsibilities, programs, or operations; or

(2) Draws substantially on official material that has not become part of the body of public information.

g. Government contracting officers are prohibited from awarding a contract to a Government employee or to an organization substantially owned or controlled by one or more Government employees unless Government needs cannot otherwise be met or there is some other compelling reason. (See FAR, subpart 3.6.)

#### **2-7. Gambling, betting, and lotteries**

DA personnel will not participate in any gambling activity, while on Government-owned, controlled, or leased property or otherwise while on duty for the Government. This includes lotteries, pools, games for money or property, or the sale or purchase of number slips or tickets. However, this paragraph does not prevent activities—

a. Necessitated by an employee's law enforcement duties;

b. Specifically approved by HQDA as an exception to policy. (See AR 600-29, AR 210-1, AR 215-1, and AR 215-2 for instances where HQDA has granted certain exceptions.)

c. Otherwise authorized by law. For example, the Randolph-Sheppard Act and implementing regulations (Health and Human Services publication "Vending Facility Program for the Blind on Federal and Other Property") authorize the sale of State lottery tickets at vending stands operated by the blind.

#### **2-8. Indebtedness**

DA personnel will pay their just financial obligations in a proper and timely manner, particularly those imposed by law (such as Federal, State, or local taxes) so that their indebtedness does not adversely affect the Government as their employer. If there is a dispute between DA personnel and alleged creditors, AR 600-15 and AR 690-700, chapter 735, apply.

#### **2-9. Ethics Counselors**

a. *Designation.* DA personnel will be advised on how to obtain additional clarification of the standards of conduct and conflicts of interest set forth in this regulation, related statutes, and other regulations. For this purpose, the Army General Counsel is designated as the Senior Ethics Counselor for DA. He or she is responsible for proper coordination and final disposition of all matters relating to standards of conduct and conflicts of interest covered by this regulation. All ARSTAF agencies, field operating agencies, separate activities, installations, and commands authorized a commander in the pay grade of O-7 or above must designate, in writing, one or more officers or civilian employees (not necessarily attorneys) to be Ethics Counselors for their organization.

b. *Direct communication.* Ethics Counselors may communicate directly with other Ethics Counselors in the performance of their duties.

c. *Responsibilities.*

(1) Advise and assist the organization and provide information and assistance to its personnel. Except for simple repetitious cases, assistance will be documented by means of written memorandums, telephone logs, etc., for future reference.

(2) Properly review, including auditing, all standards of conduct problems.

(3) Review DD Forms 1555 and SFs 278.

(4) Maintain lists of military personnel and assist the servicing civilian personnel office in maintaining lists of civilian personnel (See FPM 734, para 2-3.) who are required to file either a DD Form 1555 or an SF 278.

(5) Ensure that the annual review to determine which military and civilian positions must file DD Form 1555 is conducted and assist the supervisor in conducting it.

(6) Monitor and periodically evaluate the financial disclosure reporting system to ensure the prompt filing and review of all reports.

(7) Maintain an adequate counseling, education, and training program concerning all ethics and standards of conduct matters. (See para 1-6.)

(8) Report to the Ethics Counselor of the next higher command, to HQDA (DAJA-ALG), or to the Senior Ethics Counselor any apparent standards of conduct violation which they are unable to resolve promptly and effectively.

*d. Relationship of Ethics Counselors.* Ethics Counselors must advise DA personnel they counsel, that—

(1) A counselor may not act as an attorney on behalf of that person, because he or she is the Government's representative.

(2) Information provided to the counselor is not confidential.

(3) The counselor can only provide information and assistance and cannot establish an attorney-client relationship.

## 2-10. Reporting suspected violations

*a.* DA personnel who have information that causes them to believe that other DOD personnel, or other persons in dealing with DOD, have committed a standards of conduct violation will promptly notify an Ethics Counselor. In addition, suspected violations may be reported to The Inspector General in accordance with AR 20-1.

*b.* The Ethics Counselor will take the following action:

(1) Report suspected violations of any of the criminal statutes listed in paragraphs B-2 through B-6 immediately to the U.S. Army Criminal Investigation Command and HQDA (DAJA-ALG). (See para 5-4c for reporting violations of 18 USC 207, and 10 USC 2397, 2397a, and 2397c.)

(2) Report suspected violations of paragraphs 2-1e through g, 2-4 (if the loss to the Government is \$1,000 or more), and 2-12 of this regulation to the U.S. Army Criminal Investigation Command. Report other suspected violations of the standards of conduct imposed by this and other regulations promptly to the supervisor and HQDA (DAJA-ALG). The Inspector General or the Criminal Investigation Command may also be notified, as appropriate.

(3) Report suspected violations of 10 USC 2397b to the Army or DOD IG in accordance with appendix 10, DOD Directive 5500.7. HQDA (DAJA-ALG) will also be notified.

(4) Report all suspected violations involving procurement activities to HQDA

(DAJA-PF), WASH DC 20310-2210. (See also para 2-2d.)

*c.* The responsible Ethics Counselor will ensure that the following are reported immediately to the Army General Counsel: Every case—

(1) In which a possible violation by current or former DA personnel of any of the statutes listed in paragraphs B-2 through B-7 is being investigated by the Federal Bureau of Investigation.

(2) In which a U.S. Attorney is considering or has brought an indictment.

(3) In which the suspected violator is a general officer, civilian Presidential appointee, or member of the SES.

## 2-11. Resolution of a conflict or appearance of conflict of interest

*a.* When a real or apparent conflict of interest arises and is not a suspected violation of criminal statutes as set out in paragraph 2-10 above, the superior, in consultation with the Ethics Counselor, will discuss the situation with the person concerned. If the conflict or appearance of conflict of interest persists and is not resolved as a result of discussion, the superior will consult the Ethics Counselor. The superior will prepare and give to the person concerned written notice that a conflict or apparent conflict exists and point out the reasons for the conflict. The person will indorse the notice, explaining the conflict or appearance of conflict.

*b.* On receiving the person's indorsement, the superior, if he or she concludes that the conflict or appearance of conflict is resolved, will forward the entire file with his or her indorsement to the Ethics Counselor. The Ethics Counselor will file all the correspondence if the superior's conclusion is accepted.

*c.* If either the superior or Ethics Counselor, after review of the employee's explanation, concludes that the conflict or appearance of conflict is not resolved, the superior at the next level will review the entire matter. If a conflict or appearance of conflict does exist, he or she will attempt to resolve it.

*d.* In any case arising at any echelon below HQDA level in which there is a conflict or appearance of conflict of interest that is not resolved, the commander will forward the entire file with detailed information and recommendations through command channels to The Judge Advocate General (TJAG), HQDA (DAJA-ALG), for resolution. Intermediate commands will attempt to resolve each case without forwarding it to HQDA. In any case arising at HQDA, the head of the ARSTAF agency will take the necessary action to resolve the conflict or appearance of conflict of interest. Unresolved cases will be forwarded to TJAG for resolution.

*e.* TJAG will forward to the Army General Counsel, any case involving a conflict or appearance of a conflict that is not resolved by him or her or at a lower level.

*f.* A conflict or apparent conflict of interest, either on review at the local level or after referral to HQDA, will be resolved promptly so that the conflict or appearance of conflict is ended. It will be resolved in accordance with applicable laws, executive orders, and regulations. Resolution will be accomplished within 90 days after the written notice described in paragraph *a* above is issued or a shorter period as prescribed by appropriate authorities. One or more of the following steps will be used as appropriate:

(1) Exemption under 18 USC 208(b).

(2) Disqualification in accordance with *g* below.

(3) Limitation of duties.

(4) Divestiture.

(5) Establishing a "qualified blind trust" within the meaning of the Ethics in Government Act of 1978.

(6) Transfer or reassignment.

(7) Resignation.

(8) Other appropriate action as provided by statute or administrative procedure.

*g.* Disqualification procedures are stated below.

(1) Unless otherwise expressly authorized by action taken under 18 USC 208, all DA personnel who have affiliations or financial interests that create conflicts or appearance of conflicts of interest with their official duties must disqualify themselves from any official activities that are related to those affiliations or interests or the entities involved. (See *j* below concerning nondisqualifying financial interests.) A formal disqualification must be sent to a person's superior and immediate subordinates whenever it appears reasonably possible that the person's official functions will affect the affiliations, interests, or entities involved. If such persons cannot adequately perform their official duties after such disqualification, they must divest or be removed from their position. The effectiveness of any disqualification will be evaluated periodically by an individual's superior. (A sample disqualification statement is at fig 2-1).

(2) For the purpose of this paragraph, the "Government official responsible for appointment to his or her position," under 18 USC 208b(1), for purposes of granting exemptions, will be a supervisor of the person concerned. This supervisor must be serving in the grade of colonel or above or GS/GM-15 or above or be an installation commander. All cases involving determinations under 18 USC 208b(1) will be coordinated with the Ethics Counselor.

(3) When a superior thinks a subordinate may have a disqualifying interest, the superior will discuss the problem with the subordinate. If such an interest does exist, the superior will disqualify the subordinate for duty and responsibility in that particular matter.

(4) In cases of disqualification under this paragraph, the particular matter will be reassigned for decision and action to someone else who is not subordinate to the disqualified person.

h. The order to divest will be in writing, indicate the specific interests and why they create a problem, and specify the time allowed for divestiture.

i. The immediate superior of the individual and other authorities as appropriate will be informed in writing by the person involved when the necessary actions have been taken to resolve an identified conflict.

j. A conflict does not exist when DA personnel hold shares of a widely held, diversified mutual fund or regulated investment company. In accordance with the provisions of 18 USC 208b(2), such holdings are exempted as being too remote or inconsequential to affect the integrity of the services of Government personnel.

k. A conflict of interest arises whenever DA personnel have an affiliation or financial interest which may be affected by performance of their official duties. It is not necessary that such an interest be in a defense contractor; it may be in some other entity (e.g., a subcontractor) as long as there is a reasonable anticipation of some advantage to that entity from the official matter in which the DA personnel participate.

## 2-12. Restrictions on enlisted personnel

a. Enlisted members of DA who occupy a position of trust and responsibility, as designated below, will not—

(1) Except as otherwise authorized by law, act as attorney or agent for anyone, with or without compensation, before any court, Government agency, or officer in connection with any contract, claim, controversy, or other matter in which the United States is a party or has an interest.

(2) Except as otherwise provided by law, accept or agree to accept any compensation for any services rendered by anyone as an attorney or agent before any court, Government agency, or officer in connection with any contract, claim, controversy, or other matter in which the United States is a party or has an interest.

(3) Participate in his or her official capacity through decision, approval, disapproval, recommendation, advice, or otherwise in any contract, claim, controversy, or any other matter in which he or she, or his or her spouse, minor child, partner, organization in which he or she is serving as officer, director, trustee, partner or employee, or any person or organization with whom he or she is negotiating or has an arrangement concerning prospective employment, has a financial interest.

(4) Receive any salary, or supplementation of his or her Government salary, from a private source as a compensation for his or her services to the Government.

b. The following positions are designated as positions of trust and responsibility for the purposes of this paragraph:

- (1) Contracting officers.
- (2) Contracting officers' representatives.
- (3) Ordering officers.
- (4) Purchasing agents.

(5) Persons otherwise involved in procurement and related functions for appropriated and nonappropriated fund activities.

c. The application of these specifically enumerated restrictions does not relieve enlisted members of DA from the applicability of the other prohibitions contained in this regulation.

## Chapter 3 Statement of Affiliations and Financial Interests (DD Form 1555)

### 3-1. DA personnel required to file statements

a. If not required to file a Financial Disclosure Report (SF 278) under chapter 4, the following DA personnel must submit initial and annual Confidential Statements of Affiliations and Financial Interests (DD Form 1555) unless they are expressly exempted:

(1) Commanders and deputy commanders of major installations and activities (except general officers). For this purpose, major installations and activities are those authorized a commander in the grade of colonel or higher.

(2) DA personnel classified at GS-15 or below under 5 USC 5332 (or at a comparable pay level under other authority) and members of the military below the pay grade of O-7, when the official responsibilities of such personnel require them to exercise judgment in making a Government decision or in taking Government action in regard to contracting or procurement, regulating or auditing private or other non-Federal enterprise, or other activities in which the final decision or action may have an economic impact on the interests of any non-Federal entity. This includes DA personnel whose duties require them to make a finding or recommendation or to provide other advice involving the exercise of judgment, that usually is adopted or followed in making the decision or taking the action. The following examples may be used as a guide for deciding whether particular DA personnel must file DD Forms 1555:

(a) *Example 1.* A is a voting member of a committee that exerts substantial influence on the Army materiel acquisition process. A should be required to file DD Form 1555.

(b) *Example 2.* Although having no dealings with Government contractors and not involved in the acquisition process, B recommends the level of supply items which must be obtained from contractors. B's recommendations normally are followed. B should be required to file DD Form 1555.

(c) *Example 3.* C performs technical tests on equipment received from XYZ Corporation to determine whether it meets contract specifications. C's findings almost always are adopted by his or her superior in deciding whether to accept the equipment. If C's findings involve the exercise of judgment, C should be required to file a DD Form 1555.

However, if C's findings are made up entirely of objective mechanical or scientific observations, not involving the exercise of judgment on his or her part, C need not file the form.

(d) *Example 4.* D assembles predetermined data and prepares preliminary position papers for R, D's superior, on matters that have an economic impact on an Army contractor. However, R always makes a completely independent review of the data and forms his or her own conclusion that, as often as not, differs from D's. D need not be required to file DD Form 1555.

(e) *Example 5.* E is a procurement analyst who conducts random reviews of completed acquisition actions for quality and timeliness of accomplishment. E's analyses and recommendations focus on the local procurement office system and operation, but they are not likely to have a direct effect on any Government contractors. E need not be required to file DD Form 1555.

(f) *Example 6.* F is editor of an Army magazine who specifies the printing methods and processes needed and who performs technical coordination with the commercial printers and art firms engaged in printing the magazine. F provides advice as to the technical quality of the contractor's work, but F otherwise does not make effective recommendations or decisions that could influence the award of the printing contract. F need not be required to file DD Form 1555.

(g) *Example 7.* Dr. G, while not directly involved in the procurement process, makes recommendations regarding what kind of medical supplies/equipment should be used in certain Army medical activities. Dr. G's recommendations normally are followed and, in at least some cases, adoption of his recommendations means that the supplies/equipment must be obtained from a particular supplier/manufacturer. Dr. G. should be required to file DD Form 1555.

(h) *Example 8.* H is a NAFI employee and is responsible for purchasing all food stocks for the installation club facilities. In addition, H makes recommendations with respect to both equipment purchases and maintenance contracts. His recommendations are normally followed. H should be required to file a DD Form 1555.

(3) Special Government employees (as defined in the glossary), except as stated in paragraph 3-6.

(4) DA personnel serving in positions in which the supervisor, in coordination with the Ethics Counselor, determines that the duties and responsibilities of the position require the officer or employee to file such a report to avoid a conflict of interest or the appearance of a conflict of interest and to carry out the purpose of any statute, Executive Order, or regulation applicable to or administered by that officer or employee.

b. The Secretary of the Army (SA) or his or her designee may determine that the submission of statements is not necessary for certain positions because of the remoteness of any impairment of the integrity of the Government and the degree of supervision

and review of the incumbent's work. For purposes of this subparagraph, the SA delegates authority for such a determination (except in the case of the positions identified in para 3-1a(1)) to MACOM commanders and heads of ARSTAF agencies. Authority may not be further delegated.

### 3-2. Review of positions

#### a. Civilian personnel.

(1) Whenever a new position is created, or the duties of an existing position are materially changed, the supervisor, in coordination with the appropriate personnel officer and Ethics Counselor, will review the duties of that position to determine whether, under the standard described in paragraph 3-1a(2), the incumbent should be required to file DD Form 1555. The result of this determination will be noted in the official Job Description (DA Form 374) for the position.

(2) In addition, other positions may be reviewed annually at the discretion of the Ethics Counselor, appropriate supervisor, or personnel officer. If, as the result of this review, a decision is made to reverse the prior filing determination, the official Job Description (DA Form 374) will be changed accordingly.

(3) A decision that a civilian position filled by an employee in a grade below GS-13 under 5 USC 5332 (or a comparable grade under other authority) necessitates the filing of a DD Form 1555 must be made by a general officer, or a member of the senior executive service, who is in the individual's chain of supervision.

b. *Military personnel.* In conjunction with the formal officer evaluation process, rating officials will determine whether the rated officer's duties require the submission of a DD Form 1555. This determination will be made under the standard described in paragraph 3-1a(2) above and, as necessary, in consultation with the Ethics Counselor. It will be made in conjunction with the face-to-face discussion of duties and objectives upon the rated officer's assumption of duties and thereafter at the beginning of each rating period (AR 623-105, paras 2-2 and 4-4b). If a DD Form 1555 should be filed, that will be noted on the OER Support Form (DA Form 67-8-1) as a responsibility of the rated officer. Rating officials will ensure that the appropriate Ethics Counselor is provided with the names of all officers determined to have to file DD Form 1555.

c. A person who disagrees with the determination regarding his or her position may request a review of the decision through established grievance procedures of the Army. Grievances initiated by civilian employees will be processed under the procedures prescribed by FPM Chapter 771 and AR 690-700.771.

### 3-3. Statements required

DD Forms 1555 will be submitted through the channels described in paragraph 3-4 under the following circumstances:

a. *Initial statements.* If at all possible, individuals should file DD Forms 1555 before assuming the duties of a position that requires the filing of the form. If not filed then, the first DD Form 1555 should be filed as soon as possible thereafter.

b. *Annual statements.* DD Forms 1555 will be filed by 31 October of each year reporting all affiliations and financial interests as of 30 of September of that year. Even though no changes occur, a complete statement is required. Notwithstanding the filing of annual statements, DA personnel will at all times avoid acquiring a financial interest or affiliation, or taking an official action, that could result in a violation or apparent violation of the conflicts of interest provisions of 18 USC 208 or this regulation.

### 3-4. Submission, review, and filing

a. Except as provided in b below, each person required to file a DD Form 1555 will submit the completed statement to his or her immediate supervisor for review and approval. Conflicts and apparent conflicts will be resolved in accordance with paragraph 2-11. Not later than 15 days after submission, the supervisor will forward the DD Form 1555 to his or her Ethics Counselor for final review and approval. If no appearance of a conflict of interest is present, the statement will be filed by that Ethics Counselor. Statements will be maintained in accordance with AR 25-400-2, for 6 years from the date of filing.

b. Persons assigned to agencies other than DA will submit their statements as follows:

(1) Army personnel assigned to the Office of the Secretary of Defense (OSD) or the Organization of the Joint Chiefs of Staff (OJCS) will submit DD Forms 1555 in accordance with instructions issued by the agency to which assigned.

(2) Army personnel assigned to a unified command will submit the DD Forms 1555 through their supervisors to the Ethics Counselor of the unified command. Commanders who have a dual responsibility as commanders of both joint commands and Army components will submit their statements through Army channels.

(3) Army personnel assigned to Army elements (excluding Army components listed in AR 10-5, chap 3) of joint commands or activities outside primary staff agencies of DA will submit DD Forms 1555 in accordance with instructions issued by the agency or command to which assigned.

### 3-5. Excusable delay

The supervisor's Ethics Counselor may grant an extension of time to file a DD Form 1555 in the unique case where the extension is necessitated by either duty assignment or infirmity. An extension in excess of 30 days will not be given without the approval of the Army General Counsel.

### 3-6. Special Government employees

a. Except as provided in b below, each special Government employee and each

non-Federal member of any DOD or DA advisory committee who is not required to file an SF 278 will, prior to appointment, file a DD Form 1555 statement with the officer designated in paragraph 2-9.

b. Categories of special Government employees who are not required to file DD Forms 1555 unless specifically requested to do so are as follows:

(1) Physicians, dentists, and allied medical specialists engaged only in providing service to patients.

(2) Veterinarians providing only veterinary service.

(3) Lecturers participating in educational activities.

(4) Chaplains or clergymen performing only religious service.

(5) Individuals in the motion picture and television fields who are used only as narrators or actors in DOD productions.

(6) An employee who is not a "consultant" or "expert" as defined in chapter 304 of the FPM.

(7) Reservists on active duty for less than 30 consecutive days during the calendar year.

### 3-7. Interests of relatives of DA personnel.

The interest of a spouse, minor child, or any member of one's household will be reported in the same manner as an interest of the individual.

### 3-8. Information not known by DA personnel

DA personnel will request submission on their behalf of required information known only to other persons. The submission may be made with a request for confidentiality that will be honored even if it includes a limitation on disclosure to the DA personnel concerned.

### 3-9. Information not required to be submitted

DA personnel are not required to submit on a statement any information relating to their connection with or interest in a professional society or a charitable, religious, social, fraternal, recreational, public service, civic, or political organization or similar organization not conducted as a business for profit. For the purpose of this regulation, educational and other institutions doing research and development or related work involving grants of money from or contracts with the Government will be included in a person's statement.

### 3-10. Confidentiality of statements of DA personnel

Each DD Form 1555 will be held in confidence. DA may not disclose information from a statement except for good cause, as determined by the Army General Counsel on behalf of the SA or by the Office of Government Ethics. "Good cause" includes a determination that the record or any part of the record must be released under the Freedom of Information Act (FOIA). Persons

designated to review or process statements are responsible for maintaining the statements in confidence. They will not allow access to or disclosure from the statements except to carry out the purpose of this regulation. Inspections by government officials charged with the responsibility for determining the proper operation of the financial disclosure reporting system fall within this exception.

### 3-11. Effect of statements on other requirements

Submission of DD Form 1555 does to permit DA personnel to participate in matters in which their participation is prohibited by law, order, or regulation.

### 3-12. DD Form 1555 Status Report (RCS JAG 74)

a. Each year MACOM and ARSTAF Ethics Counselor will prepare reports concerning the annual filing of DD Forms 1555. These reports will be dispatched to HQDA (DAJA-ALG), WASH DC 20310-2212, not later than 20 November. The MACOM and Army Staff report will be a consolidated report from all subordinate elements. This report will also include a breakdown, by installation or activity and will reflect the following data:

- (1) The number of individuals required to file DD Forms 1555.
- (2) The names of individuals who have not filed as of 15 November.
- (3) The reason why individuals listed in (2) above have not filed.
- (4) The anticipated date of filing for individuals listed in (2) above.

b. Biweekly reports will be filed for those organizations that have not received reports from all individuals required to file, until all DD Forms 1555 have been received.

## Chapter 4 Financial Disclosure Reports (SF 278)

### 4-1. DA personnel required to file SF 278 (covered positions)

a. The DA personnel listed below are required under the circumstances shown in paragraph 4-3 to submit an SF 278 (fig 1-4). This requirement is in accordance with the provisions of Title II, Ethics in Government Act of 1978, Pub. L. No. 95-521, as amended (5 USC app. I, sec. 201 et seq.)

- (1) General officers.
- (2) Members of the Senior Executive Service (SES).
- (3) General Schedule (GC) employees, whose position is classified grade 16 and above.
- (4) Personnel (including special Government employees) for whose position the rate of basic pay is fixed, other than under the GS, at a rate equal to or greater than the minimum rate of pay fixed for GS-16. (GS/GM 15s are not required to file SFs 278

even though their pay is higher than that of a GS/GM 16).

(5) Employees in the excepted service in positions that are of a confidential or policy-making character (Schedule C employees). This requirement does not apply to positions that have been excluded by the Director of the Office of Government Ethics.

b. Individuals required to file an SF 278 are not required to file a DD Form 1555.

### 4-2. Reporting responsibility

a. It is the responsibility of individuals occupying covered positions to file the required SF 278. In certain cases (see para 4-3a), HQDA will notify individuals of filing requirements. The requirement for filing SF 278 for covered civilian positions will be specified in the job description or other document that describes the duties and responsibilities assigned to the position.

b. SF 278 may be obtained through normal publications channels from The Adjutant General Publications Center, 2800 Eastern Blvd., Baltimore, MD 21220-2896. The servicing Staff Judge Advocate (SJA), Civilian Personnel Officer (CPO), or Ethics Counselor should ensure that the forms are available in sufficient time to allow the reporting individual to meet the required suspense dates.

### 4-3. Reports required

SF 278 will be submitted in accordance with paragraph 4-5 under the circumstances shown below. Local submission dates may be adjusted by immediate supervisors as long as suspense dates to HQDA (DAPC-JA) are met. The reviewing official (table 4-1) may, for good cause shown, grant an extension of up to 45 days.

#### Table 4-1 Reviewing officials

**Assignment of reporting individual:** Office, Secretary of Defense (OSD)  
**Reviewing official:** Director for Personnel and Security, Washington Headquarters Services

**Assignment of reporting individual:** Defense Nuclear Agency (DNA)  
**Reviewing official:** General Counsel, DNA

**Assignment of reporting individual:** Defense Communications Agency (DCA)  
**Reviewing official:** General Counsel, DCA

**Assignment of reporting individual:** Defense Mapping Agency (DMA)  
**Reviewing official:** General Counsel, DMA

**Assignment of reporting individual:** Defense Logistics Agency (DLA)  
**Reviewing official:** General Counsel, DLA

**Assignment of reporting individual:** Defense Intelligence Agency (DIA)  
**Reviewing official:** General Counsel, DIA

**Assignment of reporting individual:** National Security Agency (NSA)  
**Reviewing official:** General Counsel, NSA

**Assignment of reporting individual:** Organization, Joint Chiefs of Staff (OJCS)

**Reviewing official:** Through OJCS Legal Adviser to Director for Personnel and Security, Washington Headquarters, Service OSD

**Assignment of reporting individual:** Combined commands and agencies  
**Reviewing official:** Director for Personnel and Security, Washington Headquarters Services OSD

**Assignment of reporting individual:** Unified and specified commands  
**Reviewing official:** Director for Personnel and Security, Washington Headquarters Services OSD

**Assignment of reporting individual:** National Security Council  
**Reviewing official:** Director for Personnel and Security, Washington Headquarters Services OSD

**Assignment of reporting individual:** Central Intelligence Agency (CIA)  
**Reviewing official:** General Counsel, CIA

**Assignment of reporting individual:** National Aeronautics and Space Administration (NASA)  
**Reviewing official:** Director for Personnel and Security, Washington Headquarters Services OSD

**Assignment of reporting individual:** American Battle Monuments Commission  
**Reviewing official:** Director for Personnel and Security, Washington Headquarters Services OSD

**Assignment of reporting individual:** US Arms Control and Disarmament Agency  
**Reviewing official:** Director for Personnel and Security, Washington Headquarters Services OSD

**Assignment of reporting individual:** Federal Emergency Management Agency  
**Reviewing official:** Director for Personnel and Security, Washington Headquarters Services OSD

**Assignment of reporting individual:** Army Secretariat  
**Reviewing official:** Army General Counsel

**Assignment of reporting individual:** Chief of Staff, US Army  
**Reviewing official:** Army General Counsel

**Assignment of reporting individual:** Vice Chief of Staff, US Army  
**Reviewing official:** Army General Counsel

**Assignment of reporting individual:** Director of the Army Staff  
**Reviewing official:** Army General Counsel

**Assignment of reporting individual:** The Judge Advocate General, US Army  
**Reviewing official:** Army General Counsel

**Assignment of reporting individual:** All other Army general officers and civilian employees  
**Reviewing official:** The Judge Advocate General, US Army

a. *Nomination reports.* Except as indicated in e below, a civilian nominated by the President to a position requiring Senate confirmation will submit an SF 278. The Army

General Counsel will notify such persons when to submit the report and of any additional information required by the report. That office will attach a position description, review the report, and forward a copy of it to the Office of Government Ethics (OGE), to arrive no later than 5 days after transmittal of the nomination to the Senate. Brigadier general designees and general officers are not required to file a nomination report with respect to their nomination for promotion to pay grade O-7 and above. However, brigadier generals will file assumption reports after promotion to pay grade O-7 and assumption of duties commensurate with their new grade in accordance with *b* below.

*b. Assumption report.* Except as indicated in *e* below, an individual will submit an SF 278 before assuming a covered position. This requirement does not apply if the individual has left another covered position within 30 days prior to assuming a new position, or already has filed with respect to nomination for the new position.

(1) A civilian position is assumed on the effective date of the civilian personnel action involved. A civilian temporarily occupying a covered position (i.e., without a formal civilian personnel action) will not be considered to have assumed the position for purposes of this filing requirement.

(2) A military officer below the grade of O-7 will not be considered to have assumed a general officer position unless frocked as a general officer.

(3) A newly appointed (or frocked) brigadier general will submit an assumption report within 30 days after assuming the duties of a general officer position.

(4) When an individual assumes duties in a covered position but is not required to submit a new report, the individual will review his or her financial interests with that organization's Ethics Counselor to ensure that the change of duties will not affect continued compliance with applicable conflict of interest laws and regulations. Such a review will also be conducted if the individual acquires additional duties or assumes a new covered position during the period before the annual report is required to be filed. This review will include the most recent report filed by the individual plus information supplied informally by the individual as to any additional interests subsequently acquired or other significant changes.

*c. Annual reports.*

(1) An SF 278 will be submitted by each person, including special Government employees who perform the duties of a covered position (para 4-1a) for more than 60 days during a calendar year. The report covering that calendar year will be submitted to the immediate supervisor in accordance with paragraph 4-5 by 15 April of the next calendar year. The report will be reviewed and forwarded by the immediate supervisor to HQDA (DAPC-JA), by 15 May. (RCS exempt, AR 335-15, para 5-2e(4))

(2) When an individual has filed an annual report, and subsequently either

acquires additional duties or assumes a new covered position, a new SF 278 does not need to be filed. The individual, however, will review his or her financial interests with that organization's Ethics Counselor to ensure that the change of duties will not affect continued compliance with applicable conflict of interest laws and regulations. This review will include the most recent report filed by the individual plus information supplied informally by the individual as to any additional interests subsequently acquired or other significant changes.

*d. Termination reports.* Except as indicated in *e* below, an SF 278 will be submitted in accordance with paragraph 4-5. The SF 278 will be submitted 15 days before the effective date of termination of employment unless the person has accepted employment in another covered position. The termination report will cover the portion of the present calendar year up to the date of termination and, if the annual report has not yet been filed, the preceding calendar year. Such reports must reach HQDA (DAPC-JA) no later than 30 days after the last day of Federal employment.

*e. Not more than 60 days in covered position.*

(1) A person who is nominated to or assumes a covered position is not required to file a report if the appropriate appointing official (for civilian employees) or HQDA (DAPE-GO) (for USAR and ARNG general officers) determines after consultation with the organization's Ethics Counselor that such a person is not reasonably expected to perform the duties of the position for more than 60 days in the calendar year. However, if the person performs the duties of the office or position for more than 60 days in the calendar year, an assumption or nomination report will be filed within 15 days after the 61st day of duty.

(2) A person who does not actually perform the duties of a covered position for more than 60 days in the calendar year is not required to file an annual report or a termination report.

#### 4-4. Contents of reports

Instructions for completing SF 278 are included as part of the report forms. Additional guidance for personnel in covered positions is available from local Ethics Counselor, SJAs, CPOs or command counsel.

#### 4-5. Submitting assumption, annual, and termination reports

*a.* DA personnel required to file will submit their SF 278 through their Ethics Counselor (or persons fulfilling similar responsibilities in the agency to which assigned) to their immediate supervisor. Forms will not be submitted through command channels.

(1) DA personnel assigned to agencies and offices outside DOD will submit their SF 278 to HQDA, U.S. Total Army Personnel Agency, ATTN: DAPC-JA, 200 Stovall

St., Alexandria, VA 22332-0402, in compliance with the suspenses listed in paragraph 4-3. A copy of the official position description and a completed DA Form 4971-R (Certificate of Preliminary Review of SF 278) must be included.

(2) DA personnel of the unified commands will submit their reports through their Ethics Counselor to their immediate superior and then to the Ethics Counselor (or persons fulfilling similar responsibilities) of the unified command for submission to HQDA (DAPC-JA).

*b.* Agreements with any other DOD component or Government agency involving a loan of DA personnel in covered positions (para 4-1a will contain a requirement that the other DOD component or Government agency will review any SF 278 submitted by the loaned individual, attach a copy of the official position description, complete a DA Form 4971-R, and forward the reports with all attachments to HQDA (DAPC-JA) in compliance with the filing dates prescribed in paragraph 4-3. A statement will be included concerning the resolution of any conflict or apparent conflict of interest.

#### 4-6. Preliminary review

*a. Ethics Counselor of reporting person.* The reporting individual's Ethics Counselor will—

(1) Thoroughly review the SF 278.

(2) Attach a copy of the official position description.

(3) Complete the applicable portions of the DA Form 4971-R to include listing (at item 2c and/or 2d) those business entities in which an interest or affiliation has been reported that are doing business or attempting to do business with the reporting person's organization or activity.

(4) Forward the SF 278, with all attachments, to the reporting individual's supervisor.

*b. Immediate supervisor of reporting person.* The reporting person's immediate supervisor will thoroughly review the reported financial interests as they relate to the person's duties. Conflicts or the appearance of conflicts will be resolved in accordance with paragraph 2-11 of this regulation and item 2d of the DA Form 4971-R. If the immediate supervisor is aware of any information that relates to a possible conflict of interest, the information will be included. The immediate supervisor will complete the applicable portions of the DA Form 4971-R and forward the report, with all attachments, to his or her Ethics Counselor.

*c. Ethics Counselor of immediate supervisor.* The Ethics Counselor for the immediate supervisor of the reporting person will—

(1) Conduct a thorough preliminary review of the reported financial interests and positions disclosed on the form.

(2) Clarify and resolve discrepancies, conflicts, or apparent conflicts with the immediate supervisor in accordance with paragraph 2-11 of this regulation and item 2d of the DA Form 4971-R.

(3) Complete the DA Form 4971-R.

(4) Forward the SF 278, with attachments (e.g., position description and completed DA Form 4971-R), to HQDA, U.S. Total Army Personnel Agency, ATTN: DAPC-JA, 200 Stovall St., Alexandria, VA 22332-0402, in compliance with the suspenses listed in paragraph 4-3.

#### 4-7. Review at Headquarters, Department of the Army

*a. Filing Authority.* The official filing authority for all individuals occupying covered positions within the Department of the Army is HQDA (DAPC-JA). The date of receipt by HQDA (DAPC-JA) will be noted on the SF 278 as required by law. Upon dating the report, HQDA (DAPC-JA) will forward the SF 278 to the appropriate reviewing official for final review.

*b. Reviewing official.* Reviewing officials are shown in table 4-1. When TJAG is the reviewing official, he or she will provide the General Counsel a copy of all correspondence referred to in *e* and *f* below. Review of an SF 278 is completed when the reviewing official has signed the SF 278, indicating that each item is completed and that the report discloses no unresolved conflict or appearance of a conflict of interest under applicable laws and regulations. (Circumstances or situations that have resulted in or may result in noncompliance with applicable laws and regulations are listed at app E.)

*c. Permanent filing.* After signing the SF 278, the reviewing official will return it for permanent filing to HQDA (DAPC-JA).

*d. Additional information.* If the reviewing official, after reviewing an SF 278, believes additional information is required, the reporting individual will be notified of the additional information required and the date by which it must be submitted. The reporting individual will submit the required information directly to the reviewing official.

*e. Preliminary determination.* If the reviewing official, after reviewing the SF 278, is of the opinion, on the basis of information submitted, that the reporting person is not in compliance with applicable laws and regulations, the following steps will be taken:

(1) The person will be notified in writing of the preliminary determination.

(2) The person will be afforded a reasonable opportunity for a written or oral response. Written responses will be forwarded directly to the reviewing official by the suspense date specified in the notice.

*f. Compliance or referral.* After considering the response provided by the reporting person, the reviewing official will determine whether the person is in compliance with applicable laws and regulations.

(1) If the person is in compliance, the reviewing official will sign the SF 278. He or she will also send written notification of the determination to the person, including the addition of any comments written or attached to the SF 278.

(2) If the person is determined not to be in compliance, he or she will be notified in

writing of that determination. After an opportunity for personal consultation, if practicable, the reviewing official will notify the person in writing of the remedial measures outlined in paragraph 2-11 that should be taken to bring the person into compliance. The notification will specify a date by which such measures must be taken.

(a) When the reviewing official determines that a reporting person has fully complied with the remedial measures, a notation to that effect will be made in the comment section of the SF 278. The reviewing official will then sign and date the SF 278 and send written notice of that action to the person.

(b) If steps assuring compliance with applicable laws and regulations are not taken by the date established, the reviewing official will report the matter to the SA for action. The OGE will also be notified.

#### 4-8. Public disclosure

By law, SFs 278 must be made available for public examination upon request, 15 days after the report is filed. Receipt of the report by HQDA (DAPC-JA) constitutes official filing and establishes the date from which the 15 days will run. In most cases, this means the reports are available to the public before review at HQDA is completed. Reporting persons are personally responsible for ensuring that their reports are accurate, complete, and timely.

#### 4-9. Penalties

Compliance with the financial disclosure provisions will be enforced by administrative, civil, or criminal remedies, as appropriate.

*a. Action within Department of the Army.* The SA may take appropriate action, including a change in assigned duties or adverse action, in accordance with applicable law or regulation, against any person who is reported under paragraph 4-7f(2)(b), who fails to file an SF 278, or who falsifies or fails to report information required to be reported.

*b. Action by the Attorney General.* The SA is required by the Ethics in Government Act of 1978 to refer to the Attorney General the name of any person whom the SA has reasonable cause to believe has willfully failed to file an SF 278 on time or has willfully falsified or failed to file information required to be reported. Such referral does not bar additional administrative or judicial enforcement. The Attorney General may bring a civil action in the US District Court against any person who knowingly and willfully falsifies or fails to file or report any required information. The court may assess a civil penalty not to exceed \$5,000. Knowing or willful falsification of information required to be filed may also result in criminal prosecution under 18 USC 1001 leading to a fine of not more than \$10,000, or imprisonment for not more than 5 years, or both.

*c. Misuse of reports.*

(1) The Attorney General may bring a civil action against a person who obtains or

uses an SF 278 filed pursuant to the Ethics in Government Act for the reasons shown below.

(a) Any unlawful purpose.

(b) Any commercial purpose, other than by news and communications media for dissemination to the general public.

(c) Determining or establishing the credit rating of any individual.

(d) Use, directly or indirectly, in the solicitation of money for any political, charitable, or other purpose.

(2) The court in which such action is brought may assess against such person a penalty in any amount not to exceed \$5,000. This is in addition to any other legal remedy available.

## Chapter 5 Laws Governing Former Government Employees

### 5-1. Former officers or employees

*a.* The term "former officer or employee" includes the following personnel:

(1) Full-time civilian officers or employees who have left Government service.

(2) Special Government employees who have left Government service.

(3) Retired officers released from active duty.

(4) Reserve officers released from active duty.

(5) Officers discharged or dismissed from active duty.

*b.* The term does not include enlisted personnel.

### 5-2. Enforcement responsibility

*a.* Each officer and employee, upon ending service with the US Army, is obligated to review the postemployment restrictions imposed by law and regulation and determine those that apply to future employment and dealings with the agencies of the Federal Government. This chapter and appendix B summarize the laws and regulations that apply to persons who have already left the Government or will do so in the future.

*b.* Persons ending service with the US Army will be furnished a copy of this regulation for review during their outprocessing. Personnel who request additional advice will be referred to the local Ethics Counselor or legal office as applicable. Such advice may be provided before or during the outprocessing.

*c.* Administrative enforcement procedures are set forth in paragraph 5-4.

### 5-3. Postemployment restrictions

*a. Employment of former DA personnel.* Except as described in *c*, below, no Federal law or regulation precludes retired or former civilian or military personnel from being employed by a domestic corporation or concern doing business with the Government. General professional knowledge acquired while in Government service generally may be used in connection with

the employment. However, the use of "inside information," as well as other activities that reasonably give the appearance of making unfair use of prior Government employment and affiliations, is prohibited. With few exceptions, the statutory postemployment restrictions are not intended to discourage the movement of employees to and from positions in industry, research institutions, and universities. Only certain acts that are detrimental to public confidence in the Government are prohibited. See appendix B for a digest of laws relating to conflict of interest.

**b. Ethics in Government Act.** This statute makes it a criminal offense for a former officer or employee who participated in or had official responsibility for a particular matter while employed by the Government to "switch sides" by representing another person or organization in the same matter at a later time. The representational activities specifically restricted include all personal appearances before the Government, as well as oral or written communications with the Government made with the intent to influence a governmental decision. The term "Government" includes any department or agency of the United States or the District of Columbia, as well as any officer or employee thereof. (See 5 CFR 737 for examples of both permissible and prohibited conduct.)

(1) *Restrictions on former officers and employees.*

(a) *Permanent bar.* All former officers and employees are permanently prohibited from representing anyone else in an appearance before or communication with the Government in connection with any particular matter involving specific parties in which the United States is a party or has a direct and substantial interest and in which the individual participated personally and substantially for the Government (18 USC 207(a)).

(b) *Two-year bar.* For 2 years after the termination of official responsibility (see below), former officers and employees are prohibited from representing anyone else in an appearance before or communication with the Government in connection with any particular matter involving specific parties in which the United States is a party or has a direct and substantial interest and which was pending under the former employee's official responsibility during the last year of Government service (18 USC 207 (b)(i)). "Official responsibility" includes the authority, whether intermediate or final, exercisable alone or with others, and either personally or through subordinates, to approve, disapprove, or otherwise direct Government actions.

(2) *Additional restrictions on former senior employees.* "Senior employee" refers to all civilian employees at the executive level (5 USC 5312 - 5317), generals, or lieutenant generals. It also refers to any other persons holding general officer or SES positions that

have been designated as senior employee positions by the Director, Office of Government Ethics. (See 5 CFR 737.33, reproduced annually in bulletins under chapter 737, FPM.)

(a) *Two-year bar on representation by personal presence.* For 2 years after ceasing to be a senior employee, a former senior employee is prohibited from assisting in the representation of anyone else by personal presence at any appearance before the Government in connection with any particular matter involving specific parties in which the United States is a party or has a direct and substantial interest and in which the former senior employee participated personally and substantially for the Government (18 USC 207(b)(ii)). While former senior employees could, for example, work on a contract with which they were involved while in Government service, they may not render assistance by attendance at any meeting, negotiations, or proceedings with the Government.

(b) *One-year bar on attempts to influence former agency.* For 1 year after ceasing to be a senior employee, a former senior employee is prohibited from representing anyone, including himself, in any appearance before or communication with his former agency in connection with any particular matter which is pending before such agency or in which such agency has a direct and substantial interest (18 USC 207(c)). This provision does not require the former senior employee to have had any prior involvement in the particular matter, nor that the matter involve specific parties. The provision does not apply, however, to communications made by a former senior employee who is an elected official or employee of a State or local government acting on behalf of such government, or to communications by a former senior employee who is principally employed by a degree-granting institution of higher learning, or a nonprofit hospital or medical institution, and who is acting on behalf of such institution. It also does not apply to purely social or informational communications, contacts regarding matters of a personal and individual nature, such as retirement benefits, or expressions on his or her behalf of the personal views of a former senior employee who has no pecuniary interests at stake. This provision creates a one-year "cooling off" period to prevent the use of personal influence based on past Government affiliations to facilitate the transaction of business.

(3) *Consultation exception postemployment restrictions.* The postemployment restrictions outlined above do not apply to communications made solely for the purpose of furnishing scientific or technological information in accordance with the following procedures:

(a) The office receiving the contact or communication will be advised by the former officer or employee, or by the organization represented by that individual, of the prior employment status of that individual

and the general subject matter to be communicated. Notice will be given in advance of any communication, if possible, to the Ethics Counselor for the office to which the communication is to be directed (See para 2-9.)

(b) The subject matter of the communication must be limited to scientific and technological exchanges. These may include discussions of feasibility, risk, cost, and speed of implementation.

(c) The office receiving the communication or participating in the discussions must maintain copies of the written communications and written summaries of any discussions for a period of 5 years.

(4) *Exemption for persons with special qualifications in a technical discipline.* Upon application by the person concerned, the SA, in consultation with the Under Secretary of Defense for Research and Development and with the Director, OGE, may grant an exception to the postemployment restrictions outlined above if the conditions below are met.

(a) Written applications for an exception will be submitted directly to HQDA (SARDA), WASH DC 20310-0600. Justification submitted with the application will include evidence that the person has outstanding qualifications in a scientific, technological, or other technical discipline and the person is acting with respect to a particular matter that requires such qualifications, and that the national interests will be served by participation of the former officer or employee. The Assistant Secretary of the Army (Research, Development, and Acquisition) will forward the application through the Army General Counsel to the SA, together with a recommendation on whether to approve the application and the basis for that recommendation. If the application for an exception is approved, the SA will publish appropriate certification in the Federal Register.

(b) The use of this exception will be limited to instances in which the former Government employee's involvement is needed on so continuous and comprehensive a basis that compliance with the procedures adopted for the communication of technical information (para 5-3b(3)) or other actions to isolate the former Government employee from other aspects of the matter would be burdensome and impractical.

c. *Employment restrictions on certain former DOD officials.* Pursuant to 10 USC 2397b, certain former DOD officers and employees will not receive compensation from a major defense contractor for a 2-year period, beginning on the date the former officer or employee separated from DOD. (See section II of the Glossary for definitions of specific terms used in this paragraph.)

(1) *Applicability.* Individuals subject to these restrictions are those who served in a position for which the rate of pay is equal to the minimum rate of pay payable for a GS-13 or higher, and individuals who served in the Armed Forces in pay grades of O-4 or higher, if such individuals—

(a) Spent the majority of their working days during the last 2 years of DOD service performing a procurement function relating to a DOD contract, at a site or plant that was owned or operated by a contractor, and which was the principal location of their performance of that procurement function; or

(b) Performed, in a majority of their working days during the last 2 years of DOD service, a procurement function relating to a major defense system and, in the performance of such a function, participated on any occasion personally and substantially in a manner involving decision-making responsibilities with respect to a contract for that system through contact with the contractor.

(2) *Senior employees.* The restrictions also apply to individuals who served in Senior Executive positions or higher, and individuals who served as members of the Armed Forces in the pay grade of 0-7 or higher, if such individuals, during the last 2 years of DOD service—

(a) Acted as one of the primary representatives of the United States in the negotiation with a defense contractor of a defense contract in an amount in excess of \$10 million (the actual contractual action taken by the individual must have been in an amount in excess of \$10 million), or

(b) Acted as a primary representative of the United States in the negotiation of a settlement of an unresolved claim of such a defense contractor in an amount in excess of \$10 million. An unresolved claim will be, for the purposes of this regulation, valued by the greater of the amount of the claim or the amount of the settlement.

(3) *Advice from the designated Ethics Counselor.*

(a) Any person may, before accepting compensation, request that the designated Ethics Counselor (See (d), below) provide advice on the applicability of 10 USC 2397b and this regulation to the acceptance of such compensation.

(b) The designated Ethics Counselor for an individual who is still employed by DA is the Ethics Counselor of the MACOM to which the individual's current organization is assigned or attached. If the organization is not assigned or attached to a MACOM, requests for advice should be submitted to HQDA (DAJA-ALG), WASH DC 22310-2212. Former DA personnel should submit requests to the same Ethics Counselor as though they were still in their last duty assignment. Such requests will be in writing and will contain all relevant information.

(c) Upon receiving a request for advice, the designated Ethics Counselor will issue a written opinion in response thereto not later than 30 days of receipt of all relevant information pertaining to the request.

(d) If the designated Ethics Counselor advises that the law and this regulation are inapplicable, and that the individual may accept compensation from the contractor, then there shall be a conclusive presumption

that the acceptance of the compensation is not a violation of 10 USC 2397b.

(4) *Remedial action.* DA personnel who become aware of an apparent violation of these prohibitions will promptly notify an Ethics Counselor. The Ethics Counselor will report suspected violations in accordance with paragraph 2-10b(3).

(5) *Penalties.* Pursuant to 10 USC 2397b(1). Individuals who knowingly violate the prohibitions of this section are subject to a civil fine of up to \$250,000.

(6) *Effective date.* The effective date of 10 USC 2397b was April 16, 1987. The statute does not preclude the continuation of contractor employment begun before the effective date, nor does it prohibit the acceptance of compensation for such employment. The statute does not apply if DOD service terminated prior to the effective date of 10 USC 2397b.

#### 5-4. Administrative enforcement proceedings

a. *Applicability and scope.* These procedures are adopted pursuant to 18 USC 207 and 10 USC 2397, 2397a, and which require the Department of Defense to develop such administrative procedures. They provide for the review and disposition of reported violations of postemployment restrictions by former DA personnel and of reporting requirements by present DA personnel and by former DA personnel and their defense contractor employers. They are specifically substituted for the procedures set out in appendix 11, DOD Directive 5500.7.

b. *Delegation.* The Army General Counsel will have authority to administer these provisions within the DA. TJAG is delegated general authority to conduct the administrative enforcement functions described in this paragraph. However, the Army General Counsel may reserve authority to act in any case by so notifying TJAG in writing.

c. *Receipt of information concerning possible violations.* If an officer or employee of DA has reason to believe, or receives information indicating that any of the statutes referred to in a above, or implementing regulations may have been violated, he or she will promptly report the information to the Ethics Counselor. The Ethics Counselor will review the information and, if it appears that a violation of such statutes or regulations may have occurred, forward a written report to the IG, HQDA (DAIG-ZB), WASH DC 20310-1700. The report will not be forwarded through command channels. Other persons outside DA having information of such violations may make a report to any DA personnel. The privacy of an alleged violator (hereinafter referred to as a respondent) will be protected by adequately safeguarding information concerning allegations made prior to a determination of sufficient cause to initiate an administrative disciplinary hearing.

d. *Actions by The Inspector General (TIG).* Upon receipt of a report alleging violations of any of the statutes referred to in a above, or implementing regulations, TIG

will immediately provide a copy of the allegations to the TJAG and the Army General Counsel. The IG will have a preliminary investigation conducted into the basis of the allegations. A memorandum will be prepared and forwarded to TJAG and, upon request, to the Army General Counsel.

e. *Report to the Office of Government Ethics (OGE) and the Department of Justice (DOJ).* On receipt of information regarding a possible violation of 18 USC 207(a), (b), or (c) or implementing regulations, and after determining that the information appears substantiated, TJAG (except in those cases in which the Army General Counsel has reserved authority to act) will provide such information the Army General Counsel with appropriate comments. The Army General Counsel will evaluate the information and forward it, along with any comments and applicable agency regulations, to the Director, OGE, and to the Criminal Division, DOJ. In cases where TJAG determines that such information does not appear substantiated, he or she will notify TIG and the Army General Counsel in writing of this determination. Until DOJ has formally declined to take action in a particular case, the Army General Counsel will coordinate any DA Investigation or administrative action with DOJ. If, during the course of a criminal investigation, allegations of violations of 18 USC 207(a), (b), or (c) or implementing regulations are identified, an immediate report of these allegations will be made by the USACIDC to the TJAG and the Army General Counsel. The USACIDC shall conduct an expeditious investigation into the allegations and provide a report of the results thereof to the TJAG and, upon request, to the Army General Counsel.

f. *Initiation of administrative disciplinary hearing.* Whenever TJAG (or the Army General Counsel in cases in which he or she has reserved authority to act) has determined that the information appears substantiated, he or she may initiate an administrative disciplinary proceeding.

g. *Notice of hearing.*

(1) TJAG (or the Army General Counsel in those cases in which he or she has reserved authority to act) will provide a respondent with notice of not less than 20 calendar days of an intention to institute a proceeding and an opportunity for a hearing.

(2) Notice must include—

(a) A statement of allegations and the basis thereof, sufficiently detailed to enable the respondent to prepare an adequate defense.

(b) Notice of the right to a hearing.

(c) Procedure for requesting a hearing.

(d) Notice of the right to waive the right to appear at the hearing and the procedure to do so. (See h below.)

(e) Notice that the failure to appear at the hearing will constitute a constructive waiver of the right to appear.

(f) Notice of the potential administrative sanctions that the SA could impose should

the hearing result in a decision adverse to the respondent.

*h. Waiver procedure.* A hearing under this precedent to the imposition of administrative sanctions by the SA. However, the required hearing may be conducted in the absence of the respondent if there has been a waiver of the individual's respondent's right to appear. The right to appear may be waived in either of the following ways:

(1) The respondent may affirmatively waive the right to appear at the hearing by executing a written waiver. Waiver statements should accompany the notice of the hearing. The format of a waiver statement may vary provided the statement clearly informs the respondent that signing the document constitutes a waiver of the right to appear at the hearing and notifies the respondent of the potential administrative sanctions should the hearing result in an adverse decision.

(2) The respondent's failure to appear at a scheduled hearing, after due notice, will constitute a constructive waiver of the right to appear.

*i. Hearing examiner.* The presiding official will be a person to whom TJAG (or the Army General Counsel in those cases in which he or she has reserved authority to act) has delegated authority in writing to make an initial decision. (This person will hereafter be referred to as "examiner.")

(1) An examiner will be an attorney with not less than 3 years of experience subsequent to admission to the bar.

(2) An examiner will be impartial. (An individual who has participated in any manner in the decision to initiate the proceedings may not serve as examiner in those proceedings.)

*j. Time, date, and place of hearing:*

(1) The hearing will be held at a reasonable time, date, and place.

(2) The date of the hearing will be specified by the examiner with due regard to the respondent's need for adequate time to prepare a defense properly and a need to resolve expeditiously allegations that may be damaging to the respondent's reputation.

*k. Hearing rights.* The respondent will have the following rights:

(1) The right to represent himself or herself or be represented by counsel.

(2) The right to introduce and examine witnesses and submit evidence.

(3) The right to confront and cross-examine adverse witnesses.

(4) The right to stipulate as to facts not in issue.

(5) The right to present oral argument.

(6) The right to receive a transcript or a recording of the proceedings upon request.

*l. Burden of proof.* DA has the burden of proof. A violation is established only by substantial evidence.

*m. Decision.*

(1) The examiner will—

(a) Make a determination that is based exclusively on matters of record in the proceedings.

(b) Set forth in a written decision all findings of fact and conclusions of law relevant to the matters at issue.

(c) Provide the SA (ATTN: Army General Counsel), TJAG, and the respondent a copy of the written decision.

(2) Within 20 days following receipt of a decision, either party may appeal the decision to the SA. The SA will base his or her decision on such appeal solely on the record of the proceedings or those portions thereof cited by the parties to limit the issues.

(3) If the SA modifies or reverses the initial decision, such findings of fact and conclusions of law as are different from those of the hearing examiner will be specified in writing.

(4) The decision will inform any person found in violation of any of the statutes referred to above or implementing regulations of the right to seek judicial review of the administrative determination.

*n. Administrative sanctions.*

(1) The SA will take appropriate action in the case of a respondent found in violation of 18 USC 207(a), (b), or (c), or implementing regulations. This action may be taken based upon a final administrative decision or a failure to request a hearing after receiving adequate notice. This action may include—

(a) Prohibiting the respondent from making, on behalf of any other person except the United States, any formal or informal appearance before, or, with the intent to influence, any oral or written communication to, the DA on any matter of business for a period not to exceed 5 years. This may be enforced by directing officers and employees of the DA to refuse to participate in any such appearance or to accept any such communication.

(b) Taking other appropriate disciplinary action.

(2) The SA will take appropriate action in the case of a violation of 10 USC 2397, 2397a, or 2397c, or implementing regulations. This action may be taken based upon a final administrative decision or a failure of the respondent to request a hearing after receiving adequate notice. This action may include—

(a) Imposing an administrative penalty, not to exceed \$10,000.

(b) With respect to a violation of 2397a, imposing an additional administrative penalty of a particular amount if the respondent is determined to have accepted or continued employment with a defense contractor during the 10-year period beginning with the date of separation from Government service.

*o. Judicial review.* Any person against whom the SA imposes an administrative sanction may seek judicial review of the administrative determination.

## 5-5. Retired officers

*a. Prohibitions.* Appendix B contains a digest of laws relating to conflicts of interest. Many of these are applicable to retired officers. For example, he or she may not—

(1) Engage in the prohibited activities listed in paragraph 5-3 (18 USC 207).

(2) Within 2 years, assist in prosecuting a claim against the United States involving any subject matter with which he or she was directly connected while on active duty (18 USC 281).

(3) Within 2 years after retirement, assist in prosecuting a claim, or represent anyone else in the sale of anything to the Department in whose service he or she holds a retired status (18 USC 281). This permanent restriction extends to sales to NAF activities that are under the joint control of the Army and some other agency. An example of such activity is the Army and Air Force Exchange Service.

(4) Within 3 years after retirement (if a retired Regular Army (RA) officer), sell supplies or war materials to any agency of DOD (including NAF activities), the Coast Guard, the National Oceanic and Atmospheric Administration, or the Public Health Service. (See 37 USC 801(b), as amended 9 October 1962; Pub. L. No. 87-777.)

*b. Required statement of employment.*

Each retired RA officer will file a DD Form 1357 (Statement of Employment) (fig 1-2) with the Cdr. USAFAC, ATTN: FINCM-DB, Retired Pay Operations, Indianapolis, IN 46249-1536 within 60 days after retirement. DD Form 1357 will be revised within 30 days after the information in the previous statement has ceased to be accurate. If the retiree is employed by the Federal Government, a copy of the SF 50, Notification of Personnel Action, will be submitted with DD Form 1357. If the DD Form 1357 discloses that the retiree is employed by a DOD contractor, it will be reviewed by an Ethics Counselor on the staff of the Commanding General, USAFAC, to ensure compliance with applicable laws and regulations. The Cdr. USAFAC will acknowledge receipt of each DD Form 1357 and, within 90 days of such receipt, provide a reply reflecting the results of his or her review.

## 5-6. Foreign government gifts or employment

Retired regular military personnel may not accept any present, emolument, office, title, or employment from any foreign government without the consent of the Congress. (See Art 1, sec 9, cl 8 of the US Constitution.) Requests for approval of employment by a foreign government should be processed under AR 600-291. The penalty for a violation is loss of retired pay. This prohibition does not apply to employment by international agencies such as the United Nations.

## 5-7. Employment in DOD

The Dual Compensation Act of 1964 prohibits the employment of any retired member of the Armed Forces in the DOD (including NAF instrumentalities (NAFIs)) within 180 days following retirement (5 USC 3326) unless—

a. The appointment is authorized by the Secretary of a military department or his designee and, if appropriate, by the OPM;

b. The minimum rate of basic pay for the position has been increased under 5 USC 5303; or,

c. A State of national emergency exists.

#### **5-8. Report of DOD and defense-related employment (DD Form 1787) (RCS DD FM&P(A)1051)**

a. *Personnel required to file.* Personnel required to file a Report of DOD and Defense Related Employment (DD Form 1787) are as follows:

(1) Each person who has left service or employment with a DA component, who—

(a) Is a retired or former military officer who served on active duty at least 10 years and who held, for any period during that service, the pay grade of O-4 or above, or a former civilian or employee whose pay rate at any time during the 3 year period prior to the end of DA service or employment was equal to or greater than the minimum GS-13 rate at that time;

(b) Within the 2 year period immediately following the termination of service or employment with DA, is employed by a defense contractor who, during the year preceding employment, was awarded \$10 million or more in defense contracts; and

(c) Is employed by or performs service for the defense contractor and at any time during a year directly receives compensation of or is salaried at a rate of \$25,000 per year or more from the defense contractor ("compensation" is received by a person if it is paid to a business entity with which the person is affiliated in exchange for services rendered by that person).

(2) Each civilian officer and employee of DA who—

(a) Is employed at a pay rate equal to or greater than the minimum rate for GS-13,

(b) Within the 2 year period prior to the effective date of service or employment with DA, was employed by a defense contractor who, during a year, was awarded \$10 million or more in defense contracts; and

(c) Was employed by or performed services for the defense contractor and at any time during such a year received compensation of or was salaried at a rate of \$25,000 per year or more ("compensation" is considered received by a person if it is paid to a business entity with which the person is affiliated in exchange for services rendered by the person);

b. *Content of report.* Instructions for completing DD Forms 1787 are included as part of the form (see fig 1-5). Additional guidance for personnel required to file may be obtained from the servicing Ethics Counselor.

c. *Submission and review of reports.*

(1) *Time of filing.*

(a) Current DA officers and employees will file a report within 30 days after entering employment or service with any DA component.

(b) Former DA officers and employees will file an initial report within 90 days after the date on which the individual began employment with the defense contractor.

(c) Former DA officers and employees will file subsequent reports each time, during the 2-year period after service or employment with DA ended, that the person's duties with the defense contractor significantly change or the person begins employment with another defense contractor. Such reports must be filed within 30 days after the date of the change.

(2) *Submission.* Current officers and employees should file DD Form 1787 with the Ethics Counselor for their present duty station; former officers and employees should file DD Form 1787 with the Ethics Counselor for their last duty station.

(3) *Review.* The DD Form 1787 will be reviewed by the Ethics Counselor as it is received to ensure compliance with applicable laws and regulations. If the reviewing official concludes that the filing individual is not in compliance with applicable laws or regulations, the reviewing official will follow the procedures set forth above in paragraph 5-4.

(4) *Submission of data to Defense Manpower Data Center.* Ethics Counselors are responsible for input of data concerning submission of DD Form 1787 to the Defense Manpower Data Center (DMDC). One submission is required each year, and must be received by DMDC no later than 31 January. The submission should reflect all reports received prior to 1 January for individuals who began the employment which triggered the reporting requirement prior to 1 October of the previous year. Data should be mailed to Defense Manpower Data Center, ATTN: Tape Librarian, Defense Related Employment Program, 550 El Estero #200, Monterey, CA 93940. Information concerning the procedures for data submission may be obtained from DMDC at AUTOVON 878-2951 or commercial (408) 375-4131.

(5) *Filing of reports.* No later than 15 February, the original of each report included in the submission required by (4) above will be forwarded to DOD, Office of the General Counsel, Standards of Conduct Office, WASH DC 20301. A copy of the DD Form 1787 will be retained locally by the Ethics Counselor for 2 years after filing.

d. *Public availability of reports.* DD Forms 1787 must be made available for public examination upon request 15 days after the report is filed unless otherwise exempted pursuant to law. Receipt of the report by the Ethics Counselor for final review constitutes official filing and establishes the date from which the 15 days will run. This means that the report may become available to the public before final review is completed. Reporting persons are personally responsible for ensuring that their reports are accurate, complete, and timely.

e. *Retention of reports.* DD Forms 1787 will be retained for 6 years from the date of filing (per AR 25-400-2).

f. *Penalties.*

(1) *Administrative penalties.* Any individual failing to file a report or falsifying or failing to file required information, may be subject to any appropriate personnel or other action in accordance with applicable law or regulation, including adverse action. Administrative penalty of up to \$10,000 may be imposed.

(2) *Criminal liability.* Any individual who knowingly or willfully falsifies information on a report required to be filed under this subpart may also be subject to criminal prosecution under 18 USC 1001.

g. *Other reporting requirements.* These reporting requirements are in addition to—

(1) The DD Form 1357 required from retired RA officers (see para 5-5b).

(2) The DD Form 1555 required of certain DA personnel by chapter 3 of this regulation.

(3) The SF 278 required of certain DA personnel by chapter 4 of this regulation.

## Appendix A Related Publications

A related publication is merely a source of additional information. The user does not have to read it to understand this regulation.

### AR 1-210

Participation in Activities of Private Associations

### AR 1-211

Attendance of Military Personnel at Private Organizations Meetings

### AR 10-5

Department of the Army

### AR 20-1

Inspector General Activities and Procedures

### AR 25-400-2

The Modern Army Recordkeeping System (MARKS)

### AR 37-47

Contingency Funds of the Secretary of the Army

### AR 145-1

Senior ROTC Program: Organization, Administration, and Training

### AR 145-2

Junior Program and National Defense Cadet Corps: Organization, Administration, Operation, and Support

### AR 210-1

Private Organization Department of the Army Installations

### AR 210-7

Commercial Solicitation on Army Installations

### AR 210-10

Administration

### AR 215-1

The Administration of Army Morale, Welfare, and Recreation Activities and Nonappropriated Fund Instrumentalities

### AR 215-2

The Management and Operation of Army Morale, Welfare, and Recreation Programs and Nonappropriated Fund Instrumentalities

### AR 215-3

Nonappropriated Funds and Related Activities Personnel Policies and Procedures

### AR 360-5

Public Information

### AR 360-61

Community Relations

### AR 600-15

Indebtedness of Military Personnel

### AR 600-21

Equal Opportunity Program in the Army

### AR 600-29

Fund-Raising Within the Department of the Army

### AR 600-291

Foreign Government Employment

### AR 621-7

Acceptance of Fellowship, Scholarships, or Grants

### AR 623-105

Officer Evaluation Program

### AR 624-100

Promotion of Officers on Active Duty

### AR 672-5-1

Military Awards

### AR 690-700

Personnel Relations and Services (General)

### AR 690-700.771

Civilian Personnel

### DODI 5410.20

Public Affairs Relations with Business and Nongovernmental Organizations Representing Business

### DODD 5500.2

Policies Governing Participation of Department of Defense Components and Personnel in Activities of Private Associations

### DODD 5500.7

Standards of Conduct

### 5 CFR 734

Executive Personnel Financial Disclosure Requirements

### 5 CFR 735

Employee Responsibilities and Conduct

### CPR 713

Civilian Personnel Regulation, Equal Employment Opportunity

### CPR 771

Civilian Personnel Regulation, Grievance System

### FPM 734

Financial Disclosure Requirements

### FPM 771

Agency Administrative Grievance System

## Chapter 304, FPM

### JFTR

Joint Federal Travel Regulation Volume 1

## Appendix B Digest of Conflict of Interest Laws

### B-1. Conflict of Interest Laws

The statutes digested in this appendix are subject to changing administrative and judicial interpretation. Before acting or failing to act because of these statutes, DA personnel are encouraged to consult legal counsel.

### B-2. 18 USC 203

a. Subsection (a) prohibits officers or Government employees from directly or indirectly receiving, agreeing to receive, or seeking any compensation for services rendered or to be rendered before any department or agency in connection with any contract, claim, controversy or particular matter in which the United States is a party or has a direct and substantial interest. The purpose of this section is to reach any situation, including those where there is no intent to be corrupted or to provide preferential treatment, in which the judgment or efficiency of a Government agent might be influenced because of payments or gifts made by reason of the position occupied to that official in a manner otherwise than provided by law.

b. Subsection (b) makes it unlawful to offer or pay compensation, the solicitation of receipt of which is barred by subsection (a).

### B-3. 18 USC 205

a. This Section prohibits Government personnel from acting as agent or attorney for anyone else before a department, agency, or court in connection with any particular matter in which the United States is a party or has a direct and substantial interest.

b. The following exemptions are allowed:

(1) Section 205 does not prevent Government personnel from giving testimony under oath or making statements required to be made under penalty or perjury or contempt or from representing another person, without compensation, in a disciplinary, loyalty, or other personnel administration proceeding.

(2) Section 205 also authorizes a limited waiver of its restrictions and those of section 203 for the benefit of an officer or employee, including a special Government employee, who represents his own parents, spouse, or child, or a person or estate he serves as a fiduciary. The waiver is available only if approved by the official making appointments to the position. In no event does the waiver extend to his representation of any such person in matters in which he has participated personally and substantially or which, even in the absence of such participation, are the subject of his official responsibility.

(3) Finally, section 205 gives the head of a department or agency the authority to waive its restrictions, and those of section 203, to allow a special Government employee to represent his or her regular employer or other outside organization in the performance of work under a Government grant or contract if the department or agency head certifies and publishes in the Federal Register that the national interest requires such representation.

#### **B-4. 18 USC 208**

a. Subsection (a) requires executive branch personnel to refrain from personal and substantial participation as Government personnel through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise in any particular matter in which, to their knowledge, they, their spouses, minor children, or partners have financial interest or in which business or nonprofit organizations with which such personnel are affiliated or are seeking employment have financial interests. The test of what constitutes a particular matter is whether the individual might reasonably anticipate that his or her Government action, or the decision in which he or she participates or with respect to which he or she advises, will have a direct and predictable effect upon such financial interests. A particular matter in the context of this section may include rulemaking and general policy matters.

b. Subsection (b) permits agencies to grant an ad hoc exemption in writing from subsection (a) if the outside financial interest is deemed in advance not substantial enough to affect the integrity of Government services. Categories of financial interests may also be made nondisqualifying by a general regulation published in the Federal Register. Shares of a widely held, diversified mutual fund or regulated investment company have been exempted as being too remote or inconsequential to affect the integrity of the services of Government personnel.

#### **B-5. 18 USC 209**

Subsection (a) prevents executive branch personnel from receiving, and anyone from paying them, any salary or supplementation of salary from a private source as compensation for their Government service. Subsection (b) permits participation in a bona fide pension plan or other employee welfare or benefit plan maintained by a former employer. Subsection (c) exempts special Government employees and anyone serving the Government without compensation. Subsection (d) exempts contributions, awards, or other expenses under the Governmental Employees Training Act (5 USC 2301-2319).

#### **B-6. Summary of laws particularly applicable to retired officers**

*Prohibited activities are shown below.*

a. *Claims.* A retired officer of the Armed Forces may not, within 2 years of retirement, act as agent or attorney for prosecuting any claim against the Government, or assist in the prosecution of such a claim, if such claim involves the Military Department in whose service he holds a retired status or if such claim involves any subject matter with which he or she was directly connected while on active duty (see 18 USC 281).

##### *b. Selling.*

(1) Within 2 years following retirement, a retired officer is prohibited from representing any person in the sale of anything to the Government through the Military Department in whose service he or she holds a retired status (see 18 USC 281).

(2) Payment may not be made from any appropriation, for a period of 3 years after his name is placed on that list, to an officer on a retired list of the Regular Army, the Regular Navy, the Regular Air Force, the Regular Marine Corps, the Regular Coast Guard, the National Oceanic and Atmospheric Administration, or the Public Health Service, who is engaged for himself or others in selling, or contracting or negotiating to sell, supplies or war materials to an agency of the Department of Defense, the Coast Guard, the National Oceanic and Atmospheric Administration, or the Public Health Service. (See 37 USC 801(b) as amended, October 9, 1962, Pub.L.NO. 87-777, formerly 5 USC 59(c).)

(3) For the purpose of these statutes, "selling" means—

(a) Signing a bid, proposal, or contract;

(b) Negotiating a contract;

(c) Contacting an officer or employee of any of the foregoing departments or agencies to obtain or negotiate contracts; negotiate or discuss changes in specifications, price, cost allowances, or other terms of contract; or settle disputes concerning performance of a contract; or

(d) Any other liaison activity with a view toward the ultimate consummation of a sale although the actual contract therefor is subsequently negotiated by another person.

#### **B-7. 18 USC 207**

Section 207 applies to former DOD personnel. The prohibitions contained in 18 USC 207 are set forth in chapter 5.

#### **B-8. Two-year post-government service limitation on acceptance of compensation (10 USC 2397b)**

a. DA personnel above 0-3 or GS-12 may not accept compensation from a contractor for two years after separation from DOD if, for a majority of their work days in the 2 years before separation, they performed a "procurement function"—

(1) At a site owned or operated by that contractor, or

(2) By participating personally and substantially in decision making relating to a major system through contact with that contractor.

b. General officers, Senior Executive Service employees, and Presidential appointees may not accept compensation from a contractor for two years after separation from DOD if, at any time in the 2 years before separation, they were one of the primary U.S. representatives in negotiation of—

(1) A DOD contract over \$10 million with that contractor, or

(2) A settlement of that contractor's unresolved claim over \$10 million.

c. Violation of these provisions may result in the following penalties:

(1) A former DOD official who accepts compensation in violation of these restrictions is subject to a civil fine of up to \$250,000.

(2) Any person who offers or provides compensation and who knows or should know that its acceptance would result in a violation of these restrictions is subject to a civil fine of up to \$500,000.

#### **B-9. Other laws applicable to DOD personnel**

There are legal prohibitions concerning the following activities that may subject present and former DOD personnel to criminal or other penalties:

a. Aiding, abetting, counseling, commanding, inducing, or procuring another to commit a crime under any criminal statute (see 18 USC 201).

b. Concealing or failing to report to proper authorities the commission of a felony under any criminal statute if such personnel know of the actual commission of the crime (see 18 USC 4).

c. Conspiring with one or more persons to commit a crime under any criminal statute or to defend the United States, if any party to the conspiracy does any act to effect the object of the conspiracy (see 18 USC 371).

d. Lobbying with appropriated funds (see 18 USC 1913).

e. Disloyalty and striking (see 5 USC 7311, 18 USC 1918).

f. Disclosure of classified information (see 18 USC 798, 50 USC 783); and disclosure of confidential information (see 18 USC 1905).

g. Habitual use of intoxicants to excess (see 5 USC 7352).

h. Misuse of a Government vehicle (see 31 USC 638a(c)(2)).

i. Misuse of mailing privilege (see 18 USC 1719).

j. Deceit in an examination or personnel action in connection with Government employment (see 18 USC 1917).

k. Committing fraud or making false statements in a Government matter (see 18 USC 1001).

l. Mutilating or destroying a public record (see 18 USC 2071).

m. Counterfeiting and forging transportation requests (see 18 USC 508).

n. Embezzlement of Government money or property (see 18 USC 641); failing to account for public money (see 18 USC 643); and embezzlement of the money or property

of another person in the possession of an employeé by reason of his Government employment (see 18 USC 654).

o. Unauthorized use of documents relating to claims from or by the Government (see 18 USC 285).

p. Certain political activities (see 5 USC 7321-7327 and 18 USC 602, 603, 607, and 608). These statutes apply to civilian employeés; regulations govern military personnel.

q. Any person who is required to register under the Foreign Agents Registration Act of 1938 (see 18 USC 219) may not serve the Government as an officer or employee. The section does not apply to—

(1) Reserves who are not on active duty or who are on active duty for training or

(2) A special Government employeé in any case in which the department head certifies to the Attorney General that his or her employment by the United States Government is in the national interest.

r. Soliciting contributions for gifts or giving gifts to superiors, or accepting gifts from subordinates (see 5 USC 7351). (This prohibition applies to civilian employeés.)

s. Acceptance of excessive honoraria (see 2 USC 441 (i)).

t. Acceptance, without Congressional authority, of any present, emolument, office or title, or employment of any kind whatever, from any king, prince, or foreign state by any person holding any office of profit in or trust of the Federal Government, including all retired military officers and Regular enlisted personnel. (U.S. Constitution, Art. I, Sec. 9., C1 8.)

## Appendix C

FOR RELEASE TO MONDAY A.M.  
PAPERS, MAY 10, 1965

Office of the White House Press Secretary

THE WHITE HOUSE

EXECUTIVE ORDER 11222,

### PRESCRIBING STANDARDS OF ETHICAL CONDUCT FOR GOVERNMENT OFFICERS AND EMPLOYEES

By virtue of the authority vested in me by Section 301 of Title 3 of the United States Code, and as President of the United States, it is hereby ordered as follows:

#### Part I—Policy

Sec. 101. Where government is based on the consent of the governed, every citizen is entitled to have complete confidence in the integrity of his government. Each individual officer, employeé, or advisor of government must help to earn and must honor that trust by his own integrity and conduct in all official actions.

#### Part II—Standards of Conduct

Sec. 201. (a) Except in accordance with regulations issued pursuant to subsection (b) of this section, no employeé shall solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, loan, or any other thing of monetary value, from any person, corporation, or group which—

(1) Has, or is seeking to obtain, contractual or other business or financial relationships with his agency;

(2) Conducts operations or activities which are regulated by his agency; or

(3) Has interests which may be substantially affected by the performance or non-performance of his official duty.

(b) Agency heads are authorized to issue regulations, coordinated and approved by the Civil Service Commission, implementing the provisions of subsection (a) of this section and to provide for such exceptions therein as may be necessary and appropriate in view of the nature of their agency's work and the duties and responsibilities of their employeés. For example, it may be appropriate to provide exceptions (1) governing obvious family or personal relationships where the circumstances make it clear that it is those relationships rather than the business of the persons concerned which are the motivating factors—the clearest illustration being the parents, children or spouses of federal employeés; (2) permitting acceptance of food and refreshments available in the ordinary course of a luncheon or dinner or other meeting or on inspection tours where an employeé may properly be in attendance; or (3) permitting acceptance of loans from banks or other financial institutions on customary terms to finance proper and usual activities of employeés, such as home mortgage loans. This section shall be effective upon issuance of such regulations.

(c) It is the intent of this section that employeés avoid any action, whether or not specifically prohibited by subsection (a), which might result in, or create the appearance of—

(1) Using public office for private gain;

(2) Giving preferential treatment to any organization or person;

(3) Impeding government efficiency or economy;

(4) Losing complete independence or impartiality of action;

(5) Making a government decision outside official channels; or

(6) Affecting adversely the confidence of the public in the integrity of the Government.

Sec. 202. An employeé shall not engage in any outside employment, including teaching, lecturing, or writing, which might result in a conflict, or an apparent conflict, between the private interests of the employeé and his official government duties and responsibilities, although such teaching, lecturing, and writing by employeés are generally to be encouraged so long as the laws,

the provisions of this order, and Civil Service Commission and agency regulations covering conflict of interest and outside employment are observed.

Sec. 203. Employeés may not—

(a) have direct or indirect financial interests that conflict substantially, or appear to conflict substantially, with their responsibilities and duties as Federal employeés, or

(b) engage in, directly or indirectly, financial transactions as a result of, or primarily relying upon, information obtained through their employment. Aside from these restrictions, employeés are free to engage in lawful financial transactions to the same extent as private citizens. Agencies may, however, further restrict such transactions in the light of the special circumstances of their individual missions.

Sec. 204. An employeé shall not use Federal property of any kind for other than officially approved activities. He must protect and conserve all Federal property, including equipment and supplies, entrusted or issued to him.

Sec. 205. An employeé shall not directly or indirectly make use of, or permit others to make use of, for the purpose of furthering a private interest, official information not made available to the general public.

Sec. 206. An employeé is expected to meet all just financial obligations, especially those—such as Federal, State, or local taxes—which are imposed by law.

#### Part III—Standards of Ethical Conduct for Special Government Employeés

Sec. 301. This part applies to all "special Government employeés" as defined in Section 202 of Title 18 of the United States Code, who are employed in the Executive Branch.

Sec. 302. A consultant, adviser or other special Government employeé must refrain from any use of his public office which is motivated by, or gives the appearance of being motivated by, the desire for private gain for himself or other persons including particularly those with whom he has family, business, or financial ties.

Sec. 303. A consultant, adviser, or other special Government employeé shall not use any inside information obtained as a result of his government service for private personal gain, either by direct action on his part or by counsel, recommendations or suggestions to others, including particularly those with whom he has family, business, or financial ties.

Sec. 304. An adviser, consultant, or other special Government employeé shall not use his position in any way to coerce, or give the appearance of coercing, another person to provide any financial benefit to him or

persons with whom he has family, business, or financial ties.

Sec. 305. An adviser, consultant, or other special Government employee shall not receive or solicit from persons having business with his agency anything of value as a gift, gratuity, loan or favor for himself or persons with whom he has family, business, or financial ties while employed by the government or in connection with his work with the government.

Sec. 306. Each agency shall, at the time of employment of a consultant, adviser, or other special Government employee require him to supply it with a statement of all other employment. The statement shall list the names of all the corporations, companies, firms, State or local government organizations, research organizations and educational or other institutions in which he is serving as employee, officer, member, owner, director, trustee, adviser, or consultant. In addition, it shall list such other financial information as the appointing department or agency shall decide is relevant in the light of the duties the appointee is to perform. The appointee may, but need not, be required to reveal precise amounts of investments. The statement shall be kept current throughout the period during which the employee is on the Government rolls.

#### Part IV—Reporting of Financial Interests

Sec. 401. (a) Not later than ninety days after the date of this order, the head of each agency, each Presidential appointee in the Executive Office of the President who is not subordinate to the head of an agency in that Office, and each full time member of a committee, board, or commission appointed by the President, shall submit to the Chairman of the Civil Service Commission a statement containing the following:

(1) A list of the names of all corporations, companies, firms, or other business enterprises, partnerships, nonprofit organizations, and educational or other institutions—

(A) with which he is connected as an employee, officer, owner, director, trustee, partner, adviser, or consultant; or

(B) in which he has any continuing financial interests, through a pension or retirement plan, shared income, or otherwise, as a result of any current or prior employment or business or professional association; or

(C) in which he has any financial interest through the ownership of stocks, bonds, or other securities.

(2) A list of the names of his creditors, other than those to whom he may be indebted by reason of a mortgage on property which he occupies as a personal residence or to whom he may be indebted for current and ordinary household and living expenses.

(3) A list of his interests in real property or rights in lands, other than property which he occupies as a personal residence.

(b) Each person who enters upon duty after the date of this order in an office or position as to which a statement is required by this section shall submit such statement not later than thirty days after the date of his entrance on duty.

(c) Each statement required by this section shall be kept up to date by submission of amended statements of any changes in, or additions to, the information required to be included in the original statement, on a quarterly basis.

Sec. 402. The Civil Service Commission shall prescribe regulations, not inconsistent with this part, to require the submission of statements of financial interests by such employees, subordinate to the heads of agencies, as the Commission may designate. The Commission shall prescribe the form and content of such statements and the time or times and places for such submission.

Sec. 403. (a) The interest of a spouse, minor child, or other member of his immediate household shall be considered to be an interest of a person required to submit a statement by or pursuant to this part.

(b) In the event any information required to be included in a statement required by or pursuant to this part is not known to the person required to submit such statement but is known to other persons, the person concerned shall request such other persons to submit the required information on his behalf.

(c) This part shall not be construed to require the submission of any information relating to any person's connection with, or interest in, any professional society or any charitable, religious, social, fraternal, educational, recreational, public service, civic, or political organization or any similar organization not conducted as a business enterprise and which is not engaged in the ownership or conduct of a business enterprise.

Sec. 404. The Chairman of the Civil Service Commission shall report to the President information contained in statements required by Section 401 of this part which may indicate a conflict between the financial interests of the official concerned and the performance of his services for the Government. The Commission shall report, or by regulation require reporting, to the head of the agency concerned any information contained in statements submitted pursuant to regulations issued under Section 402 of this part which may indicate a conflict between the financial interests of the officer or employee concerned and the performance of his services for the Government.

Sec. 405. The statements and amended statements required by or pursuant to this part shall be held in confidence, and no information as to the contents thereof shall be disclosed except as the Chairman of the Civil Service Commission or the head of the

agency concerned may determine for good cause shown.

Sec. 406. The statements and amended statements required by or pursuant to this part shall be in addition to, and not in substitution for, or in derogation of, any similar requirement imposed by law, regulation, or order. The submission of a statement or amended statements required by or pursuant to this part shall not be deemed to permit any person to participate in any matter in which the participation is prohibited by law, regulation, or order.

#### Part V—Delegating Authority of the President Under Sections 205 and 208 of Title 18 of the United States Code Relating to Conflicts of Interest

Sec. 501. As used in this part, "department" means an executive department, "agency" means an independent agency or establishment or a Government corporation, and "head of an agency" means, in the case of an agency-headed by more than one person, the chairman or comparable member of such agency.

Sec. 502. There is delegated, in accordance with and to the extent prescribed in Sections 503 and 504 of this part, the authority of the President under Sections 205 and 208(b) of Title 18, United States Code, to permit certain actions by an officer or employee of the Government, including a special Government employee, for appointment to whose position the President is responsible.

Sec. 503. Insofar as the authority of the President referred to in Section 502 extends to an appointee of the President subordinate to or subject to the Chairmanship of the head of a department or agency, it is delegated to such department or agency head.

Sec. 504. Insofar as the authority of the President referred to in Section 502 extends to an appointee of the President who is within or attached to a department or agency for purposes of administration, it is delegated to the head of such department or agency.

Sec. 505. Notwithstanding any provision of the preceding sections of this part, this part does not include a delegation of the authority of the President referred to in Section 502 insofar as it extends to:

(a) The head of any department or agency in the Executive Branch;

(b) Presidential appointees in the Executive Office of the President who are not subordinate to the head of an agency in that Office; and

(c) Presidential appointees to committees, boards, commissions, or similar groups established by the President.

#### Part VI—Providing for the Performance by the Civil Service Commission of Certain

Sec. 601. The Civil Service Commission is designated and empowered to perform, without the approval, ratification, or other action of the President, so much of the authority vested in the President by Section 1753 of the Revised Statutes of the United States (5 USC 631) as relates to establishing regulations for the conduct of persons in the civil service.

Sec. 602. Regulations issued under the authority of Section 601 shall be consistent with the standards of ethical conduct provided elsewhere in this order.

#### Part VII—General Provisions

Sec. 701. The Civil Service Commission is authorized and directed, in addition to responsibilities assigned elsewhere in this order:

(a) To issue appropriate regulations and instructions implementing Parts II, III, and IV of this order;

(b) To review agency regulations from time to time for conformance with this order; and

(c) To recommend to the President from time to time such revisions in this order as may appear necessary to ensure the maintenance of high ethical standards within the Executive Branch.

Sec. 702. Each agency head is hereby directed to supplement the standards provided by law, by this order, and by regulations of the Civil Service Commission with regulations of special applicability to the particular functions and activities of his agency. Each agency head is also directed to assure

(1) The widest possible distribution of regulations issued pursuant to this section, and

(2) The availability of counseling for those employees who request advice or interpretation.

Sec. 703. The following are hereby revoked:

(a) Executive Order No. 10930 of May 5, 1961.

(b) Executive Order No. 11125 of October 29, 1963.

(c) Section 2(a) of Executive Order No. 10530 of May 10, 1954.

(d) White House memorandum of July 20, 1961, on "Standards of Conduct for Civilian Employees."

(e) The President's Memorandum of May 2, 1963, "Preventing Conflicts of Interest on the Part of Special Government Employees." The effective date of this revocation shall be the date of issuance by the Civil Service Commission of regulations under Section 701(a) of this order.

Sec. 704. All actions heretofore taken by the President or by his delegates in respect to the matters affected by this order and in

force at the time of the issuance of this order, including any regulations prescribed or approved by the President or by his delegates in respect to such matters, shall, except as they may be inconsistent with the provisions of this order or terminate by operation of law, remain in effect until amended, modified, or revoked pursuant to the authority conferred by this order.

Sec. 705. As issued in this order, and except as otherwise specifically provided herein, the term "agency" means any executive department, or any independent agency or any Government corporation; and the term "employee" means any officer or employee of an agency.

LYNDON B. JOHNSON

THE WHITE HOUSE,

May 8, 1965

### Appendix D Code of Ethics for Government Service

Any person in Government service should—

a. Put loyalty to the highest moral principles and to country above loyalty to persons, party, or Government department.

b. Uphold the Constitution, laws, and regulations of the United States and of all governments therein and never be a party to their evasion.

c. Give a full day's labor for a full day's pay; giving earnest effort and best thought to the performance of duties.

d. Seek to find and employ more efficient and economical ways of getting tasks accomplished.

e. Never discriminate unfairly by the dispensing of special favors or privileges to anyone, whether for remuneration or not; and never accept, for himself or herself or for family members, favors or benefits under circumstances which might be construed by reasonable persons as influencing the performance of governmental duties.

f. Make no private promises of any kind binding upon the duties of office, since a Government employee has no private word which can be binding on public duty.

g. Engage in no business with the Government, either directly or indirectly, which is inconsistent with the conscientious performance of Government duties.

h. Never use any information gained confidentially in the performance of governmental duties as a means of making private profit.

i. Expose corruption wherever discovered.

j. Uphold these principles, ever conscious that public office is a public trust.

### Appendix E Examples of Conflicts of Interest Situations

The situations discussed below are merely examples of the types of activities or relationships which may result in conflicts or the appearance of conflicts of interest. They are by no means the only ways that conflicts arise.

a. A person is responsible for major policy issues that significantly affect the operations of the Army, DOD, or the executive branch and has a financial interest in a defense contractor who may be affected by such operations. (Example: An officer is a member of the Select Committee (SELCOM), General Staff Council, or Army Staff Council, and owns stock in corporation X, a possible subcontractor for a new weapon system.)

b. A person occupies a key sensitive position in the Army, is involved routinely and extensively with official decisions involving or affecting Army contractors, and has a financial interest in a contractor who may be affected by such decisions. (Example: An officer is a member of an in-process review group, preliminary review group, Army System Acquisition Review Council, or other council that exerts substantial influence on the Army materiel acquisition process and owns corporate bonds in corporation Y, a DOD contractor specializing in target acquisition systems.)

c. A person commands an organization and has a direct or indirect financial interest in an entity doing business with the organization; or a person is a staff officer who is required to deal with or make recommendations that may affect entities in which he or she has a direct or indirect financial interest. (Example 1: An installation or unit commander owns stock in corporation Y whose subsidiary, corporation Z, provides spare parts to the installation or unit through a local dealer under a basic ordering agreement. Even though the commander does not participate in the ordering of spare parts, subordinates acting under his or her authority are taking actions that appear to benefit his or her financial interests. Example 2: An officer with primary staff responsibility for a subject area other than procurement (e.g., Director of Readiness) who owns stock in DOD contractors is required by job description to maintain liaison with defense-related contractors who may be affected by decisions reached within the command. Example 3: An individual occupies a position as Head of Contracting Activity or functions as a principal staff assistant for procurement activities and owns stock in corporation X or its subsidiary that does or attempts to do business with that organization or its subordinate organizations.)

d. A person is involved through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise in official matters in which the person, a spouse, a dependent child, or member of

the household has a direct or indirect financial interest. (Example: An officer recommends level of supply for item X. His or her spouse owns stock in a subcontractor known to be involved in manufacture of item X.)

e. A person occupies a senior position having substantial responsibility and influence and has financial interests in entities involved in his or her area of expertise. (Example: An officer who functions as the Army expert and point of contact for matters in a particular subject area (e.g., CG, US Army Information Systems Command (USAISC), has holdings in a DOD contractor that specializes in contracts on that particular subject (e.g., communications and electronics material). Although the contractor may not be doing business with the Army, an appearance of conflicting interests exists by virtue of the potential for personal and substantial participation by recommendation, advice, investigation, or otherwise in matters that may affect the contractor and benefit the financial holdings of the person.)

f. A person appears to have divided loyalties between the duties of an official position and outside activities on behalf of a corporation (Example: An officer who approves or is otherwise involved in DA recommendations concerning Servicemen's Group Life Insurance (SGLI) serves on the board of directors for a tax exempt association that provides life insurance for its members.)

g. A person working in the research and development area has frequent contacts with either current or potential defense contractors. He or she decides that he or she should leave Government service (by either retirement or resignation). The individual contacts the representatives of the companies with which he or she has officially dealt to explore the possibility of future employment. If the employee then participates in an official matter that affects the company with which he or she is discussing future employment, he or she has a conflict of interest under 18 USC 208. Any contact relating to future employment in which an individual voluntarily participates is considered negotiating for employment. This is the case even when the contact is initiated by the prospective employer.

**SUMMARY OF POSTEMPLOYMENT RESTRICTIONS**

**1. Restrictions on Particular Activities:**

**a. Applicable to all officers and civilian employees.**

If you were a Government officer or employee (including a special Government employee), you may not—

ever—	represent another in any formal or informal appearance before or, with intent to influence, make any oral or written communication on behalf of another to—	any Government entity, officer, or employee regarding—	any particular matter involving specific parties in which you ever participated personally and substantially for the Government (18 USC 207 (a)).
within 2 years after termination of official responsibility—	represent another in any formal or informal appearance before or, with intent to influence, make any oral or written communication on behalf of another to—	any Government entity, officer, or employee regarding—	any particular matter involving specific parties which was pending under your official responsibility in the last year of Government employment (18 USC 207 (b) (i)).

**b. Applicable only to "senior employees".**

If you held an Executive Level position or a military grade above 0-8, or if your 0-7, 0-8, GS-17, GS-18, or SES position was specifically designated by the Office of Government Ethics (in 5 CFR § 737.33) as having significant decision-making or supervisory responsibility, you may not—

within 2 years after ceasing to be a "senior employee"—	represent, aid, or assist in representing another by your personal presence at any formal or informal appearance before—	any Government entity, officer, or employee regarding—	any particular matter involving specific parties in which you participated personally and substantially for the Government (18 USC 207 (b) (ii)).
within 1 year after ceasing to be a "senior employee"—	represent anyone, even yourself, in any formal or informal appearance before or, with intent to influence, make any oral or written communication to—	the Army or any Army officer or employee regarding—	any particular matter pending before the Army or in which the Army has a direct and substantial interest (18 USC 207 (c)).

**c. Applicable only to retired Army officers.**

If you are a Retired Army Officer, you may not—

within 2 years after retirement—	prosecute or assist in prosecuting any claim against the U.S. Government before—	any Government entity, officer, or employee regarding—	any matter with which you were directly connected while on active duty (18 USC 281).
within 2 years after retirement—	prosecute or assist in prosecuting any claim against the U.S. Government involving the Army before—	any Government entity, officer, or employee regarding—	any matter whatsoever (18 USC 281).
within 2 years after retirement—	represent another in connection with selling to—	the Army or an Army non-appropriated fund activity—	anything, either goods or services (18 USC 281).
within 3 years after retirement—	engage in selling, or contracting or negotiating in connection with the sale, to—	any Department of Defense agency, including the military departments and all DoD non-appropriated fund activities—	any tangible property (but not personal or professional services) (37 USC 801 (b)).

**d. Penalties for violations.**

- (1) For the restrictions described in items a and b above, a \$10,000 fine, 2 years in prison, or both.
- (2) For the first two restrictions described in item c above, a fine, 1 year in prison, or both.
- (3) For the third restriction described in item c above, a fine, 2 years in prison, or both.
- (4) For the fourth restriction described in item c above, forfeiture of retired pay for the period of the violation or the duration of any resulting contract (but not more than 3 years after retirement).

**2. Restrictions on Particular Employers:**

**a. Applicable to Officers and Civilian Employees in Grades Above 0-3 or GS-12.**

If during the 2 years prior to separation you performed a procurement function on a majority of your working days:

- (1) At a site owned or operated by a particular DOD contractor, or
- (2) Relating to a major defense system supplied by a particular DOD contractor with regard to which you participated personally and substantially in decision-making responsibilities through personal contact with that contractor,

THEN you may not accept compensation from that contractor for 2 years after separation.

**Figure 1-1. Postemployment restriction**

## **SUMMARY OF POSTEMPLOYMENT RESTRICTIONS—Continued**

### **b. Applicable to Officers and Civilian Employees in Grades Above 0–6 and GS–15.**

If, at any time during the 2 years prior to separation, you ever acted as one of the primary representatives of the United States in the negotiation of:

- (1) Any DOD contract over \$10 million, or
- (2) Any settlement of a contract claim for over \$10 million,

THEN you may not accept compensation from the particular DOD contractor involved for 2 years after separation.

---

### **c. Exceptions.**

These restrictions do not apply if—

- (1) The employer was not a DOD contractor on the date of your separation from DOD,
  - (2) If the employer was not a contractor during the fiscal year prior to the fiscal year in which you accept compensation, or
  - (3) If the employer's DOD contracts totaled less than \$10 million during the fiscal year prior to the fiscal year in which you accept compensation.
- 

### **d. Penalties for violations.**

A knowing violation of the restrictions described in items a and b above, is punishable by a civil fine, in an amount not to exceed \$250,000, in a civil action brought by the United States.

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## **Postemployment reporting requirements**

### **3. Report of DOD and Defense Related Employment (DD Form 1787).**

- (1) You must file DD Form 1787 if at any time during the 2 years after separation from DOD you are employed at an annual pay rate of at least \$25,000 by a defense contractor that was awarded at least \$10 million in DOD contracts in the year preceding the year when you are so employed, provided you are—
    - (a) A former or retired military officer with at least 10 years of active service and at any time held a grade of 0–4 or above.
    - (b) A former DOD civilian official or employee (including a consultant or part-time employee) whose pay rate at any time during the last 3 years of DOD employment was at least equal to the minimum rate for GS–13.
  - (2) DD Form 1787 should be submitted to the Ethics Counselor for your last duty station. It must be filed not later than 90 days after beginning the employment relationship with the contractor. Another report must be filed each time, during the 2-year period, that your job with the contractor significantly changes or you commence new employment with another affected contractor. These additional reports must be filed within 30 days of the change in employment.
  - (3) Failure to file may result in an adverse personnel action as well as the imposition of an administrative penalty up to \$10,000.
- 

### **B. Statement of Employment (DD Form 1357).**

- (1) If you are a retired RA officer, you must file DD Form 1357 within 60 days after retirement, and must file again within 30 days of any change in employment status.
  - (2) DD Form 1357 should be submitted to Cdr, USAFAC, ATTN: FINCM–DB, Retired Pay Operations, Indianapolis, IN 46249–1536. See AR 600–50, paragraph 5–5b, for further information.
- 

**Figure 1–1. Postemployment restriction—Continued**

# STATEMENT OF EMPLOYMENT - REGULAR RETIRED OFFICERS

(Before completing this form, please read Instructions on reverse.  
If additional space is required use blank sheets referencing applicable item numbers.)

## Privacy Act Statement

**AUTHORITY:** 37 U.S.C. §801 (b), 5 U.S.C. §5532 and E.O. 9397 dated November 22, 1943 (SSN).

**PRINCIPAL PURPOSE:** To enable DoD personnel to determine if retired regular officers are engaged in activities prohibited by law or regulation, including those that could result in the loss or reduction in retired pay due to other Federal employment.

**ROUTINE USE:** Information is forwarded to the Military Department from which the individual retired, and is appropriately reviewed to assure compliance with applicable statutes and regulations.

**DISCLOSURE:** Voluntary in the sense that no criminal penalties will follow from refusal to file; however, refusal to provide requested information may result in further investigation which may lead to the withholding of retired pay and the referral of the matter to the Comptroller General of the United States or other Federal agencies.

<b>1. RETIREMENT DATA</b>		<b>2. ARE YOU PRESENTLY EMPLOYED?</b> (x one)	
a. I AM A REGULAR RETIRED OFFICER OF (x one)		<input checked="" type="checkbox"/> YES (Complete all items of this form.) <input type="checkbox"/> NO (Skip to item 11.)	
<input checked="" type="checkbox"/> (1) ARMY <input type="checkbox"/> (2) NAVY <input type="checkbox"/> (3) MARINES <input type="checkbox"/> (4) AIR FORCE <input type="checkbox"/> (5) OTHER (list)		<b>3. NAME OF EMPLOYER</b> FORD AEROSPACE	
b. RETIREMENT DATE (YYMMDD)		<b>4. DATE OF EMPLOYMENT (YYMMDD)</b> 87/10/05	
6. Does your employer sell, or offer for sale goods or services to DoD Components, the Coast Guard, Public Health Service, or National Oceanic And Atmospheric Administration?		<b>5. ADDRESS OF EMPLOYER</b>	
<input checked="" type="checkbox"/> YES (Complete all items of this form.) <input type="checkbox"/> NO (Skip to item 11.)		a. STREET 2700 SKYLINE BOULEVARD	
		b. CITY PALO ALTO	
		c. STATE CA	
		d. ZIP CODE 93640-0001	
		e. TELEPHONE NUMBER OF EMPLOYER (Include area code) 804-555-4321	
<b>7. DESCRIPTION OF GOODS OR SERVICES</b>  WEAPONS SYSTEMS			
<b>8. POSITION TITLE</b> CONSULTANT			
<b>9. DESCRIPTION OF DUTIES</b>  TO DETERMINE WEAPONS SYSTEMS NEEDED BY THE ARMY IN THE FUTURE.			
<b>10. DO YOUR DUTIES INCLUDE ONE OR MORE OF THE FOLLOWING ACTIVITIES IN REGARD TO AN ORGANIZATION SPECIFIED IN ITEM 6?</b>			
a. Signing a bid, proposal, or contract;		c. Negotiating a contract; or	
b. Contacting an officer or employee of the agency for the purpose of: (1) obtaining or negotiating contracts, (2) negotiating or discussing changes in specifications, price, cost allowances, or other contract terms, (3) settling disputes concerning performance of a contract;		d. Any other liaison activity toward the ultimate consummation of a sale even though the actual contract is later negotiated by another.	
		<input type="checkbox"/> YES (Attach explanatory details.) <input checked="" type="checkbox"/> NO	
<b>11. CERTIFICATION</b>			
I certify that the above information is true, complete, and correct to the best of my knowledge. I also certify that I will file a new Statement of Employment within 30 days after the information in this Statement ceases to be accurate. I understand that if I have been retired for less than three years and have been employed by a defense contractor, I might also be subject to the requirement to file a DD Form 1787, "Report of DoD and Defense Related Employment," pursuant to 10 U.S.C. §2397 and DoD Directive 5500.7.			
a. NAME (typed or printed) JOHN A. SMITH		b. SOCIAL SECURITY NUMBER 234-56-7890	
c. SIGNATURE 		d. DATE SIGNED 12 Oct 87	

DD Form 1357, MAR 87

Previous editions are obsolete.

715075

Figure 1-2. Sample of a completed DD Form 1357

**DD FORM 1357**  
**STATEMENT OF EMPLOYMENT - REGULAR RETIRED OFFICERS**

**INSTRUCTIONS FOR COMPLETION**

1. Mark the branch of service from which you retired. If "other," write in the name of the service. Include date of retirement. YOU MUST FILE YOUR FIRST DD FORM 1357, "STATEMENT OF EMPLOYMENT," WITHIN 30 DAYS OF YOUR RETIREMENT DATE.
2. If you are presently employed, complete all items of this form. If you are not presently employed, proceed to item 11. YOU MUST SUBMIT A NEW DD FORM 1357, "STATEMENT OF EMPLOYMENT," WITHIN 30 DAYS AFTER THE INFORMATION IN THIS FORM HAS CEASED TO BE ACCURATE. THE REQUIREMENT TO FILE CONTINUES FOR THREE YEARS AFTER RETIREMENT. IF YOU BECOME EMPLOYED, CHANGE JOBS, OR TAKE ON NEW DUTIES, YOU MUST FILE A NEW DD FORM 1357 WITHIN 30 DAYS AFTER THE CHANGE UNLESS MORE THAN THREE YEARS HAVE PASSED SINCE YOUR RETIREMENT DATE.
3. through 5. Self explanatory.
6. If your present employer sells, or offers for sale, any goods or services to any of the named organizations, mark "yes" and complete all following items. If not, proceed to item 11.
7. Describe the goods or services that your employer sells, or offers for sale, to any of the organizations named in item 6.
8. and 9. Self explanatory.
10. If your duties include any of the listed activities in regard to the organizations named in item 6, mark "yes" and attach a sheet with explanatory details.
11. Self explanatory. Social security number must be included.

DD Form 1357 Reverse, MAR 87

Figure 1-2. Sample of a completed DD Form 1357—Continued

**CONFIDENTIAL STATEMENT OF AFFILIATIONS AND FINANCIAL INTERESTS**  
**DEPARTMENT OF DEFENSE PERSONNEL**  
*(Including Special Government Employees)*

*(If additional space is required use separate sheets referencing item numbers below.)*

Privacy Act Statement

**AUTHORITY:** E.O. 11222 dated May 8, 1965 and E.O. 9397 dated November 22, 1943 (SSN).

**PRINCIPAL PURPOSE:** Information is required from categories of DoD personnel specified in DoD Directive 5500.7 Section F.3.a and Enclosure 5, or implementing regulations, to enable supervisors and other responsible DoD officials to determine whether there are actual or apparent conflicts of interest between the individual's present and prospective official duties and the individual's non-federal affiliations and financial interests.

**ROUTINE USE:** This information shall be treated as confidential except as determined by the component head concerned or the Office of Government Ethics.

**DISCLOSURE:** Filing is voluntary in the sense that no criminal penalties will follow from refusal to file. However, the refusal to provide requested information may result in such measures as suspension of consideration for appointment, reassignment of duties, disciplinary action, or termination of employment.

*(Please read Instructions before completing this form.)*

<b>1. NAME</b> <i>(Last, First, MI)</i> SMITH, JOHN A.	<b>2. SOCIAL SECURITY NUMBER</b> 234-56-7890
<b>3. TITLE OR POSITION</b> CHIEF, TROOP SUPPORT DIVISION	<b>4. WORK TELEPHONE NO.</b> <i>(Include Area Code)</i> 202-555-0000
<b>5. DOD COMPONENT ADDRESS</b> <i>(Include office symbol code letters)</i> HQDA, ATTN: DALO-TST, WASH DC 20310-2212	<b>6. GRADE OR RANK</b> COL

**PART I**

*To be completed by DoD personnel indicated in section F.3.a. and Enclosure 5 of DoD directive 5500.7, or implementing regulations.*

<b>7. NON-FEDERAL AFFILIATIONS AND FINANCIAL INTERESTS</b> <i>(See instructions. If none, write "none.")</i>			
a. NAME OF ORGANIZATION	b. ADDRESS OF ORGANIZATION	c. YOUR AFFILIATION	d. NATURE OF FINANCIAL INTEREST <i>(Stock, pension, etc.)</i>
AT&T	New York, New York	Stock Owner	Stock

<b>8. CREDITORS</b> <i>(List all creditors other than conventional loans on customary terms. If none, write "none.")</i>		
a. NAME	b. ADDRESS	c. NATURE OF DEBT
DAVID B. SMTH	110 MAIN STREET SPRINGFIELD, VA 22152	PERSONAL LOAN

<b>9. INTERESTS IN REAL PROPERTY</b> <i>(List all creditors other than personal residence you occupy. Note any DoD contractor relationships, present or future. If none, write "none.")</i>		
a. ADDRESS OF PROPERTY	b. NATURE OF INTEREST <i>(Owner, mortgagee, etc.)</i>	c. TYPE OF PROPERTY <i>(Apts, farm, etc.)</i>
None		

**Figure 1-3. Sample of a completed DD Form 1555**

**PART II**

*To be completed only by "Special Government Employees." See Instructions.*

**10. NUMBER OF DAYS YOU EXPECT TO PERFORM GOVERNMENT SERVICE**

a. FOR DOD COMPONENT		d. DAYS WORKED FOR PRESENT DOD COMPONENT DURING 365 DAYS PRIOR TO PRESENT APPOINTMENT		e. DAYS WORKED FOR ANY DOD COMPONENT DURING 365 DAYS PRIOR TO PRESENT APPOINTMENT	
b. FOR OTHER AGENCIES					
c. TOTAL (10.a. + b.)					

**11. FEDERAL GOVERNMENT EMPLOYMENT (List all other agencies with whom you are presently employed.)**

a. AGENCY NAME	b. AGENCY ADDRESS	c. TITLE OR POSITION	d. NO. OF DAYS	e. DATE (YYMMDD)	
				(1) FROM	(2) TO

**PART III - CERTIFICATION**  
*To be completed by all filers.*

**12. I certify that the statements I have made are true, complete, and correct to the best of my knowledge and that none of the reported affiliations/financial interests are in conflict with my official duties. I have read and understand DoD Directive 5500.7 "Standards of Conduct" or implementing regulations.**

a. SIGNATURE <i>John A. Smith</i>	b. DATE SIGNED <i>12 Oct 87</i>
--------------------------------------	------------------------------------

**PART IV - EVALUATION AND REVIEW**

*To be completed by supervisor or superior and Designated Agency Ethics Official or designee. See Instructions.*

**13. I have reviewed the above statement in light of the present and prospective duties of the individual to ensure that both actual and apparent conflicts of interest are avoided. My evaluation is (x as applicable)**

<input type="checkbox"/>	a. No affiliation/financial interests reported.
<input type="checkbox"/>	b. Reported affiliations/financial interests are unrelated to assigned or prospective duties, and no conflicts appear to exist.
<input checked="" type="checkbox"/>	c. Assigned duties require participation in matters involving or which may involve the highlighted affiliations/financial interests. This conflict will be resolved by (x as applicable)
<input type="checkbox"/>	(1) Change of assigned duties.
<input type="checkbox"/>	(2) Divestiture of the interests and relief of incumbent from all related duties pending divestiture.
<input type="checkbox"/>	(3) Disqualification.
<input type="checkbox"/>	(4) Other. Detailed advice attached. Notice of corrective action will follow.
<input type="checkbox"/>	d. The highlighted reported affiliations/financial interests are related to assigned or prospective duties, but have been determined by the appropriate appointing official to be not so substantial as to affect the integrity of the individual's services. A copy of the formal determination and rationale is attached.
<input type="checkbox"/>	e. The prospective employee's duties will require participation in matters involving the highlighted reported affiliations/financial interests and the appointment cannot be consummated until divestiture of these affiliations/financial interests is completed.

f. SIGNATURE	h. OFFICE ADDRESS	i. DATE SIGNED
g. PRINTED NAME		

**14. As a Designated Agency Ethics Official or designee, I have examined the foregoing Statement and Evaluation. (x a. or b.)**

<input type="checkbox"/>	a. I concur with the supervisor's evaluation	
<input type="checkbox"/>	b. I do not concur with the supervisor's evaluation. Advice attached	
c. SIGNATURE	e. OFFICE ADDRESS	f. DATE SIGNED
d. PRINTED NAME		

Figure 1-3. Sample of a completed DD Form 1555—Continued

**DD FORM 1555, CONFIDENTIAL STATEMENT OF AFFILIATIONS AND  
FINANCIAL INTERESTS - DEPARTMENT OF DEFENSE PERSONNEL**

A DD Form 1555 shall be filed with the new superior or supervisor, or with the Designated Agency Ethics Official or designee before the assumption of duties in a position that requires its filing. A new DD Form 1555 shall be filed by October 31 of each year and shall include all affiliations and financial interests as of September 30 of that year. A new DD Form 1555 shall be filed each year even though no changes in affiliations or financial interests occur.

Extensions may be granted for good cause by a Designated Agency Ethics Official or designee. For required information not known by you but known by another person, you are required to request the submission of the information on your behalf. Personnel who are required to file SF 278, "Financial Disclosure Report," are exempted from filing this DD Form 1555. Personnel required to file SF 278 are listed in DoD Directive 5500.7, Enclosure 6.

**INSTRUCTIONS FOR COMPLETION**

**ITEM 1-6.** Provide the appropriate information.

**PART I**

This part must be completed by the following personnel:

a. Commanders and deputy commanders of major installations, activities, and operations (as determined by the Heads of the DoD Components), and DoD personnel classified at GS/GM-15 or below under 5 U.S.C. §5332, or a comparable pay level under other authority, and members of the military below the rank of O-7, when the official responsibilities of such personnel require them to exercise judgment in making government decisions or in taking government action for contracting or procuring, regulating or auditing private or other non-Federal enterprise, or other activities in which the final decision or action may have economic impact on the interests of any non-Federal activity.

b. Special government employees, except for the following categories of personnel unless specifically required to file by the Designated Agency Ethics Official: physicians, dentists, and allied medical specialists engaged only in providing service to patients; veterinarians providing only veterinary services; lecturers participating only in educational activities; chaplains performing only religious services; individuals in the motion picture and television fields who are utilized only as narrators or actors in DoD productions; reservists on active duty for less than 30 consecutive days during the calendar year; others from whom the Designated Agency Ethics Official determines DD Form 1555 is not necessary.

The interests of a spouse, minor child, and any member of your household shall be reported in the same manner as if they were your own interests.

**Item 7.** List the names of all corporations, firms, partnerships, and other business enterprises, nonprofit or educational organizations, or other institutions in which you: (a) are (or were since your last filing of a DD Form 1555) affiliated as an employee, officer, owner, director, member, trustee, partner, advisor, agent, representative, or consultant, or as a person on leave from such affiliation, or as a person with an understanding or with plans for affiliation in the future; (b) have any continuing financial interests, such as through a pension or retirement plan, shared income, continuing termination payments, or other arrangement as a result of any current or prior employment or business or professional association; or (c) have any financial interest through the legal or beneficial ownership of stock, stock options, bonds, securities, or other arrangements including trusts. If none, write "none."

Identify with an asterisk any affiliations or financial interests which you have acquired since last filing DD Form 1555.

Associations with, or interests in, nonprofit professional, charitable, religious, social, fraternal, recreational, public service, civic, or political organizations, need not be reported if the association or interest is not one of ownership nor maintained to conduct business for profit.

Association with, or interests in, educational or other institutions doing research or development related work involving grants from or contracts with the government must be reported on this form.

The amount of financial interests need not be reported unless specifically required by the Designated Agency Ethics Official or designee.

DD Form 1555 Instructions, MAR 87

Figure 1-3. Sample of a completed DD Form 1555—Continued

**INSTRUCTIONS FOR COMPLETION OF DD FORM 1555 (Continued)**

**PART I (Continued)**

**Item 8.** List all creditors other than those who have given you conventional loans on customary commercial terms. If none, write "none."

**Item 9.** List your interests in real property other than the personal residence you occupy. Note any relationships with DoD contractors; present or prospective, related to interests in real estate. If none, write "none".

**PART III**

All filers must certify by signature and date.

**PART II**

This part must be completed only by special government employees with the exception of those listed as exempted in Part I. b., above.

**Item 10.** Fill in the:

a. Number of days you expect to work for the DoD Component to which you will submit this DD Form 1555.

b. Total number of days you expect to work for other Federal agencies.

c. Total of Item 10.a. and 10.b.

d. Number of days you worked for the DoD Component to which you will submit this DD Form 1555 during the 365 days prior to the beginning date of your present appointment.

e. Number of days you worked for any DoD Component during the 365 days prior to the beginning date of your present appointment.

**Item 11.** List all other Federal agencies with whom you are presently employed.

**PART IV**

All DD Forms 1555 must be submitted to supervisors or superiors for evaluation and must be reviewed by the Designated Agency Ethics Official or designee.

Figure 1-3. Sample of a completed DD Form 1555—Continued

# Executive Personnel Financial Disclosure Report

Instructions for Completing SF 278

## Privacy Act Statement

The Ethics in Government Act of 1978, as amended, 5 U.S.C. App. §201 et seq, requires the reporting of this information. This information will be reviewed by Government officials to determine compliance with applicable Federal laws and regulations, and the report may be disclosed upon request to any requesting person pursuant to section 205 of the Act or as otherwise authorized by law. You may inspect applications for review of your own form upon request. Knowing or willful failure to file or report information required to be reported by section 202 of the Act (or falsification) may subject you to a civil penalty of not more than \$5,000 and to disciplinary action by your employing agency or other appropriate authority. Knowing or willful falsification of information required to be filed by section 202 of the Act may also subject you to criminal prosecution under 18 U.S.C. § 1001, leading to a fine of not more than \$10,000 or imprisonment for not more than five years or both.

## I. Introduction

### Scope of Disclosure

The extent of the reporting requirement is noted in each schedule. The applicable reporting periods and a description of who must complete each schedule and part are described on page 1 of the form. In addition to your separate financial information, you are required to report information concerning your spouse and dependent children in several schedules of the form. However, no report is required with respect to your spouse if he or she is living separate and apart from you with the intention of terminating the marriage or providing for permanent separation. In addition, no report is required with respect to any income or obligations of an individual arising from the dissolution of a marriage or the permanent separation from a spouse. There are other exceptions to the reporting of assets and income, transactions, and liabilities of a spouse or dependent child which are discussed in the instructions applicable to those subjects.

## II. Who Must File

- Candidates for nomination or election to the office of President or Vice President.
- Presidential nominees to positions requiring the advice and consent of the Senate, other than those nominated for judicial office or for appointment to a rank in the uniformed services at a pay grade of O-6 or below.
- The following newly elected or appointed officials:
  - The President;
  - The Vice President;
  - Officers and employees (including special Government employees, as defined in 18 U.S.C. §202) whose positions are classified at GS-16 or above of the General Schedule, or whose basic rate of pay (excluding "step" increases) under other pay schedules is equal to or greater than the rate for GS-16 (step 1) (a group which includes all members of the Senior Executive Service);
  - Members of the uniformed services whose pay grade is O-7 or above;
  - Officers or employees in any other position determined by the Director of the Office of Government Ethics to be of equal classification to GS-16;
  - Administrative law judges;
  - Employees in the exempted service in positions which are of a confidential or policy-making character, unless their positions have been excluded by the Director of the Office of Government Ethics;
  - The Postmaster General, the Deputy Postmaster General, each Governor of the Board of Governors of the U.S. Postal Service and officers or employees of the U.S. Postal Service or Postal Rate Commission whose basic rate of pay is equal to or greater than the minimum rate of basic pay fixed for GS-16 (step 1); and
  - The Director of the Office of Government Ethics and each designated agency ethics official.
- Incumbent officials holding positions referred to in section II(c) of these instructions if they have served 61 days or more in the position during the preceding calendar year.
- Certain individuals who perform staff functions in support of an advisory committee composed in whole or in part of special Government employees (see 5 C.F.R. §734.202(h)).

## III. When to File

- Within 30 days after becoming a candidate for nomination or election to the office of President

or Vice President or by May 15 of that calendar year, whichever is later, and on or before May 15 of each succeeding year that such an individual continues to be a candidate on such date.

- Within 5 days after the transmittal by the President to the Senate of the nomination of an individual referred to in section II(b) of these instructions or, prior to that time, at any time after the President or President-elect has publicly announced his or her intention to nominate the individual.
- Within 30 days after assuming a position described in section II(c) unless such an individual has left another position described in section II(c) within 30 days prior to assuming the new position, or has already filed a report with respect to nomination for the new position (section II(b)) or as a candidate for the position (section II(a)).
- No later than May 15 annually, in the case of those in a position described in section II(c), in the event such an individual terminates employment, and does not accept another position described in section II(c), the report must be filed no later than the 30th day after termination.

## IV. Where to File

- Candidates for President and Vice President, with the Federal Election Commission.
- The President and Vice President, with the Office of Government Ethics.
- Members of a uniformed service, with the Service Secretary concerned.
- All others, with the designated agency ethics official at the agency in which the individual is employed or in which he or she will serve.
- In the case of individuals appointed by or to be nominated by the President to positions requiring confirmation of the Senate, see 5 CFR §734.604(c) for expedited procedure.

## V. General Instructions

- This form consists of the front page and four Schedules. You must complete each Part of all Schedules. If you have no information to report in any Part of a Schedule, you should indicate "None". A report is considered incomplete if any Part of any Schedule is left blank. Schedule A combines a report of income items (other than from current employment by the United States Government) with the disclosure of property interests (generally referred to here as assets). Schedule B deals with transactions in real prop-

OFFICE OF PERSONNEL MANAGEMENT

Figure 1-4. Sample of completed SF 278

erty or certain other assets, as well as gifts and reimbursements. Schedules C and D relate to liabilities and employment relationships. After completing the first page and each part of the Schedules (including extra sheets of any Schedule where continuation pages are required for any part), consecutively number all pages.

b. The information to be disclosed is only that which the Ethics in Government Act of 1978, as amended, and 5 CFR Part 734 specifically require. You may, however, include in any section of the form such additional information, beyond the Act's requirements, as you may wish to disclose for purposes of clarification.

c. Combine on one form the information applicable to yourself, your spouse and dependent children; or if more convenient, use separate schedules to report the required information applicable to family members. You may, if you desire, distinguish any entry for a family member by preceding the entry with an (S) if it is for a spouse or a (DC) if it pertains to a dependent child.

d. Definitions of the various terms used in these instructions and detailed information as to what is required to be disclosed are contained in 5 CFR Part 734.

e. In the case of references to entities which do not have listed securities or are not described in standard reference materials (such as Moody's Manuals)—whether such entities are operating trades or businesses, or private investment pools or other private vehicles (such as IRAs) which are themselves the media for indirect financial interests in trades or businesses attributable to you—for purposes of the application of Federal law—you must provide sufficient information about these private entities to give reviewers of disclosure reports an adequate basis for the conflicts analysis required by the Act. Thus, except in the case of private investment vehicles (for which full disclosure of holdings is required), you must disclose the primary trade or business of private entities, as well as attributed interests and activities not solely incidental to such a primary trade or business. For instance, if your family swimming pool services corporation incurs a liability to purchase an apartment house for investment in addition to its pool services business, you will have to report your indirectly allocable share of the corporation's liability, the apartment house investment, and its purchase, in addition to the items you are required to report about your interest in the family corporation. You would not, of course,

have to report the day-to-day transactions of the pool and services business nor such things as the normal and customary temporary liabilities it incurs with its suppliers.

f. If you need assistance in completing this form, contact the designated agency ethics official of the agency in which you serve, will serve or have served.

## Schedule A

### I. General Instructions

Two of the general disclosure requirements of the Act concern certain interests in property (generally referred to here as assets) and items of income. Schedule A is designed to enable you to meet both of these reporting requirements. Generally a description of your, your spouse's or dependent child's assets and sources of income is required to be listed in BLOCK A of the Schedule. Reading from left to right across the page from each description of the asset or income source, you will be able to report in BLOCK B the value of each asset, and in BLOCK C the type and amount of income generated by that asset or received from the non-asset source. BLOCK D is a question designed to lead incumbents and termination filers to Schedule B for certain of the items they have listed in BLOCK A.

On Schedule A are two examples which are representative of the reporting scheme of this Schedule. The first example represents the proper method of reporting a stock of the XYZ Company held by the reporting individual at the end of the reporting period which then had a value of \$40,000. The individual had also received dividends of \$1,500 and had purchased the stock during the reporting period. The second example represents the proper method of reporting the source of \$50,000 of earned income from private law practice as well as the \$12,500 from the reporting individual maintained in the capital account in the law firm at the end of the reporting period. If, in the first example, the XYZ stock had been sold rather than purchased, there would be no entry in BLOCK B because the individual no longer owned the stock at the end of the reporting period, but there would be an entry for capital gains as well as dividends in BLOCK C if they were realized during the period.

Normally you will have to list an item only once in BLOCK A with all other value and income information associated with that item shown on the same

line to the right. However, when you have a number of different kinds of financial arrangements and transactions involving one entity, a full disclosure of all the required information for that entity may require more than one line. You may always use more than one line for clarification if you choose.

**Note:** Specific regulations for the reporting of interests in property and income are found in 5 CFR 734.30(a) and (d).

## II. Property Interests and Assets (BLOCKS A and B)

### A. Items to Report

Report the identity and category of valuation of any interest in property (real or personal) held by you, your spouse or a dependent child, in a trade or business, or for investment or the production of income which has a fair market value which exceeds \$1,000 as of the close of the reporting period. These interests include, but are not limited to, stocks, bonds, pension interests and annuities, futures contracts, mutual funds, IRA assets, tax shelters, beneficial interests in trusts, income-producing bank accounts, real estate, commercial animals, crops and collectibles held for the production of income. **Exceptions:** Exclude your personal residence and any personal liability owed to you, your spouse or dependent child by a relative. Exclude also any deposits aggregating \$5,000 or less in a personal savings account in a single financial institution. A personal savings account includes a certificate of deposit or any other form of deposit in a bank, savings and loan association, credit union or similar institution. With respect to assets of a spouse or a dependent child, do not report items:

- (i) which represents your spouse's or dependent child's sole financial interest or responsibility and of which you have no knowledge;
- (ii) which are not in any way, past or present, derived from your income, assets, or activities; and
- (iii) from which you neither derive, nor expect to derive, any financial or economic benefit.

**Note:** It is very difficult for most individuals to meet all three parts of this test, especially (iii). For instance, if you file a joint tax return with your spouse, you derive a financial or economic benefit from the items involved and you are charged with knowledge of those items. Therefore, those asset and income items do not fit the test.

A personal residence from which no income is derived should not be reported as a property interest because it is not held for investment or production of income. However, if you hold residential property which is used for investment or income purposes, such as a summer home rented during parts of the year, you must report that interest.

In the case of personal property such as antique collections and related holdings, the Office of Government Ethics deems intermittent sales from such a collection or holdings to demonstrate that they are held for investment or the production of income.

### Valuation Method

The statute provides several methods you may use for determining valuation:

- Option 1—any good faith estimate of the value of the property if the exact value is unknown or not easily obtainable;
- Option 2—value based upon a recent appraisal of the property interest;
- Option 3—the date of purchase and the purchase price of your interest;
- Option 4—the assessed value of the property for tax purposes adjusted to reflect current market value if the tax assessment is computed at less than 100% of current value (if Option 4 is used, describe the assessed value);
- Option 5—the year-end book value of non-publicly traded stock, or the year-end exchange value of corporate stocks, or the face value of corporate bonds, or comparable securities;
- Option 6—the net worth of your interest (as in a business partnership or other jointly held business interest);
- Option 7—the equity value of your interest (as in a solely owned business or commercial enterprise); and
- Option 8—actual value (e.g., savings accounts) or any recognized indication of value (such as last sale on a stock exchange).

You need not disclose which methods you chose unless you wish. This is a change from prior forms.

### B. What to Show on the Form

Enter the identity of the asset in BLOCK A and then show the applicable value in BLOCK B. Only

the category of value, rather than the actual value of the property interest or asset, must be shown.

For assets such as stocks, bonds, and securities, report any holdings by you, your spouse or dependent child from one source totaling more than \$1,000 in value. Identify the holding and show the category of value. When identifying shares of publicly traded stocks, the common abbreviation of the name of the corporation may be used. If you have stock interests through an investment trust or mutual fund, and the holdings of the trust or fund are a matter of public record, you may—instead of identifying the fund's share holdings—identify your interest by simply giving the name of the trust or mutual fund. If you hold different types of securities of the same corporation (e.g., bonds and stocks of "X" Corporation), these holdings should be considered as being from the same source for purposes of determining whether the aggregate value of the interest is below or above the \$1,000 value.

To report interests in a business, a partnership, or joint venture, or the ownership of property held for investment or the production of income, identify the character of your ownership interest, and, unless a publicly traded security, the nature and location of the business or interest. Thus, in the case of non-publicly traded securities, show the nature and address of the business (in addition to its name). For example, the entry for a holding of farm land might show, under BLOCK A, "sole ownership of 100 acres of unimproved dairy farm land on Rural Route # 1 at Pine Bluff, Madison County, Wisconsin".

In the case of holdings that are essentially non-public such as private trades or businesses, investment pools or other private investment vehicles, sufficient disclosure must be made to give reviewers an adequate basis for the conflicts analysis required by the Act. Therefore, you must disclose the primary trade or business of private entities, as well as interests and activities not solely incidental to such a trade or business. For example, if your family is involved in a private real estate investment business but as a side interest buys stock through the business in a bank, you must disclose in addition to real estate, (by type and general location), that the family business holds an interest in a bank. In addition, while under the general rules of Schedule A an individual who directly holds an IRA (Individual Retirement Account) would have to indicate its value and the income derived from it (even though non-taxable for Federal income tax purposes), with-

out further disclosure of what financial interests are attributable to the individual by virtue of the IRA, it is not possible to evaluate the individual's compliance with applicable laws and regulations. If the IRA were invested solely in a mutual fund such as "Templeton World Fund, Inc." and the investment was disclosed in Schedule A, that would be sufficient, as that fund's portfolio is detailed in Moody's Bank and Finance Manual and could be evaluated. If, however, the IRA was privately invested, detailed disclosure of the investment would be required on Schedule A in the same amount of detail as if the investment were directly held.

#### b. Trusts

With respect to trusts in which a beneficial interest in principal or income is held, report trust interests and trust assets which had a value in excess of \$1,000. You need not report the identity of assets of a trust of which you are the beneficiary if the interest is:

- i. a "qualified blind trust" or "qualified diversified trust", which has been certified by the Office of Government Ethics, or
- ii. an "excepted trust", that is, one which—
  - A. was not created by you, or your spouse or dependent children, and
  - B. the holding or sources of income of which you, your spouse and dependent children have had no knowledge.

In such cases, in lieu of disclosing the source and assets of the trust, you should show in BLOCK A the identity of the trust including the date the trust was created, and the classification of the trust interest as a "qualified blind trust", a "qualified diversified trust", or an "excepted trust". Although you need not report the identity of the assets of a qualified or excepted trust, the category of amount of the trust income, if it exceeded \$100, must be reported in BLOCK C.

Note: You are not permitted by the statute to "create" an excepted trust by avoiding previous sources of knowledge upon entering Government service. See subpart D of 5 CFR Part 734.

It is not necessary to identify those assets of a trust of which a spouse or dependent child is a beneficiary if the trust meets the same three part test set forth in the first paragraph under II.A. above. However, in applying the test, if the trust is one set up for the education of your minor children, you do receive a financial benefit from such a trust and must

disclose the assets unless it is an "excepted trust" discussed immediately above.

Except for one of the three trusts described above, you must identify each individual investment holding of a trust which had a value in excess of \$1,000. For example, in BLOCK A an entry such as "trust held by First National Bank (Boston, MA) consisting of ITT stock, U.S. Treasury certificates, and Dallas Municipal Bonds" might be made. In BLOCK B the applicable value of each trust asset would be entered. (And, as described under IV B 5. Trust Income, below, the income from each asset would be entered in BLOCK C as well as income from assets of the trust sold during the reporting period.)

### III. Earned and Other Non-Investment Income (BLOCKS A and C)

#### A. Items to Report

For yourself, report the identity of the source in BLOCK A and amount in BLOCK C of non-investment income exceeding \$100, from any one source, other than income from the United States Government for current Government services. Such income includes fees, salaries, commissions, compensation for personal services, pension payments, honoraria, etc. Report these items on the same line as any related interest in property (if any).

For your spouse, report the source, but not the amount, of your spouse's non-investment income exceeding \$1,000 from any one source. No report of the earned or non-investment income of your dependent children is required.

#### B. What to Show on the Form

1. HONORARIA—Means payment of money or anything of value to you or your spouse, for an appearance, speech, or article. (See 2 U.S.C. §444 for full definition.) For each honorarium you received in excess of \$100 show the identity of the source in BLOCK A, the date and net amount in BLOCK C. For your spouse, you must show only the source of any honorarium over \$1,000 and the date of the event for which it was received. List each honorarium separately. For example, if you received \$1,400 for a speech before the Chicago Civic Club on March 19, 1984, of which \$200 was actually spent for round-trip travel, and \$200 went to the agent who made the speaking arrangement, enter in BLOCK A, "Chicago Civic Club, 18 Lakeshore Dr., Chicago, IL"; in BLOCK C under OTHER specify...

"Honoraria", under ACTUAL AMOUNT "\$1,000", and under DATE "3/19/84". If the same item of income was received under the same circumstances by your spouse, who is self-employed as a marketing consultant, you would enter in BLOCK A, "S", "Chicago Civic Club, 18 Lakeshore Dr., Chicago, IL"; in BLOCK C under OTHER specify "Honoraria"; under ACTUAL AMOUNT leave a blank or fill in N/A; and under date "3/19/84". Honoraria received and donated to charity must be reported, but a notation explaining that fact may be included in reporting such items.

2. OTHER INCOME—Means all income, exclusive of honoraria, received from non-investment sources including fees, commissions, salaries, income from personal services, pensions, etc. Report the identity of the source and give the actual amount of such income. For example, if you earned \$450 teaching at a law school, enter in BLOCK A, "John Jones Law School, Rockville, MD"; in BLOCK C, under OTHER, "\$450". Exclude income totaling less than \$100 from any one source. For example, if you earned \$75 for teaching in one law school and \$150 from teaching at another school, report only the \$150 amount.

If your spouse has earned income in excess of \$1,000 from any one source identify the source but show nothing under amount. If your spouse is self-employed in a business or profession, for example as a practicing psychologist who earned \$10,500 during the year, you need only show under BLOCK A, "...practicing psychologist".

3. UPDATE—A Presidential nominee to a position requiring the advice and consent of the Senate shall file with the Senate committee considering his or her nomination a report which shall update all items of his or her earned income and honoraria through the period ending no earlier than 5 days before the scheduled date of the Senate committee hearing on the nomination. This update shall be provided in the manner requested by the Senate committee considering the nomination.

### IV. Investment Income (BLOCK C)

Report items of investment income on the same line of Schedule A as the related property interest or other asset from which such income is derived. Note that some property interests or other assets

Figure 1-4. Sample of completed SF 278—Continued

will not have a related item of realized income. In such a case, check "None (or less than \$10)" in BLOCK C under category of amount.

#### A. Items to Report

Report the identity in BLOCK A and category of value in BLOCK C of any investment income over \$100 from any one source received by you, your spouse or dependent child, or which accrued to the benefit of any one of you during the reporting period. For purposes of determining whether you meet the over \$100 threshold from any one source, you must aggregate all types of investment income from that same source.

Investment income includes, but is not limited to: income derived from dealings in property, interest, rents, royalties, dividends, annuities, income from endowment contracts, income from discharge (forgiveness) of debts owed to you, your distributive share of partnership or joint venture income, and income from an interest in an estate or trust. You need not show the exact dollar amount of dividends, rents and royalties, interest, capital gains, and certain trust income. For these specific types of income you need only check the category of amount of the item reported. For all "other investment income" as described in item 6 below, you will have to report the exact dollar amount of income from each source.

#### B. What to Show on the Form

1. **DIVIDENDS**—Show in BLOCK C the category of the amount you, your spouse or dependent child received as dividends from investment sources including: common and preferred securities, endowment contracts, and pension and annuity funds. **Identify the source of such income and check the category of amount.** When identifying the source of a corporate stock dividend, you may abbreviate the corporate name. For example, if cash dividends of \$950 were received for shares of common stock of International Business Machines, enter in BLOCK A, "IBM common", and in BLOCK C check that dividend income was received and check the appropriate category of amount.

2. **RENTS AND ROYALTIES**—Show income received by you, your spouse or dependent child as rental or lease payments for occupancy or use of personal or real property in which any one of you have an interest. In addition, show payments received from such interests as copyrights, royalties, inventions, patents, and mineral leases or other interests. **Identify the source of such income and check the category of amount.** For

example, if you received \$2,000 as rental income from an apartment building in Miami, Florida, enter in BLOCK A, "apartment building, at 5802 Biscayne Blvd., Miami, FL", and in BLOCK C check that rental income was received and check the appropriate category of amount.

3. **INTEREST**—Identify the source and the category of amount of any interest earned or received by you, your spouse or dependent child as income from investment holdings including: bills and notes, loans, promissory notes, annuity funds, bonds, and other securities. For example, if you earned \$300 in interest during the calendar year on a Savings Certificate with Federal Savings and Loan, enter in BLOCK A, "Federal Savings and Loan (Baltimore, MD)—Savings Certificate", and in BLOCK C check that interest income was received and check the appropriate category of amount.

4. **CAPITAL GAINS**—Report income from capital gains received or realized by you, your spouse or dependent child from sales or exchanges of property, business interests, partnership interests or shared ownership investment interests. **Identify the source and check the category of amount of the gain.** An example of an entry in BLOCK A might be: "Sale of one-third interest in 100-acre farm in Hamilton County, Iowa", and in BLOCK C check that capital gains were received and check the appropriate category of amount.

5. **TRUST INCOME**—Report the category of amount and the type of any income of \$100 or more received from any trust. You need not identify the source from which the trust received the income when the trust is: (i) a "qualified blind trust" or "qualified diversified trust", which has been certified by the Office of Government Ethics; or (ii) an "excepted trust", one which was not created directly by, and about which no knowledge of holdings or source of income of the trust is possessed by you, your spouse or dependent child. Note, you are not permitted by the statute to "create" an excepted trust by avoiding previous sources of knowledge upon entering Government service. See subpart D of 5 CFR Part 734.

Whenever you are required to identify the source of trust income, either for yourself or for a spouse or child, it is not enough simply to say "John Jones Trust". Generally, the investment holdings of the trust, discussed above under "Property, Interests and Assets", and the income derived from each holding must be identified to the same extent as if held directly. However, if

the trust is a qualified trust or an excepted trust, in BLOCK A show only the identity of the trust, including the date the trust was created, and in BLOCK C check the classification of the trust interest as a "qualified blind trust", "qualified diversified trust", or "excepted trust", and check category of amount of the income realized.

6. **OTHER INVESTMENT INCOME**—Report any items of investment income exceeding \$100 which are not described above, such as income from business interests, property dealings, annuities, an estate, or a distributive share of a partnership or joint business venture's income. To identify the sources of other investment income, either for yourself, your spouse, or a dependent child, briefly characterize, in BLOCK A, the nature of the business or investment interest, and when applicable, the location: for example, "one-third ownership in a retail furniture store at 1010 Grand Ave., Chicago, IL." In BLOCK C, under OTHER specify the applicable type of income, for example: "distributive share" from a partnership or "gross income" from a proprietorship, and under ACTUAL AMOUNT the actual amount of such income which was realized during the reporting period.

### V. Transactions Test

#### (BLOCK D)

BLOCK D is to be completed by incumbent and termination filers only. It is designed to assist you in determining which assets in BLOCK A will also have to be reported in Part I of Schedule B as being purchased, sold or exchanged during the reporting period. You will need to check "YES" or "NO" in BLOCK D for any real property or stocks, bonds, commodities futures, and other forms of securities listed in BLOCK A. You need not answer the questions for any other kinds of items listed in BLOCK A. If you answer "Yes" for any such item, you must also report the details of the purchase, sale or exchange in Part I of Schedule B.

## Schedule B

### I. Part I—Transactions

#### A. General Instructions and Items to Report

This part is to be completed by incumbents and termination filers only. Give a description, the date, and the category of amount of any purchase, sale,

or exchange of any real property, stocks, bonds, commodities futures and other securities by you, your spouse or dependent child when the amount involved in the transaction exceeded \$1,000. This will include the transaction for any asset for which you answered "Yes" in BLOCK D of Schedule A. It also includes reporting any sale or exchange of an asset involving an amount exceeding \$1,000 when the sold or exchanged asset did not yield income of more than \$100 (and therefore was not reported on Schedule A), or reporting the purchase of an asset involving an amount exceeding \$1,000 but at the end of the reporting period having a value less than \$1,000 and earning income of \$100 or less during the reporting period (and therefore not appearing on Schedule A). The example on the form shows the proper way to disclose the XYZ common stock the reporting individual purchased for \$35,000 on 2/1/83. Note on Schedule A, that there is an entry for the stock as well since it was still held at the end of the reporting period, and that the reporting individual properly noted "Yes" in BLOCK D.

You need not report a transaction involving (1) your personal residence(s); (2) a money market mutual fund or personal bank account; (3) an asset of your spouse or dependent child if the asset meets the three-part test set forth under the instructions for Schedule A, at I.A., and (4) a holding of a "qualified blind trust", a "qualified diversified trust" or an "excepted trust". You will need to report any transactions of a business or commercial enterprise in which you, your spouse or dependent child have a direct proprietary or general partnership interest.

You are required to report any covered transaction of any company, investment pool, or other entity, in which you, your spouse or dependent child have an interest, if (i) the entity is not described in standard reference materials, or (ii) the transaction is not incidental to the primary trade or business of the entity as indicated by you on Schedule A. (See also section V(e) of the General Instructions preceding those for Schedule A.)

#### B. What to Show on the Form

Under identification of assets, identify the property or securities involved in the purchase, sale or exchange, and give the date of the transaction. For example, under IDENTIFICATION OF ASSETS, "GMC common stock"; under TYPE OF TRANSACTION, "check type"; under DATE, "enter date transaction occurred; under AMOUNT OF TRANS-ACTION, check the category of value of the sale price, purchase price, or exchange value of the property involved in the transaction.

## II. Part II—Gifts and Reimbursements

### A. General Instructions

This Part is to be completed by incumbents and termination filers only. The Act requires you to disclose the receipt of gifts, in-kind travel expenses, and cash reimbursements by you or your spouse from any one source other than the U.S. Government. Generally, these are (1) gifts of in-kind services of transportation, lodging, food or entertainment aggregating \$250 or more from any one source, (2) cash reimbursements aggregating \$250 or more from any one source for any kind of expense, and (3) other gifts, whether tangible or intangible, aggregating \$100 or more from any one source. This reporting requirement applies to gifts and reimbursements received by your spouse to the extent the gift was not given to him or her **totally independent** of his or her relationship to you.

### B. Items to Report

Report gifts received by you, your spouse or dependent child during the reporting period. A "gift" means any payment, forbearance, advance, rendering or deposit of money, or anything of value, unless consideration of equal or greater value is received by the donor. In determining which gifts and reimbursements must be reported or aggregated for purposes of meeting the threshold disclosure amounts, **exclude** these items:

- i. Gifts having a value less than \$35;
- ii. Gifts received from "relatives" (see definition in introduction);
- iii. Bequests and other forms of inheritance;
- iv. Suitable mementos of a function honoring the reporting individual;
- v. Food, lodging, transportation, and entertainment provided by a foreign government without in a foreign country or by the United States Government;
- vi. Food and beverages consumed at banquets, receptions or similar events;
- vii. Gifts in-kind of food, lodging, transportation and entertainment aggregating less than \$250 in value received from any one source during the preceding calendar year (for purposes of the \$250 aggregation in this exclusion, items with a fair market value of \$35 or less need not be counted);
- viii. Gifts (other than transportation, lodging, food or entertainment) aggregating less than \$100

in value received from any one source (for purposes of the \$100 aggregation in this exclusion, you need not count any items with a fair market value of \$35 or less, nor any item for which, in an unusual case, a publicly available request for waiver was granted);

- ix. Gifts given to a spouse totally independent of his or her relationship to you;
- x. Gift items in the nature of communications to your office, such as subscriptions to newspapers and periodicals;
- xi. Gifts of hospitality on the donor's personal or family premises, as defined in 5 CFR §734.105(f);
- xii. Gifts and reimbursements received during non-Federal employment periods; and
- xiii. Reimbursements you received for political trips which were required to be reported under section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434).

### C. What to Show on the Form

1. **TRANSPORTATION, LODGING, FOOD, ENTERTAINMENT**—Report the identity of the source, a brief description, and the approximate value of in-kind gifts of transportation, lodging, food or entertainment aggregating \$250 or more from any one source which were received by you or your spouse and which do not fall within any of the categories of exclusions enumerated above. To reach a \$250 aggregation, you determine whether any one or combination of the components within this gift category received from one source (transportation, lodging, food and entertainment) amounts to \$250 or more in value. For example, if you spent a weekend at a hunting lodge owned by AmCoal Corporation, and you received lodging fairly valued at \$150, food valued at \$100, and entertainment valued at \$125, the aggregate value of the gift is \$375. A gift of this nature—hospitality at a lodge owned by a corporation rather than an individual—would not qualify as a "personal hospitality" exclusion. To report this gift you would show, under SOURCE . . . "AmCoal Corp., 1210 North St., Chicago, IL"; and under BRIEF DESCRIPTION . . . "lodging, food, and entertainment as a guest at hunting lodge owned by AmCoal"; and under VALUE . . . "\$375".

2. **OTHER GIFTS**—Report the identity of the source, a brief description, and the value of gifts other than transportation, lodging, food or entertainment aggregating \$100 or more in val-

ue from any one source, other than excluded gifts which you or your spouse received during the calendar year. Thus, if you and your spouse each receive a \$60 figurine from the same donor, the gift has a value of more than \$100, and it must be reported. To report the gift, identify the source, briefly describe the items, and show the value. In the case of the figurines, report on the form under SOURCE . . . "Artifac Co., 153 Utah St., Omaha, NE"; and under BRIEF DESCRIPTION . . . "two porcelain figurines"; Under VALUE . . . "\$120" would be shown.

3. **REIMBURSEMENTS**—Report the source and the approximate value of any cash reimbursements (except those from the United States Government) aggregating \$250 or more which you or your spouse received from any one source. For example, if you were reimbursed \$400 for travel and lodging expenses in connection with a speech you made for the State Realtors Association, you would report this item on the form by showing under SOURCE . . . "State Realtors Assoc., 45 Bridge St., Denver, CO"; under BRIEF DESCRIPTION . . . "travel expenses for speech made in Denver"; and under VALUE . . . "\$400" would be shown. If your spouse made this speech and received the reimbursement totally independent of his or her relationship to you, no information for this item need be reported.

**Note:** If you receive in-kind services of transportation, lodging, food and entertainment or a reimbursement of official travel expenses from a non-profit tax-exempt institution categorized by the IRS as one falling within the terms of 26 U.S.C. 501(c)(3), you must report the name of the organization, a brief description of the in-kind services or the reimbursement and the value. If known, you may also wish to note the date you received the required written approval from your agency to accept such items.

## Schedule C

### I. Part I—Liabilities

#### A. General Instructions

The Act requires you to disclose certain of your financial liabilities. The examples on the form show how to report a mortgage on real estate the reporting individual held for the production of income and a promissory note made to an individual. Note that you will need to disclose the date, interest rate and term (if applicable) of each liability. Also note you

must disclose the highest amount owed on any liability held during the reporting period, not just at the end of the period. If the liability was completely paid during the period, you may also note that on the form if you wish.

#### B. Items to Report

Identify and give the category of amount of the liabilities which you, your spouse or dependent child owed to any creditor, other than a relative, which exceeded \$10,000 at any time during the reportable period, except:

- i. a mortgage secured by real property which is the personal residence (or a second residence not used for producing income) of you or your spouse;
- ii. a loan secured by a personal motor vehicle, household furniture, or appliances, where the loan does not exceed the purchase price of the item;
- iii. a revolving charge account where the outstanding liability did not exceed \$10,000 as of the close of the preceding calendar year, and any liability of your spouse or dependent child which represents the sole financial interest or responsibility of the spouse or child, and about which you have no knowledge, and which is not related to your income, assets, or activities, and concerning which you neither derive nor expect to derive any financial or economic benefit.

You are required to report any liability of any company, investment pool, or other entity, in which you, your spouse or dependent child have an interest, if (i) the entity is not described in standard reference materials, or (ii) the liability is not incidental to the primary trade or business of the entity as indicated by you on Schedule A. (See also section V(e) of the General Instructions preceding those for Schedule A).

#### C. What to Show on the Form

Under NAME AND ADDRESS OF CREDITOR . . . the name and address of the actual creditor must be shown unless the reporting individual is only able to identify a fiduciary and certifies in the report that he has made a good faith effort to determine who the actual creditor is and was unable to do so, or upon his certification that such determination is otherwise impracticable. Under TYPE OF LIABILITY . . . briefly indicate the nature of the liability. Under DATE . . . enter date loan incurred; under INTEREST RATE . . . note the set rate or, if a variable one, the formula used to vary the rate, i.e. prime

Figure 1-4. Sample of completed SF 278—Continued

+2%; and under TERM... the duration of the loan. Check the category of value.

## II. Part II—Agreements or Arrangements

### A. General Instructions and Items to Report

Provide information regarding any agreements or arrangements you have concerning (i) future employment; (ii) a leave of absence during your period of Government service; (iii) continuation of payments by a former employer other than the United States Government; and (iv) continuing participation in an employee welfare or benefit plan maintained by a former employer. This includes any arrangements or negotiations with a future employer entered into by a termination filer. For purposes of public disclosure only, you must disclose any negotiations for future employment from the point you and a potential private sector employer have agreed to your future employment by that employer, whether or not you have settled all of the terms, such as salary, title, benefits, and date employment is to begin. Your agency may require internal disclosure of negotiations much earlier and you should seek guidance before conducting any negotiations with persons with whom you do business. A criminal statute, 18 U.S.C. §208, applies to actions you may take while negotiating future private sector employment.

The example on the form shows the severance agreement under which the reporting individual ex-

pects to receive a lump sum payment from the law firm he has left in order to enter the Government.

### B. What to Show on the Form

Under DESCRIPTION OF TERMS... describe the agreement or arrangement with appropriate specificity. Under PARTIES... show the name of the organization, or entity, and (if applicable) the name and title of the official, corporate officer, or principal person responsible for carrying out the terms of the agreement or arrangement. Under DATE... show the date of any such arrangement. **No report is required regarding any agreement or arrangement entered into by a spouse or dependent child.**

## Schedule D

## I. Part I—Positions Held

### A. Items to Report

Report all positions held at any time during the reporting period, as well as those positions you currently hold as an officer, director, trustee, partner, proprietor, representative, employee or consultant of (i) any corporation, company, firm, partnership, trust, or other business enterprise; (ii) any non-profit organization; (iii) any labor organization; (iv) any educational institution; or (v) other institution other than the United States Government. Exclude positions held in any religious, social, fraternal, or political entity, and any positions solely of an honorary

nature. **No report is required regarding any positions held by your spouse or a dependent child.** Be sure to report on Schedule A any income you received from acting in any of these positions.

### B. What to Show on the Form

Give the name, address and brief description of the organization, the title or other brief functional description of the position, and the dates you held the position. If you currently hold the position, in the entry block under TO note "Present".

## II. Part II—Compensation in Excess of \$5,000 Paid by One Source

### A. General Instructions

This Part is to be completed by nominees and new entrants only. This Act requires that you disclose your sources of compensation in excess of \$5,000 and the nature of the duties you provided. This includes not only the source of your salary or other fees, but the disclosure of clients for whom you personally provided \$5,000 in services even though the clients' payment was made to your employer, firm or other business affiliation. The example on the form shows the proper way to disclose the business affiliation which paid the reporting individual's compensation, in this case a law firm, and a client of the firm for whom the reporting individual personally provided over \$5,000 worth of services. This Part does not require you to disclose the value of the compensation for these services; it does require a

brief description of the services you provided. When a source has paid you directly, you should have a corresponding entry on Schedule A. A client who paid your business affiliation \$5,000 or more for your services will appear only in this Part.

### B. Items to Report

Report the nature of the duties performed or services rendered for any person (other than the United States Government) from which compensation in excess of \$5,000 in any of the two preceding calendar years, or the present calendar year was received by you or an entity which billed for your services (business affiliation). Exclude: (i) information to the extent that it is considered confidential as a result of a privileged relationship established by law, or (ii) information about persons for whom services were provided by a business affiliation of which you were a member, partner or employee unless you were directly involved in the provision of the services. The name of a client of a law firm is not generally considered confidential. **No report is required regarding compensation paid to your spouse or a dependent child.**

### C. What to Show on the Form

Under SOURCE... give the name and address of the person to whom services were provided, for example, "Newark Real Estate Co. (Newark, NJ)" and under BRIEF DESCRIPTION... the title or other brief functional description of the services rendered, for example, "tax matters researched for above firm while an associate with Quinn and Ouspensky".

Figure 1-4. Sample of completed SF 278—Continued

# Financial Disclosure Report

Reporting Status (Check Appropriate Box)		Agency Use Only		OGE Use Only	
<input checked="" type="checkbox"/> Incumbent <input type="checkbox"/> New Entrant, Nominee, or Candidate		First Name and Middle Initial JOEN A. Department or Agency (if Applicable) US ARMY		Date of Appointment, Candidacy, Election or Nomination (Mo., Day, Yr.) January 1, 1984	
Termination Filer <input type="checkbox"/>		Telephone No. (Include Area Code) (202) 795-4000		Termination Date (if Applicable) (Month, Day, Year)	
<b>Reporting Individual's Name</b> Last Name SMITH Title of Position ASST. TO DCSRDA Address (Number, Street, City, State and ZIP Code) PENTAGON, WASH DC 20310		Do You Intend to Create a Qualified Diversified Trust? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		Reporting Periods Incumbents: Complete Schedules A, B, C, and Part I of D. The reporting period is the preceding calendar year except for Part II of Schedule C and Part I of Schedule D where you must also include any positions held or agreements or arrangements made from the beginning of the filing year until the date you file. Termination Filers: Complete Schedules A, B, C, and Part I of D. The reporting period begins at the end of the period covered by your previous filing and ends at the date of termination. Nominees, New Entrants and Candidates for President and Vice President: Complete Schedules A, C, and D. (Candidates do not file Part II of Schedule D.)	
<b>Position for Which Filing</b> Title of Position(s) Held With the Federal Government During the Preceding 12 Months (If Not Same as Above)		Signature of Reporting Individual		Date (Month, Day, Year) January 15, 1986	
<b>Location of Present Office</b> Title of Position(s) and Date(s) Held		Signature of Other Reviewer		Date (Month, Day, Year)	
Presidential Nominees Subject to Senate Confirmation		Signature of Designated Agency Ethics Official/Reviewing Official		Date (Month, Day, Year)	
Certification I CERTIFY that the statements I have made on this report and schedules are true, complete and correct to the best of my knowledge and belief.		SIGNED/THE JUDGE ADVOCATE GENERAL Signature		Date (Month, Day, Year) January 23, 1986	
Other Review (if desired by agency)		Signature of Designated Agency Ethics Official/Reviewing Official		Date (Month, Day, Year)	
Agency Ethics Official's Opinion The information contained in this report discloses no conflict of interest under applicable laws and regulations.		Comments of Reviewing Officials (If additional space is required, use the reverse side of this sheet)		(Check box if comments are continued on the reverse side) <input type="checkbox"/>	
Office of Government Ethics Use Only		PREVIOUS EDITION USABLE		NSN 7540-01-070-3444	

Figure 1-4. Sample of completed SF 278—Continued



Reporting Individual's Name  
**SMITH, JOHN A.**

Page Number **3**

Schedule **B**

**Part I Transactions**  
 Incumbents and Termination Filers only: Report any purchase, sale or exchange by you, your spouse or dependent child during the reporting period of any real property, stocks, bonds, commodities futures, and other securities when the amount of the transaction exceeded \$1,000. Include transactions that resulted in a loss. Do not report a transaction involving property used solely as your personal residence, or a transaction between you, your spouse or your dependent child.

S or DC	Exemplification	Identification of Assets	Type of Transaction (X)			Date (Mo., Day, Yr.)	Amount of Transaction (X)								
			Purchase	Sale	Exchange		\$1,001 - \$5,000	\$5,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$250,000	\$250,001 - \$500,000	Over \$500,000		
1	Example: X Y Z Common		X			2/1/83		X							
2	S IBM Common			X		10/1/85			X						
3															
4															
5															
6															

**Part II Gifts, Reimbursements and Travel Expenses**  
 Incumbents and Termination Filers only: Report the source, a brief description and the value of: (1) in-kind gifts of transportation, lodging, food or entertainment received from one source totaling \$250 or more unless received as personal hospitality at the donor's personal or family residence; (2) other gifts received from one source totaling \$100 or more in value; and (3) cash reimbursements of \$250 or more received from one source. Exclude gifts and reimbursements received by your spouse that were given to tally independent of their relationship to you. Exclude transportation, lodging, food and reimbursements from the U.S. Government. For (1) and (2), exclude gifts from relatives and exclude gifts of \$35 or less when aggregating them for the total from one source. See instructions for further exclusions.

S or DC	Source (Name and Address)	Brief Description	Value
1	Nat'l Assn. of Rock Collectors, NY, NY	Airline ticket, hotel room & meals incident to national conference 6/15/83	\$500
2	Nat'l Assn. of Rock Collectors, NY, NY	Leather briefcase for retiring president	\$125
3	Moose Lodge, Muscogee, OK	Airline ticket and lodging incident to speech 10 Dec 85	\$750
4	Moose Lodge, Muscogee, OK	Airline ticket and lodging incident to my speech 10 Dec 85	\$750
5			
6			

Figure 1-4. Sample of completed SF 278—Continued

Reporting Individual's Name  
**SMITH, JOHN A.**

Page Number **4** Schedule **C**

**Part I**

**Liabilities**

All Filers: Report liabilities over \$10,000 owed to any one creditor at any time during the reporting period by you, your spouse or dependent child. Check the highest amount owed during the reporting period. Exclude a mortgage on your personal residence unless it is rented out; loans secured by automobiles, household furniture or appliances, and liabilities owed to relatives. See instructions for revolving charge accounts.

None  NONE

S or DC	Examples	Creditor (Name and Address)	Type of Liability	Date Incurred	Interest Rate	Term if applicable	Category of Amount or Value (X)						
							\$10,001 to \$15,000	\$15,001 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$250,000	Over \$250,000		
1		First District Bank, Washington, DC John Jones, 123 J St., Washington, DC	Mortgage on rental property, Rehoboth Beach, Delaware Promissory note	1981 1979	12% 10%	25 yrs. on demand	X		X				
2		1st Federal Savings and Loan (Pinehurst, N.C.)	Mortgage on rental house	1982	13	30		X					
3													
4													
5													
6													

**Part II**

**Agreements Or Arrangements**

All Filers: Report your agreements or arrangements for future employment, leaves of absence, continuation of payment by a former employer (including severance payments), or continuing participation in an employee benefit plan. See instructions regarding the reporting of negotiations for any of these arrangements or benefits.

None  NONE

Example:	Status and Terms of any Agreement or Arrangement	Parties	Date (Mo., Yr.)
	Pursuant to partnership agreement, will receive capital account & partnership share calculated on service performed through 11/83	Doe Jones & Smith, Home town, USA	7/75 partnership agmt.

PREVIOUS EDITION USABLE

278-108

Figure 1-4. Sample of completed SF 278—Continued

**REPORT OF DOD AND DEFENSE RELATED EMPLOYMENT  
AS REQUIRED BY 10 U.S.C. §2397**

Form Approved  
OMB No. 0704-0047  
Expires Oct 31, 1989

*(If additional space is required, use blank sheets of paper referencing item numbers below.)*

**Privacy Act Statement**

**AUTHORITY:** 10 U.S.C. §2397; 10 U.S.C. §2397b; Executive Order 9397 (Social Security Number (SSN)).

**PRINCIPAL PURPOSES:** Each report will be reviewed by Department of Defense officials to determine compliance with the intent of the Act. The purpose of requesting the SSN is for positive identification and retrieving the record.

**ROUTINE USE:** Information derived from the reports, including names of reporting individuals and their current and former employers, shall be provided annually to the Congress. The reports themselves shall be available for review by members of the public and may otherwise be made available as authorized by law.

**DISCLOSURE:** Mandatory. Knowing or willful failure to file or report information required to be reported by this law, or falsification of information, may subject you to administrative penalty of up to \$10,000 pursuant to regulations promulgated by the Secretary of Defense. Knowing or willful falsification of information required to be filed may also subject you to criminal prosecution under 18 U.S.C. §1001, leading to a fine of not more than \$10,000 or imprisonment for not more than five years or both.

*(Please read instructions before completing this form.)*

<b>1. NAME (Last, First, Middle Initial)</b> SMITH, JOHN A.		<b>2. SOCIAL SECURITY NO.</b> 2 3 4 - 5 6 - 7 8 9 0 8 0 4 - 5 1 2 - 0 0 0 9				<b>3. HOME TELEPHONE NO.</b>			
<b>4. HOME ADDRESS</b>									
<b>a. STREET</b> 110 MAIN STREET			<b>b. CITY</b> LOS GATOS			<b>c. STATE</b> CA		<b>d. ZIP CODE</b> 9 3 6 2 1 -	
<b>5. IS THIS AN INITIAL REPORT? (X a. or b.)</b>				<b>6.a. STATUS</b> <i>(X as many as applicable)</i>				<b>6.b. Rank/Grade</b>	<b>6.c. Most Recently Acquired Status (X one)</b>
<input checked="" type="checkbox"/> a. YES (If "Yes," go to Item 6.)				<input checked="" type="checkbox"/> (1) RETIRED MILITARY - O4 OR ABOVE				(1) MG	(1) X
<input type="checkbox"/> b. NO (If "No," go to Item 5.c.)				<input type="checkbox"/> (2) FORMER MILITARY - O4 OR ABOVE				(2)	(2)
<b>c. If this is NOT an initial report, reason for subsequent report is: (X one)</b>				<input type="checkbox"/> (3) RETIRED CIVILIAN - PAID EQUAL TO GS-13 OR ABOVE				(3)	(3)
				<input type="checkbox"/> (4) FORMER CIVILIAN - PAID EQUAL TO GS-13 OR ABOVE				(4)	(4)
				<input type="checkbox"/> (5) PRESENT DOD EMPLOYEE				(5)	(5)
<input type="checkbox"/> (1) change in employer									
<input type="checkbox"/> (2) change in duties									

**PART I**

*To be completed only by former officers or employees of DoD who are now employed by contractor. (Category I)*

<b>7.a. DATE OF TERMINATION OF MOST RECENT DOD SERVICE OR EMPLOYMENT (YYMMDD)</b> 87/10/01		<b>7.b. NAME OF MOST RECENT MILITARY DEPARTMENT OR DOD AGENCY</b> DEPARTMENT OF THE ARMY	
<b>8. DATE OF EMPLOYMENT WITH DEFENSE CONTRACTOR (YYMMDD)</b> 87/10/05		<b>9. IS YOUR ANNUAL COMPENSATION FROM OR SALARY RATE WITH THE DEFENSE CONTRACTOR \$25,000 OR MORE?</b> <input checked="" type="checkbox"/> a. YES <input type="checkbox"/> b. NO	
<b>10. NAME OF DEFENSE CONTRACTOR EMPLOYER</b> FORD AEROSPACE			<b>11. WORK TELEPHONE NO.</b> 8 0 4 - 5 5 5 - 4 3 2 1
<b>12. WORK ADDRESS</b>			
<b>a. STREET</b> 2700 SKYLINE BOULEVARD		<b>b. CITY</b> PALO ALTO	<b>c. STATE</b> CA
<b>d. ZIP CODE</b> 9 3 6 4 0 - 0 0 0 1			
<b>13. YOUR POSITION WITH CONTRACTOR</b>			
<b>a. (X one that best describes position.)</b>		<b>b. SPECIFIC TITLE(S)</b>	
<input type="checkbox"/> (1) Administrator		VICE PRESIDENT, WEAPONS SYSTEMS DEVELOPMENT DIVISION	
<input type="checkbox"/> (2) Researcher			
<input type="checkbox"/> (3) Contract Officer			
<input type="checkbox"/> (4) Manager			
<input checked="" type="checkbox"/> (5) Consultant			
<input type="checkbox"/> (6) Other			
<b>c. YOU MUST PROVIDE A DETAILED DESCRIPTION OF YOUR DUTIES ON A SEPARATE SHEET. Include specifics on contracts or actions related to duties held in ALL former DoD positions that are reported in Item 14 below. See instructions.</b>			
<b>14. YOUR FORMER DOD POSITION</b>			
<b>a. (X one that best describes position.)</b>		<b>b. SPECIFIC TITLE AND SPECIFIC DOD ORGANIZATION</b>	
<input type="checkbox"/> (1) Administrator		COMMANDER, 3D INFANTRY DIVISION, DEPARTMENT OF THE ARMY	
<input type="checkbox"/> (2) Researcher			
<input type="checkbox"/> (3) Contract Officer			
<input type="checkbox"/> (4) Manager			
<input type="checkbox"/> (5) Consultant			
<input checked="" type="checkbox"/> (6) Other			
<b>c. YOU MUST PROVIDE A DETAILED DESCRIPTION OF YOUR DUTIES ON A SEPARATE SHEET. Report information requested in 14 a., b., and c. for each former DoD position held within 2 years prior to contractor position. See instructions.</b>			
<b>15. DOD DISQUALIFICATION ACTIONS (IF ANY)</b> <i>(Within two years prior to contractor employment.)</i>		<b>c. DESCRIBE DISQUALIFICATION ACTIONS</b>	
<input type="checkbox"/> a. YES (If "Yes," go to Item 15.c.)			
<input type="checkbox"/> b. NO (If "No," go to Item 16.)			

DD Form 1787, MAR 87

*Previous editions are obsolete*

1615-C75

Figure 1-5. Sample of a completed DD Form 1787

**PART II**

*To be completed only by former employees of contractors who are now DoD officers or employees. (Category II)*

16.a. DATE OF TERMINATION WITH DEFENSE CONTRACTOR (YYMMDD)	16.b. NAME OF FORMER DEFENSE CONTRACTOR EMPLOYER (Most recent)		
17. DATE OF EMPLOYMENT OR SERVICE WITH DOD (YYMMDD)	18. IS YOUR ANNUAL SALARY WITH DOD AT A RATE EQUAL TO OR ABOVE GS-13?	<input type="checkbox"/> a. YES <input type="checkbox"/> b. NO	c. SPECIFY AMOUNT \$
19. NAME OF SPECIFIC DOD ORGANIZATION(S) BY WHICH EMPLOYED (Within the last 2 years)		20. WORK TELEPHONE NO.	

<b>21. WORK ADDRESS</b>			
a. STREET	b. CITY	c. STATE	d. ZIP CODE

<b>22. CURRENT DOD POSITION</b>	
a. (X one that best describes position.) <input type="checkbox"/> (1) Administrator <input type="checkbox"/> (4) Manager <input type="checkbox"/> (2) Researcher <input type="checkbox"/> (5) Consultant <input type="checkbox"/> (3) Contract Officer <input type="checkbox"/> (6) Other	b. SPECIFIC TITLE(S)

c. YOU MUST PROVIDE A DETAILED DESCRIPTION OF YOUR DUTIES ON A SEPARATE SHEET. Include specifics on contracts or actions related to duties held in ALL contractor positions that are reported in Item 23 below. See Instructions.

<b>23. CONTRACTOR POSITION</b>	
a. (X one that best describes position.) <input type="checkbox"/> (1) Administrator <input type="checkbox"/> (4) Manager <input type="checkbox"/> (2) Researcher <input type="checkbox"/> (5) Consultant <input type="checkbox"/> (3) Contract Officer <input type="checkbox"/> (6) Other	b. SPECIFIC TITLE AND SPECIFIC DEFENSE CONTRACTOR NAME AND BRANCH

c. YOU MUST PROVIDE A DETAILED DESCRIPTION OF YOUR DUTIES ON A SEPARATE SHEET. Report information requested in 23 a., b., and c. for each contractor position held within two years prior to current position. See Instructions.

**CERTIFICATION**  
*To be completed by all filers.*

24. I certify that the above information is true, complete, and correct to the best of my knowledge. I understand that I must file a new report of DoD and defense related employment within 30 days if, within the two years immediately following the termination of my most recent DoD service or employment, the information in this report ceases to be accurate. I understand subsequent reports are not required after such two year period.

a. SIGNATURE 	b. DATE SIGNED 12 Oct 07
------------------	-----------------------------

**REVIEW**  
*To be completed by reviewing official.*

25. I certify that I have reviewed this Report of DoD and Defense Related Employment (DD Form 1787) in accordance with the guidance set out in DoD Directive 5500.7, enclosure 8.

a. SIGNATURE	b. OFFICE	c. DATE SIGNED
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Figure 1-5. Sample of a completed DD Form 1787—Continued

CONTINUATION SHEET

- Item 13c. -
1. Plans and identifies program development objectives, goals and actions, and coordinates with engineering and other company organizations involved.
  2. Participates in-house in the preparation of proposals, studies, presentations, meetings and symposiums to provide market related inputs and acquire maximum exposure to corporate experience and capabilities.
  3. Coordinates in-house, field office and inter-division activities in order to enhance new business pursuits.
  4. Evaluates, recommends and implements teaming arrangements to strengthen our capabilities to bid and perform.
  5. Participates in the formulation of Long Range Plans, Operating Plans, and Sales Forecasts.

I have no duties which relate in any way to contracts or actions related to duties held in my former DOD position.

- Item 14c. - [Recommend insertion of description of significant duties and responsibilities from Part IVa, DA Form 67-8-1 (OER Support Form)]

Figure 1-5. Sample of a completed DD Form 1787—Continued

**DD FORM 1787**  
**REPORT OF DOD AND DEFENSE - RELATED EMPLOYMENT**  
**AS REQUIRED BY 10 U.S.C. §2397**

**WHO MUST FILE**

**CATEGORY I** (Complete Part I)

a. Each person who has left service or employment with a DoD Component, who:

(1) is a retired military officer or former military officer who served on active duty at least 10 years and who held, for any period during that service, the grade of O-4 or above, or is a former civilian officer or employee whose pay at any time during the three year period prior to the end of DoD service or employment was equal to or greater than the minimum rate for a GS-13 at that time;

(2) within the two-year period immediately following the termination of service or employment with a DoD Component, is employed by a defense contractor who, during the year preceding employment, was awarded \$10,000,000 or more in DoD contracts; and

(3) is employed by the defense contractor and at any time during a year directly receives compensation of or is salaried at a rate of \$25,000 per year or more from the defense contractor. "Employed" includes the rendering of services as a consultant, lawyer, agent or other kind of assistant.

b. For a two year period following the termination of your last position with a DoD Component, you are required to file a new DD Form 1787 each time your duties with the defense contractor change significantly and each time you become employed with a new defense contractor.

**CATEGORY II** (Complete Part II)

Each civilian officer and employee (whether or not full-time) of a DoD Component, who:

(1) is employed at a pay rate equal to or greater than the minimum rate for GS-13;

(2) within the two-year period prior to the beginning of service or employment with the DoD Component, was employed by a defense contractor who, during a year, was awarded \$10,000,000 or more in DoD contracts;

(3) was employed by the defense contractor and at any time during that year received compensation of or was salaried at a rate of \$25,000 per year or more from the defense contractor. "Employed" includes the rendering of services as a consultant, lawyer, agent or other kind of assistant.

**WHEN AND WHERE TO FILE**

a. Civilians shall submit their reports to the Designated Agency Ethics Official of the individual's present or former DoD Component in accordance with DoD Component procedures. Retired or former military officers shall submit their reports to the Designated Agency Ethics Official of their Military Department:

b. Current DoD officers and employees shall file a report within 30 days after entering employment or service with any DoD Component.

c. Former DoD officers and employees shall file an initial report within 90 days after the date on which the individual began employment with the defense contractor.

d. Former DoD officers and employees shall file subsequent reports each time, during the two-year period after service or employment with the DoD Component ended, that the person's duties with the defense contractor significantly change or the person begins employment with another defense contractor. Such reports shall be filed within 30 days after the date of the change.

**INSTRUCTIONS FOR COMPLETION**

**Items 1 through 6 apply to all individuals completing this form.**

**Items 1 through 4.** Provide the appropriate information.

**Item 5.** Mark "Yes" if this is the first DD Form 1787 you have ever filed and go to Item 6. Mark "No" if you have filed a DD Form 1787 in the past and answer 5.c.

**Item 6.** Mark the box(es) which indicates your status and include the highest grade or rank that you held prior to leaving that DoD position. If you hold more than one status, mark one box to show which status was most recently acquired. Keep in mind that the requirement to file DD Form 1787 is imposed on former and retired civilian employees who have been paid at a rate equal to or greater than the minimum rate at the time for a GS-13 at any time during the three year period prior to termination from the last DoD position.

**PART I**

**This part only applies to individuals in Category I.**

**Item 7.** Provide the requested date and name your most recent Military Department or DoD agency.

**Item 8.** Provide the date your employment with the defense contractor began. If you are no longer employed by the defense contractor, provide the date of termination on a separate sheet referencing this item number. Provide the information requested in the following items for your most recent defense contractor employer even if no longer employed.

# INSTRUCTIONS FOR COMPLETION OF DD FORM 1787 (Continued)

## PART I (Continued)

**Item 9.** Indicate whether your annual compensation from or salary rate with the defense contractor is above \$25,000 by marking "Yes" or "No."

**Items 10 through 12.** Provide the appropriate information for your present or most recent defense contractor employer.

**Item 13.** Indicate your position with the defense contractor by marking the box(es) next to the title that best describes your position. Also provide your specific title(s). You are required to provide a detailed description of your specific duties on a separate sheet of paper referencing this item number. You must provide the names of all contracts and details of all duties you have performed on behalf of the defense contractor that relate in any way to your duties in all former DoD positions held within the two years prior to the beginning of your employment with the defense contractor. You must also identify each major defense system on which you have performed work on behalf of the defense contractor, regardless of whether that work relates to your former DoD position. All these former DoD positions must be reported in Item 14.

"Major Defense System" means: A combination of elements that will function together to produce the capability required to fulfill a mission need. Elements may include hardware, equipment, software, or any combination thereof, but excludes construction or other improvements to real property. A system shall be considered a major system if (a) DoD is responsible for the system and the total expenditures, and research, development, test, and evaluation for the system are estimated to be more than \$75,000,000 (based on fiscal year 1980 constant dollars) or the eventual total expenditure for procurement of more than \$300,000,000 (based on fiscal year 1980 constant dollars); (b) a civilian agency is responsible for the system and total expenditures of the system are estimated to exceed \$750,000 (based on fiscal year 1980 constant dollars) or the dollar threshold for a "major system" established by the agency pursuant to OMB circular A-109, entitled "Major Systems Acquisitions," whichever is greater; or (c) the system is designated a "major system" by the head of the agency responsible for the system.

**Item 14.** Indicate your former DoD position by marking the box(es) next to the title that best describes your position. Also provide your specific title(s) and include your organization code letters. You are required to provide a detailed description of your specific duties on a separate sheet of paper referencing this item number. You must provide the names of all contracts and details of all duties you performed while in your former DoD position that relate in any way to your position with the defense contractor reported in Item 13. You must also identify each major defense system you performed any work on while in your former DoD position, regardless of whether that work relates to your position with the defense contractor reported in Item 13. If you held more than one DoD position during the two years prior to the beginning of your employment with the defense contractor, provide all the information requested in Item 14.a., b., and c. for each DoD position on a separate sheet of paper referencing this item number.

**Item 15.** Indicate whether there were any DoD disqualification actions related to you during the two years prior to your defense contractor employment. If there were, describe the actions in detail. A "disqualification action" is a formal exclusion of a person from taking part in a particular matter, usually to prevent a conflict of interest.

## PART II

This part only applies to individuals in Category II.

**Item 16.** Provide the requested date and name your most recent former defense contractor employer.

**Item 17.** Provide the requested date.

**Item 18.** Indicate whether your annual salary with the DoD Component is equal to or above the minimum rate for a GS-13 by marking "Yes" or "No." Various pay schedules, levels and steps can be confusing. Provision of your annual salary will ensure your compliance with applicable law and is required to process your report.

**Items 19 through 21.** Provide the appropriate information for your DoD Component organization.

**Item 22.** Indicate your DoD position by marking the box(es) next to the title that best describes your position. Also provide your specific title(s) and include your organization code letters. You are required to provide a detailed description of your specific duties on a separate sheet of paper referencing this item number. You must provide the names and details for all contracts and actions that relate in any way to your duties in all former defense contractor positions held within the two years prior to the beginning of your service or employment with the DoD Component. All these former defense contractor positions must be reported in Item 23.

**Item 23.** Indicate your former position with the defense contractor by marking the box(es) next to the title that best describes your position. Also provide your specific title(s). You are required to provide a detailed description of your specific duties on a separate sheet of paper referencing this item number. You must include names and details for all contracts and actions that relate in any way to your position with your DoD Component reported in Item 22. If you have been employed by more than one defense contractor during the two years prior to the beginning of your service or employment with the DoD Component, provide all information requested in Item 23.a., b., and c. for each defense contractor position on a separate sheet of paper referencing this item number.

## CERTIFICATION

All filers must certify this report by signing and dating.

**Item 24.** You must sign and date this report.

## REVIEW

**Item 25.** Reviewing official must sign and date after reviewing the report in accordance with DoD Directive 5500 7, enclosure 8.

MEMORANDUM FOR: (Immediate superior)  
(Immediate subordinates)

SUBJECT: Disqualification Statement

1. This is to notify you that I have financial interests in the following organizations and, pursuant to the provisions of AR 600-50, I am required to disqualify myself from official actions related to them:

(list applicable organizations)

2. Accordingly, I may not participate personally and substantially in any official actions affecting these organizations if that would create a conflict, or even the appearance of a conflict, with my official duties. My participation would be "personal" whether I act directly or through others. My participation would be "substantial" in any case in which my decision, approval, disapproval, recommendation, investigation, advice, or any other activity may contribute to or influence the official action. My participation in any official action would create a conflict, or at least the appearance of one, whenever it appears reasonably possible that such official action, whether on a particular matter affecting these organizations or involving policies, standards, objectives, or other matters of general application, will have a direct and predictable effect on my financial interest in one or more of these organizations.

3. Any such matters in our office should be handled without my knowledge or participation.

(Signature Block)

Figure 2-1. Format for disqualification statement

MEMORANDUM FOR: (Name of Individual)

SUBJECT: Notification of (Conflict) or (Appearance of a Conflict) of Interest

1. This is to notify you that following our discussion pursuant to paragraph 2-11 of AR 600-50, I have determined that the (conflict) or (appearance of a conflict) of interest has not been resolved.

2. (Describe the actions, conduct, or situation creating the conflict or appearance of a conflict of interest to include applicable citations to AR 600-50 or federal statutory law.)

3. Pursuant to paragraph 2-11, AR 600-50, you are required to endorse this notice and explain in writing why this is not a (conflict) or (appearance of a conflict) of interest or how you plan to resolve the matter in accordance with AR 600-50.

4. After receiving and reviewing your endorsement, I will again review the matter. If I determine that the (conflict) or (appearance of a conflict) of interest is resolved, I will close the file by forwarding the file to the Ethics Counselor for review and filing upon concurrence. If I determine that the (conflict) or (appearance of a conflict) of interest is not resolved, I will forward the file to (next higher superior) for resolution.

(Signature Block of Superior)

Figure 2-2. Format for memorandum of notification of a conflict or appearance of a conflict

## Glossary

### Section I Abbreviations

#### AFARS

Army Federal Acquisition Regulation Supplement

#### ARNG

Army National Guard

#### ARNGUS

Army National Guard of the United States

#### ARSTAF

Army Staff

#### CFR

Code of Federal Regulations

#### CPO

civilian personnel office

#### CPR

civilian personnel regulation

#### DA

Department of the Army

#### DAEO

designated agency ethics official

#### DCA

Defense Communications Agency

#### DIA

Defense Intelligence Agency

#### dir

directive

#### DNA

Defense Nuclear Agency

#### DOD

Department of Defense

#### DOJ

Department of Justice

#### FAR

Federal Acquisition Regulations

#### FOIA

Freedom of Information Act

#### FPM

Federal Personnel Manual

#### GS

general schedule

#### HHS

Health and Human Services

#### HQDA

Headquarters, Department of the Army

#### IG

inspector general

#### JTR

Joint Travel Regulation

#### MACOM

Major Army Command

#### NAFI

nonappropriated fund instrumentality

#### OGE

Office of Government Ethics

#### OJCS

Organization of The Joint Chiefs of Staff

#### OPM

Office of Personnel Management

#### OSD

Office of the Secretary of Defense

#### PL

public law

#### RA

Regular Army

#### SA

Secretary of the Army

#### SES

Senior Executive Service

#### SGLI

Servicemen's Group Life Insurance

#### SJA

staff judge advocate

#### TIG

The Inspector General

#### TJAG

The Judge Advocate General

#### TRADOC

Training and Doctrine Command

#### UCMJ

Uniform Code of Military Justice

#### USAFAC

US Army Finance and Accounting Center

#### USAISC

US Army Information Systems Command

#### USAR

United States Army Reserve

#### USC

United States Code

## Section II Terms

### Affiliation

A relationship as an employee, officer, owner, director, member, trustee, partner, adviser, agent, representative, or consultant, or as a person on leave from or having any understanding, plans, or pending contacts regarding such a relationship in the future.

### Compensation

Includes any payment, gift, benefit, reward, favor, or gratuity which is provided directly or indirectly for services rendered by the person accepting such payment and which has a fair market value in excess of \$250. Compensation will be deemed indirectly received if it is paid to an entity other than the individual, in exchange for services performed by the individual.

### Contractor operated facility

Includes any facility leased or loaned by written agreement. It does not include facilities located on a military installation where contractor personnel may work, but which is not either leased or loaned by the United States to the contractor by written agreement.

### DA personnel

All civilian officials and employees of DA, including special Government employees and employees of NAFIs; all active duty officers (commissioned and warrant); professors and cadets at the US Military Academy; and enlisted members of the Army. The term also includes all officers and enlisted personnel of the Army Reserve and Army National Guard of the United States on inactive duty for training or when they are otherwise performing Federal duties or engaging in any activity directly related to the performance of a Federal duty or function.

### Defense contractor

A person, corporation, or other entity that—

a. Contracts directly with the Department of Defense to supply DOD with goods or services (e.g., NAFI contractors); or

b. Controls or is controlled by such an entity described in a. above. The term does not include an affiliate or subsidiary of an entity described in a. if clearly not engaged in the performance of a defense contract, nor does it include a State or local government.

### Designated agency ethics official

The official (i.e., Army General Counsel) designated by the Secretary of the Army to administer the Standards of Conduct or the delegate (i.e., The Judge Advocate General) of such an official.

### DOD personnel

All civilian officials and employees, including special Government employees, of all

the offices, agencies, and departments in DOD (including NAFIs), all active duty officers (commissioned and warrant), and enlisted members of the Army, Navy, Air Force, and Marine Corps.

#### Employment

A relationship under which an individual furnishes services in return for any payment or other compensation paid directly or indirectly to the individual for the services.

#### Former officers or employees

This term includes full-time civilian officers or employees who have left Government service, special Government employees who have left Government service, retired officers released from active duty, and Reserve officers released from active duty. The term does not include enlisted personnel.

#### Frocked

This term is generally limited to officers in the grades of O-6 and higher and refers to the act of officially wearing the rank insignia of a higher grade for prestige or other necessary purposes but without receiving the pay and allowances of the higher grade nor possessing the authority to perform functions of the higher grade that are required by law or regulation. (See AR 624-100, para 2-12.)

#### Gratuity

Any gift, favor, entertainment, hospitality, meal, transportation, loan, or other tangible item, and any intangible benefits (for example discounts, passes, and promotional vendor training), given or extended to or on behalf of DOD personnel, their immediate families, or households for which fair market value is not paid by the recipient or the US Government.

#### Honorarium

A payment of money or anything of value to DA personnel as consideration for an appearance, speech, or article.

#### Inside information

##### Information—

a. That is gained by DA personnel and former officers and employees while they are or were employed by their agency;

b. That is of a privileged nature (i.e., any information that is received by the individual which they know or reasonably should know is not intended for public dissemination); and

c. The use of which would give the individual or third party an unfair advantage in a commercial or some other activity.

#### MACOM commanders and major commanders

Those commanders listed in AR 10-5; the Superintendent, U.S. Military Academy; and the Commanding General, US Army Recruiting Command.

#### Major defense contractor

Any business entity which, during the fiscal year preceding the fiscal year in which compensation was received, was a defense contractor that received defense contracts in a total amount equal to or greater than \$10 million.

#### Major defense system

A combination of elements that will function together to produce the capability required to fulfill a mission need. Elements may include hardware, equipment, software, or any combination thereof, but exclude construction or other improvements to real property. A system will be considered a major defense system if—

a. The Department of Defense is responsible for the system, and the total expenditures, for research, development, test, and evaluation for the system are estimated to exceed \$75 million (based on fiscal year 1980 constant dollars), or the eventual total expenditure for procurement exceeds \$300 million (based on fiscal year 1980 constant dollars);

b. A civilian agency is responsible for the system and total expenditures for the system are estimated to exceed \$750,000 (based on fiscal year 1980 constant dollars) or the dollar threshold for a "major system" established by the agency pursuant to OMB Circular A-109, entitled "Major Systems Acquisitions," whichever is greater; or,

c. The system is designated a "major system" by the head of the agency responsible for the system.

#### Majority of working days

The majority of days actually worked during the period, excluding weekends, holidays, days of leave and sick days when the employee did not actually work. A workday on which an individual performed a procurement function includes any day on which the individual worked on that procurement function for any amount of time during that day.

#### Military personnel

All officers (commissioned and warrant), professors, and cadets at the US Military Academy, and enlisted personnel of the Army on active duty. The term also includes all officers and enlisted personnel of the Army Reserve and Army National Guard of the United States on inactive duty for training or when they are otherwise performing Federal duties or engaging in any activity directly related to the performance of a Federal duty or function.

#### Negotiation and settlement

Exchange of views between representatives of the Government and a contractor regarding respective liabilities and responsibilities of the parties on a particular contract or claim. It includes deliberations regarding contract specifications, terms of delivery, allowability of costs, pricing of change orders, etc.

#### Nominal value

An item that is of a sentimental nature and that has little or no intrinsic value to one other than the recipient.

#### Primary Government representative

If more than one Government representative is involved in any particular transaction, it is the officer supervising the Government's effort in that matter. To act as a "representative" requires personal and substantial participation in the transaction, by personal presence, telephone conversation, or similar involvement with representatives of a contractor.

#### Procurement function

Any function relating to—

a. The negotiation, award, administration, or approval of a contract;

b. The selection of a contractor;

c. The negotiation or approval of changes in a contract;

d. Quality assurance, operation and developmental testing, the approval of payment or auditing of a procurement program.

e. The management of a procurement program.

#### Reserve officer

Includes both officers of the ARNGUS and the USAR.

#### Senior employees and designated positions

A civilian employee at the executive level, or a three- or four-star general. It also means other persons holding positions that have been designated as senior employee positions by the Director, Office of Government Ethics.

#### Senior Ethics Counselor or Ethics Counselor

Those personnel designated to serve in the capacities described in paragraph 2-9. This term includes those persons performing similar duties in agencies outside DOD.

#### Separation of a member of the Armed Forces

A person who is a retired or former member of the Armed Forces will be considered to have been separated from service in the Department of Defense on the date of the person's discharge or release from active duty.

#### Special Government employee

A person who is retained, designated, appointed, or employed to perform, with or without compensation, not to exceed 130 days during any period of 365 consecutive days, temporary duties either on a full-time or intermittent basis. The term also includes a Reserve officer while on active duty solely for training for any length of time, or who is serving voluntarily on extended active duty for 130 days or less. It does not include enlisted personnel.

**CERTIFICATE OF PRELIMINARY REVIEW OF SF 278**

For use of this form, see AR 600-50; the proponent agency is TJAG

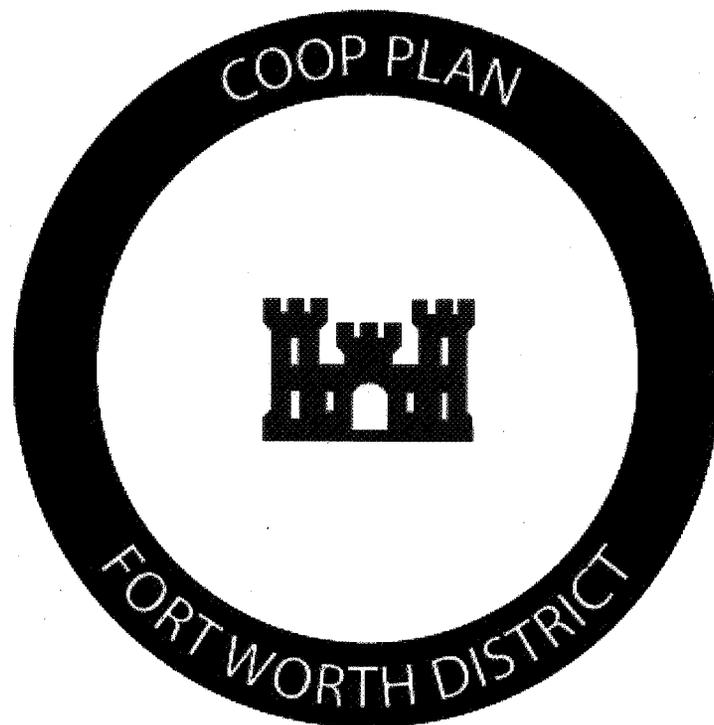
EACH REVIEWER CHECK APPROPRIATE BLOCKS	REPORTING INDIVIDUAL'S DSCC	REPORTING INDIVIDUAL'S SUPERVISOR	SUPERVISOR'S DSCC
<p>1. I have thoroughly reviewed the attached Financial Disclosure Report (SF 278), dated _____, with any attachments, submitted by: _____</p> <p>the reporting individual. My review considered the reported financial interests/affiliations in light of the reporting individual's duties (<i>past, present, or prospective, as applicable</i>) to determine the presence of both actual and apparent conflicts of interests.</p>	1)		
<p>2. On the basis of my review, I have determined that:</p> <p>a. The form is administratively correct.</p>	2a)		
<p>(1) All information related to official matters (<i>e.g., title of position, date of appointment or termination, etc.</i>) is correct;</p>	(1)		
<p>(2) All items appear complete (<i>i.e., there is an entry or the word "None" in every section</i>);</p>	(2)		
<p>(3) All required schedules are completed (<i>i.e., schedules A, B, C, and D are completed for annual and termination Reports, schedules A and D are completed for nomination and assumption Reports</i>); and</p>	(3)		
<p>(4) The reported information is consistent (<i>e.g., an investment asset reported in schedule B as having been purchased or sold during the reporting period normally should be listed in schedule A as well</i>).</p>	(4)		
<p>b. A position description, in sufficient detail to accomplish a meaningful review, and other pertinent documents are attached to the Financial Disclosure Report.</p>	2b)		
<p>c. No conflict or appearance of conflict exists. This determination is based on the fact that: (<i>NOTE: Items (1), (2) and (3) are mutually exclusive, therefore check only one.</i>)</p>	2c)		
<p>(1) No financial interests/affiliations have been reported;</p>	(1)		
<p>(2) No entities in which a financial interest/affiliation has been reported do or attempt to do business, in their own name or through wholly owned or controlled subsidiaries, with any organization/activity within which the reporting individual performs duties or exercises official influence; or</p>	(2)		
<p>(3) Although the following entities in which a financial interest/affiliation has been reported do or attempt to do business with an organization/activity within which the reporting individual performs duties or exercises official influence, the duties of the reporting individual are completely unrelated to matters involving these entities (<i>list these entities here</i>):</p>	(3)		
<p>*The reporting individual's DSCC will determine which, if any, of the entities are doing business with the reporting individual's organization/activity and list those entities here and/or in para 2d in the space provided. If the reporting individual's supervisor or the supervisor's DSCC is aware of the additional entities, he or she should also list them.</p>			

(EACH REVIEWER CHECK APPROPRIATE BLOCKS)	REPORTING INDIVIDUAL'S DSCC	REPORTING INDIVIDUAL'S SUPERVISOR	SUPERVISOR'S DSCC
<p>d. A conflict or appearance of conflict exists because duties require the reporting individual's participation in matters involving, or which reasonably appear to involve, the following reported financial interests/affiliations (<i>list these entities here</i>):</p>	2d)		
<p>This conflict or appearance of conflict (<i>has been</i>) (<i>will be</i>) resolved by:</p> <p>(1) Formal disqualification (<i>copy attached</i>).</p>	(1)		
<p>(2) Change or limitation of duties without reassignment.</p>	(2)		
<p>(3) Divestiture of the interest (<i>or termination of the affiliation</i>) and disqualification, if necessary, pending such divestiture (<i>or termination of the affiliation</i>).</p>	(3)		
<p>(4) Transfer, reassignment, or resignation.</p>	(4)		
<p>(5) Exemption under 18 U.S.C. 208(b). Reported interests have properly been determined by the reporting individual's immediate supervisor (<i>paragraph 2-11g, AR 600-50</i>) not to be so substantial as to affect the integrity of the individual's service. A comprehensive determination and finding is attached.</p>	(5)		
<p>(6) Establishment of a qualified blind trust IAW the Ethics in Government Act. (<i>Because this does not resolve the conflict or appearance of conflict for some time. One or more of the alternatives above must be used in the interim.</i>)</p>	(6)		
<p>3. Additional comments to expedite final review at Headquarters, Department of the Army, are attached. (<i>If none, do not check this block.</i>)</p>	3)		

4. Based on the results of my review (*and corrective action taken, if necessary*), I have determined that: except as noted above, the information contained in this Financial Disclosure Report discloses no conflict of interest under applicable laws and regulations.

<p>a.</p> <p><i>Deputy Standards of Conduct Counselor of Reporting Individual</i></p>	NAME	RANK	TELEPHONE NUMBER
	TITLE	ORGANIZATION	
	SIGNATURE	DATE	
<p>b.</p> <p><i>Supervisor of Reporting Individual</i></p>	NAME	RANK	TELEPHONE NUMBER
	TITLE	ORGANIZATION	
	SIGNATURE	DATE	
<p>c.</p> <p><i>Deputy Standards of Conduct Counselor of Immediate Supervisor</i></p>	NAME	RANK	TELEPHONE NUMBER
	TITLE	ORGANIZATION	
	SIGNATURE	DATE	

**Department of the Army  
Fort Worth District, Corps of Engineers  
P.O. Box 17300  
Fort Worth, Texas 76102-0300**



# **CONTINUITY OF OPERATIONS PLAN**

**JANUARY 2007**



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Fort Worth District

**BASIC PLAN**

**References:**

1. Presidential Decision Directive (PDD) 67 Enduring Constitutional Government and Continuity of Government Operations, 21 OCT 98.
2. Federal Preparedness Circular 65 Continuity of Operations (COOP) Planning, Federal Emergency Management Agency (FEMA), 26 JUL 99
3. DoDD 3020.26 Continuity of Operations
4. DoDD 3020.26P COOP Policy and Planning
5. AR 500-3 Army Continuity of Operations (COOP) Program, 28 June 2001
6. ER 500-1-31 U.S. Army Corps of Engineers Continuity of Operations (COOP) Program (DRAFT, 28 Feb 2001)
7. Fort Worth District All Hazards Plan, current edition

**1. SITUATION.**

**a. General.**

(1) Purpose. The purpose of this plan is:

(a) To develop, exercise and enhance the District capability to reconstitute and perform essential missions where the District Headquarters facility located at 819 Taylor Street, Fort Worth, Texas becomes inoperable.

(b) To prescribe actions required before and following the districts headquarters becoming inoperable to re-orient the Fort Worth District (SWF) to a posture from which it can initiate and execute essential missions.

(c) To identify essential functions and missions that must be executed following the District HQ becoming inoperable.

(d) To provide SWF staff with guidance, instruction, and procedures necessary to re-constitute the District HQ to accomplish essential missions.

**b. Enemy Forces.** Examples of threats capable of incapacitating SWF are:

(1) Nuclear attack (massive or limited). Several potentially hostile nations and terrorist groups may possess the capability to produce and deliver nuclear weapons or may develop such within the next few years.

(2) Terrorist activities involving chemical, biological, radiological, nuclear, or conventional weapons and materials.

(3) Natural disaster events such as tornadoes, hurricanes, floods, earthquakes, etc., could devastate SWF facilities and command and control infrastructures.

(4) Technical or man-made disasters or accidents, such as fires, nuclear power plant accidents, collapse of large structures, and aircraft crashes could cause SWF facilities to become unusable.

**c. Friendly Forces.** SWF Headquarters staff personnel, assigned Districts and Functional Offices, The Department of Homeland Security and other Federal agencies.

**d. Assumptions.**

(1) Disruptions will be localized.

(2) This plan will be executed under any threat condition. Establishment of a relocated SWF Command and Control (C2) capability will occur within 12 hours of an event or threat of an event.

(3) For any disruption or series of disruptions that are predicted to last beyond 30 days, replacement office space should be provided. This will require close coordination with GSA.

(4) The SWF office automation and communications systems will be disrupted.

## **2. MISSION.**

Ensure mission continuity for SWF is retained during all contingencies, catastrophes and accidents. SWF executes the construction mission of the Chief of Engineers involving military facilities, civil works, and other activities, as assigned, within designated geographical boundaries. The Commander, SWF commands, coordinates, and controls SWF, headquartered in Fort Worth, Texas, including review and approval of major plans and programs, interpretation of policies and plans of the Chief of Engineers, and review and control of district operations. Military activities cover or occur in the five States of Arkansas, Oklahoma, Louisiana, Texas, and New Mexico. Civil activities cover the States of Texas, Oklahoma, and portions of Colorado, Missouri, Kansas, Arkansas and Louisiana. SWF provides Field Force Engineering (FFE) support to Central Command (CENTCOM) in Central Asia.

## **3. EXECUTION.**

**a. Scope.** This plan considers situations when the SWF facility, at 819 Taylor Street, Fort Worth, Texas, is inoperable. This plan may be implemented on order or after the SWF office facility becomes inoperable. The Emergency Relocation Group (ERG), primary and alternate members, will

relocate from the SWF office to a designated Emergency Relocation Facility (ERF) and assume command when the SWF office facility becomes inoperable. As required, a supplementary ERG may also relocate to the same or different site. A designated District Headquarters will assume command when SWF becomes inoperable, (see paragraph 5. Command and Control). There are four COOP phases: pre-deployment, survival/transition, recovery and reconstitution. During survival/transition, the SWF Headquarters is considered a victim and temporarily unable to function, the designated District Headquarters establishes communications with USACE and subordinate District Commands. During recovery, the ERG re-establishes command and control of SWF activities, assesses damage, and places a priority on resuming support to personnel in the field. During reconstitution, the ERG expands, and as capability increases, it resumes performance of all SWF missions.

**b. Intent.** Quickly and smoothly transition from routine operations to emergency condition operations at an Emergency Relocation Facility(s) and quickly, efficiently and effectively resume normal operations after the emergency is declared over by command authorities. Relocate essential staff to ensure mission continuity throughout the SWF region and subordinate District Commands. Minimize disruption to the host site and to permit the majority of the SWF workforce to take care of business as well as family obligations during disruption of vital services. This plan:

- (1) Designates the ERG. (Annex A)
- (2) Designates facilities for the SWF command group and staff to continue operations.
- (3) Ensures facilities have adequate space and support equipment.
- (4) Identifies an interim SWF C2 operating capability.
- (5) Allows remaining SWF Headquarters staff connectivity by telework methods.

**c. Concept of Operations.** To ensure continuity of operations, the ERG and alternates deploy to the designated ERF(s) in an emergency.

- (1) SWF Emergency Relocation Facility (ERF):

(a) **Site # 1. Lewisville Lake Project Office.** The ERG will be directed to assemble at the Lewisville Lake Project Office, Lewisville, Texas. The Lake Lewisville Project Office will provide the use of the project conference room facilities as the alternate SWF Headquarters. If required, the SWF Commander will request through the USACE Operations Center (USACEUOC) the use of one or more of the USACE Deployable Tactical Operation Center (DTC) vehicles to relocate to the Lake Lewisville Project Office area to provide additional office space and communications support for the SWF staff. The facilities could be used for a period up to or exceeding thirty days while more permanent facilities are being located and established for the SWF Headquarters operations. The balance of the SWF staff may be directed to work through telework until new office space is made available.

(b) **Site # 2. Other Permanent Location.** Immediately upon deployment of the SWF ERG to an alternate headquarters site the SWF Real Estate Office will establish contact with the GSA Southwestern Regional Office, Fort Worth, Texas, to locate and acquire a permanent office for the reconstituted SWF Headquarters as required.

(2) Execution of this plan will be in four phases:

a. **Pre-Deployment Phase.** This phase will consist of the normal peacetime planning functions necessary to ensure this plan is functional upon implementation.

b. **Survival/Transition Phase.** This is the initial phase during which the designated SWF ERG moves to the ERF(s). The ERG will deploy with laptop computers and key documents. As soon as possible after set-up, the relocated staff will establish communications with their counterparts at the Southwestern Division (SWD) HQUACE and subordinate District Commands. The phase ends when the SWF team has re-established command and control. The expected duration of this phase should not exceed three days. There are three items required during this phase:

(1) The Commander, with advice from the SWF staff, directs a relocation of the SWF office to an ERF(s). The SWF Logistics Division (LO) will make contact with the alternate site to verify that the site is operational (i.e., not affected by the same or related problems that made the SWF headquarters inoperable).

(2) The Commander, with advice from the SWF staff, will assess the status of assigned personnel.

(3) The Commander, with advice from the SWF staff, directs the ERG and alternates to deploy to the alternate SWF Headquarters site(s). During this phase, there could be a lack of definitive information, specifically the duration of the emergency will be uncertain. Additional personnel and other sites, as required may be activated in the next phase.

c. **Recovery Phase.** The relocated SWF ERG exercises command and control from the SWF ERF(s). The recovery phase could be expected to last up to or exceed 30 days. The recovery phase concludes when the original SWF headquarters office facilities is again ready for occupancy and is operational or replacement facilities are operational. Several important decisions are required during this phase:

(1) The first decision is to determine the status of the non-deployed SWF staff personnel. A liberal leave policy or placement of personnel on administrative leave may be implemented by command decision in accordance with existing personnel policy and regulations. The SWF chain of command beginning with the relocated SWF ERG informs the workforce, by telephone or email while the Public Affairs Office (PAO) makes public announcements (e.g., local media) as to the status of the operational condition of the alternate SWF headquarters. The broadcast message will be posted on the District phone system to provide current information to the workforce. If required, the Information Management Office (IM) will establish a 1-800 call in phone number and the PAO will publish this number through the local media.

(2) The size and composition of the relocated SWF ERG can be adjusted as the situation dictates. The Commander and relocated staff may call-in personnel, teams, or offices as required to complete critical tasks. As required, other relocation sites may be activated for a larger staff. Alternatively, the relocated command group may task personnel to work at home, using the telephone, Internet and email to complete tasks.

**d. Reconstitution Phase.** This phase begins when the Commander directs the staff to resume normal operations in the SWF headquarters building (original or temporary new facility). The SWF Directors and Functional Office Chiefs notify the workforce to return to work using telephone, email and public announcement. The phase ends when normal operations are restored.

**d. Tasks.**

(1) Pre-Deployment Planning. The following are common task for all Division and functional Office Chiefs:

(a) Develop and maintain personnel. Personnel rosters should be stored on the F drive in a directory established by IM.

(b) Develop and maintain ERG roster.

(c) Assess accountability of assigned personnel.

(d) Designate staffing to the ERG.

(e) Determine staffing levels for each operational phase.

(f) Identify and direct employees to backup critical files and provide for storage off site.

(g) Identify and notify the IM of equipment requirements for ERG staff (Fly Away Kits).

(h) Identify and notify LO of equipment and furniture requirements for the ERG.

(i) Identify employees who could telework in lieu of reporting to the SWF alternate headquarters.

(j) Be prepared to brief the command group on the operational situation of the Divisions and Functional Offices.

(k) Direct employees to identify individual transportation needs for deployment to the SWF alternate headquarters site(s).

(l) Identify employees who require cell phones and provide this information to the IM.

(2) IM will establish directory/file for storage of personnel roster. Access to be restricted to Divisions Chiefs, EM, and Executive Office.

(3) Specific tasks for the survival / transition, recovery, and reconstitution phases for each Division and Functional Office will be identified in their separate annex to this plan.

**e. Coordinating Instructions.**

(1) Operations. The Emergency Management Team (CESWF-EM) will establish and maintain this plan.

(2) Personnel. The Directorate for Human Resources will advise the command group regarding personnel accountability, leave and administrative leave policy.

(3) Information Management. The Information Management office will establish continuity of operations plans for information management systems and establish a 1-800 call in telephone number.

(4) Public Affairs. The Public Affairs office will notify for the purpose of making public announcements with newspapers, radio and television stations to help in notifying personnel of the status of the SWF office building facilities and the 1-800 call in phone number.

(5) IM will establish and maintain a directory on the district server with the personnel roster.

(6) Real Estate. The Real Estate Office will coordinate with GSA and review and approve all transactions involving the acquisition of office space for the SWF staff under this plan.

(7) Logistics. The Logistics Office will coordinate the purchase of supplies, services and equipment necessary to make the alternate SWF Headquarters site(s) operational.

(8) Security and Law Enforcement. The Emergency Management Office will coordinate the various security programs required for the operational security of the alternate SWF Headquarters.

**4. SERVICE SUPPORT.**

**a. Facility Support.** The Commander Fort Worth District will provide facilities, office furniture, office equipment (including fax, telephones, copier and printers), administrative assistance and computer help desk assistance.

**b. Transportation.** All personnel are responsible for their own transportation to and from the alternate SWF headquarters site(s).

**c. Travel.** Personnel who are on CONUS temporary duty when an emergency relocation of the SWF headquarters occurs will call their home office supervisor for instructions on the completion of their TDY assignment. Those individuals on OCONUS temporary duty assignments will continue their assignments.

## **5. COMMAND AND CONTROL.**

a. Alternate SWF Headquarters Teams. The SWF Commander has designated the ERG. (Annex A) The ERG will relocate when directed by the Commander to the alternate SWF Headquarters site(s).

b. Delegation of District Assumption of Command.

(1) The ranking SWD military officer or civilian employee in the SWF area of responsibility will assume Command and control of the District in the absence of the Commander or Deputy Commander with concurrence from the Commander SWD.

**CHRISTOPHER W. MARTIN**  
Colonel, EN  
Commanding

### **Annexes:**

- A** Emergency Relocation Group
- B** Programs and Project Management Division
- C** Equal Employment Office
- D** Logistics Management Office
- E** Office of Counsel
- F** Public Affairs Office
- G** Safety and Occupational Health Office
- H** Internal Review Office
- I** Contracting Division
- J** Resource Management
- K** Information Management Office
- L** Engineering and Construction Division
- M** Planning, Environment, and Regulatory Division
- N** Real Estate Division
- O** Operations

ANNEX A

**EMERGENCY RELOCATION GROUP (ERG)**

(Current as of 5 February 2007)

**PRIMARY/ALTERNATE**

<b>Office</b>	<b>Contact</b>	<b>Duty Phone</b>	<b>Non-Duty Phone</b>
Commander	COL Martin	(817) 886-1515	(817) 507-7115
Deputy Commander	LTC Dvoracek	(817) 886-1515	(817) 233-5451
Project and Programs Management Division	Michael Mocek Janice Alexander	(817) 886-1516 (817) 886-1377	(817) 307-1933 (972) 842-2716
Engineering and Construction	Larry Rogers Jimmy Baggett	(817) 886-1947 (817) 886-1653	(817) 312-8653 (817) 249-1225
Planning, Environmental and Regulatory	Bill Fickel Mark Harberg	(817) 886-1854 (817) 886-1687	(817) 307-0777 (817) 358-8978
Equal Employment Opportunity	Ardith Hamilton Audrey Shed	(817) 886-1321 (817) 886-1323	(817) 293-5400 (817) 294-8205
Contracting	Maureen Weller John Rodgers	(817) 886-1043 (817) 886-1048	(817) 750-0747 (817) 673-7097
Logistics	Bob Woodards Herb Williams	(817) 886-1003 (817) 886-1100	(817) 907-5173 (817) 371-7352
Office of Counsel	Rex Crosswhite Jane Holt-Duecaster	(817) 886-1145 (817) 886-1149	(817) 277-0686 (817) 545-1215
Safety	Madeline Morgan Benoit Palmer	(817) 886-1316 (817) 886-1317	(817) 233-2700 (817) 437-0333
Public Affairs	Judy Marsicano Clay Church	(817) 886-1517 (817) 886-1310	(817) 291-2953 (817) 247-9543
Resource Management	Robert Geiger Judy Judd	(817) 886-1426 (817) 886-1404	(817) 732-7048 (817) 292-0388

Information Management	Don Walker Sherrina Smart	(817) 886-1333 (817) 886-1363	(817) 371-4713 (817) 412-1139
Real Estate	Hyla Head Bobby Camp	(817) 886-1096 (187) 886-1095	(817) 307-5813 (817) 371-0710
Operations	Tom Fleeger Charlie Burger	(817) 886-1526 (!&) 886-1567	(817) 307-3986 (817) 201-1242
Internal Review	Charles Robson	(817) 886-1122	(214) 356-5528
Emergency Management	Paul Krebs Larry Mendoza	(817) 886-1445 (817) 886-1443	(817) 919-5406 (817) 845-0663
Security Officer	Dan Matkin	(817) 886-1442	(817) 919-8620

**ANNEX B**

## **PROGRAMS AND PROJECT MANAGEMENT DIVISION**

1. **PURPOSE:** This annex describes the functions and responsibilities of the Programs and Project Management Division (PPMD) during a contingency situation when the SWF headquarters facility becomes inoperable.

2. **SCOPE:** The mission of PPMD is to manage the Civil, Military, Hazardous Toxic and Radiological Waste (HTRW), and Support-For-Others project of the District to ensure compliance with the USACE Life Cycle Project Management System. Plan, establishes, develops, promotes, coordinates, reviews, and evaluates execution and technical supervision of the Fort Worth District Value Engineering Program for civil and military work programs, Emergency Management and Small Business.

### **3. REFERENCE:**

- a. SWFOM 10-1-1
- b. ER 5-1-1 USACE Business Process

### **4. EXECUTION:**

a. **Pre-Deployment Phase.** The Chief, PPMD, will meet with all team members to review this plan and ensure all pre-deployment tasks, have been addressed.

#### **b. Survival/Transition Phase.**

(1) Implement the PPMD alert notification roster. Direct ERG employees to deploy to alternate HQ.

(2) Establish communications with subordinate districts and HQUSACE.

#### **c. Recovery Phase.**

(1) Provide updated information for PPMD employees, and status of on-going activities as necessary.

(2) Deploy PPMD Team to assigned locations to support PPMD.

(3) Coordinate with PM Branches as well as other Corps districts to insure continuity of mission.

#### **d. Reconstitution Phase.**

(1) Notify all PPMD employees to return to work at original or temporary new facility.

(2) Perform all functions as outlined in SWFOM 10-1-1.

**5. PERSONNEL:**

a. **ERG Personnel.** The following individuals are designated as ERG PPMD employees, and will form the contingency PPMD:

Michael J. Mocek, Chief, PPMD

Janice E. Alexander, Administrative Officer

## **B – 1 CIVIL PROGRAMS AND PROJECT MANAGEMENT BRANCH**

1. **PURPOSE:** This annex describes the functions and responsibilities of the Civil Works Programs and Project Management Branch (PMC) during a contingency situation when the SWF headquarters facility becomes inoperable.

2. **SCOPE:** The mission of the PMC is to coordinate and provide Project Management for all Civil works projects, including: GI, CG, CAP, FPMS, PAS, SFO and O&M. The Key roles of PMC during a contingency situation would be to: ensure proper funding Cycle ending for all on-going Civil works activities, coordinate funding needs or excesses with MSC programs staff, coordinate execution or budget development requirements with MSC, HQ or congressional staff, and provide Civil Works program input to Senior Management located at the contingency headquarters.

### **3. REFERENCE:**

- a. EC 11-2-187, Program Development Guidance
- b. SWFOM 10-1-1, 1 Feb 2003
- c. ER 5-1-1 USACE Business Process

### **4. EXECUTION:**

a. **Pre-Deployment Phase.** The Chief, PMC, will meet with all team members to review this plan and ensure all pre-deployment tasks, as listed in Section 3.c.(1), have been addressed.

#### **b. Survival / Transition Phase.**

(1) Implement the PMC alert notification roster. Direct ERG employees to deploy to alternate HQ.

(2) Establish communications with subordinate districts and HQUSACE.

#### **c. Recovery Phase.**

(1) Support the SWF Commander in development, defense, execution, oversight and evaluation of the Civil Works program.

(2) Exercise staff oversight of all Civil Works programs management activities. Manages Civil Works program execution.

(3) Allocate and reprogram funds.

(4) Maintain congressional contacts. Coordinate congressional issues specifically when they cross district boundaries.

(5) Provide policy and guidance to districts concerning congressional liaison.

d. **Reconstitution Phase.** Perform all functions as outlined in Appendix D to SWDR 10-1-1.

**5. PERSONNEL:**

a. The following individuals are designated as ERG PMC employees, and will form the contingency PMC Branch:

Stephen Brooks, Branch Chief  
Terry Alger, Program Analyst

b. The following individuals will deploy to the alternate SWF COOP site as circumstances require. (An option is to link to the contingency PMC virtually with the individuals residence until administration and logistical arrangements permit deployment on site.)

Gene Rice, Account Manager  
Tom Vogt, Account Manager  
Dawn Story, Program Analyst

## **B – 2 MILITARY PROGRAMS AND PROJECT MANAGEMENT BRANCH**

1. **PURPOSE:** This annex describes the functions and responsibilities of the Military Branch, Programs and Project Management Division (PPMD), during a contingency situation when the SWF District Office location in Fort Worth becomes inoperable.
2. **SCOPE:** As military program manager, the mission of Military Branch is managing and forecasting execution of the Military design and construction program including formerly used defense site (FUDS) and medical job order contract (JOC) for MEDCOM.
3. **REFERENCES:**
  - a. ER 5-1-1 USACE Business Process
  - b. AR 415-15 Milcon Progress
  - c. SWFOM 10-1-1, February 2003
4. **EXECUTION:**
  - a. **Pre-Deployment Phase.** The Chief, PM-J, will meet with all team members to review this plan and ensure all pre-deployment tasks have been addressed.
  - b. **Survival/Transition Phase.**
    - (1) Implement the PM-J alert notification roster. Direct ERG employees to deploy to alternate HQ.
    - (2) Establish communications with subordinate districts and HQUSACE.
  - c. **Recovery Phase.**
    - (1) Provide updated information for PM-J employees, and status of on-going activities as necessary.
    - (2) Support the SWF Commander in development, defense, execution, oversight and evaluation of the Military Program
    - (3) Allocate and reprogram funds.
  - d. **Reconstitution Phase.**
    - (1) Notify all PM-J employees to return to work at original or temporary new facility.
    - (2) Perform all functions as outlined in SWFOM 10-1-1.

**5. PERSONNEL:**

a. The following individuals are designated as ERG PM-J employees, and will form the contingency PM-J Branch:

William T. Kidd, Chief, Military Branch,  
Patricia Monschke, Program Analyst  
Rhonda Sanders, Program Analyst  
Karen Felker, Program Analyst, P2 LDM  
Brenda Smith, Administrative Support Assistant

b. Additional Support. PM-J Project Managers, Program Analysts will provide additional support as required.

## **B – 3 EMERGENCY MANAGEMENT BRANCH**

1. **PURPOSE:** This annex describes the functions and responsibilities of the Emergency Management during a contingency situation when the SWF headquarters facility becomes inoperable.

2. **SCOPE:** The mission of the Emergency Management Branch to support the district's transition from routine operations to emergency condition operations, maintain a viable emergency operations center capability to provide for command and control of emergency operations, and upward reporting to HQUSACE.

### **3. REFERENCE:**

- a. SWFOM 10-1-1, 1 February 2003
- b. ER 500-1-1, 30 September 2001
- c. EP 500-1-1, 30 September 2001
- d. ER 11-1-320, 1 October 1998
- e. EP 37-1-6, 31 May 2001

### **4. EXECUTION:**

#### **a. Pre-Deployment Phase.**

(1) Assess and identify personnel, equipment and facilities required to support the district's transition from routine operations to emergency condition operations, maintain a viable emergency operations center capability to provide for command and control of emergency operations, and upward reporting to HQUSACE.

(2) Acquire requisite equipment and facilities at off-site location to support District's emergency management mission.

(3) Identify Local, State and Federal emergency management agencies located in the area and develop an effective communication and coordination network. Maintain a roster of Points of Contacts (POCs) to include emergency phone numbers (voice/fax), e-mail, and addresses.

(4) Maintain on call roster and emergency contact telephone numbers for emergency management office personnel.

(5) Maintain laptop or desk top computers at an off-site location. Maintain duplicate emergency files and other key material at off-site location.

(6) Review the SWF COOP plan and this annex every six months. Brief on call roster personnel on their responsibilities and requirements of this annex.

**b. Survival / Transition Phase.**

(1) Report status to SWD Operations Center.

(2) Initiate emergency notification roster to provide initial reporting information to team members and accountability of team members.

(3) Deploy to the designated alternate SWF headquarters site with laptop computers and cellular telephones. Establish communications with SWD, other SWD districts and HQUSACE.

**c. Recovery Phase.**

(1) Establish contingency Emergency Management Office operations.

(2) Maintain communications with SWD, other SWD districts and HQUSACE.

**d. Reconstitution Phase.** Perform all functions as outlined in Appendix Q to SWFOM 10-1-1.

**5. PERSONNEL:**

a. The following individuals are designated as ERG Emergency Management employees and will form the contingency Emergency Management Branch:

Paul Krebs, Team Leader Emergency Management Branch & Security Office

Larry Mendoza, Natural Emergency Planner

Sherry Christopher, Emergency Management Specialist

**6. EMERGENCY MANAGEMENT OFFICE PHONE NUMBERS:**

a. The Emergency Management Office can be contacted at the SWF Alternate Headquarters site at the following phone numbers:

(1) 469-645-9042 (digital voice line)

(2) 469-645-9044 (digital voice line)

(3) 469-645-9045 (digital voice line)

(4) 469-645-9046 (analog line)

(5) 469-645-9047 (analog line)

## **B-3a SECURITY OFFICE**

1. **PURPOSE:** This annex describes the mission and responsibilities of the Security Office during a major/catastrophic disaster response within the Fort Worth District's area of operations (AO).

2. **SCOPE:** The mission of the Security Office is to provide quality and responsive security, intelligence and law enforcement support for the Fort Worth District. The Security Officer serves as the District Commander's principal advisor and action officer for antiterrorism, intelligence, security, and law enforcement functions

### **3. REFERENCES:**

- a. AR 190-13, Army Physical Security Program.
- b. AR 190-40, Serious Incident Report.
- c. ER 190-1-50, Law Enforcement Policy, U.S. Army-Corps of Engineers.
- d. AR 190-51, Security of Unclassified Army Property.
- e. AR 380-5, Information Security.
- f. AR 380-67, Personnel Security
- g. DA PAM 190-51, Risk Analysis for Army Property.
- h. AR 381-12, Subversion and Espionage Directed Against the U.S. Army
- i. AR 525-13, Antiterrorism.
- j. AR 530-1, Operations Security

### **4. EXECUTION:**

#### **a. Pre-Deployment Phase.**

(1) Assess the threat for each Fort Worth District operating facility to include protection of District and contract personnel, facilities, classified document storage, vehicles, equipment, and supplies. Use risk analysis formulas outlined in DA PAM 190-51.

(2) Identify security control procedures, techniques and methodologies to minimize any perceived threat.

(3) Identify Local, State and Federal law enforcement authorities deployed in the area and develop an effective communication and coordination network. Maintain a roster of Points of Contacts (POCs) to include emergency phone numbers (voice/fax), e-mail, and addresses.

(4) Develop and implement a workable physical security plan of action for each area of Fort Worth District operations. This plan will include, but is not limited, to:

- (a) Law Enforcement POCs.
- (b) Emergency Medical POCs to include facilities and medical evacuation, i.e. CareFlight.
- (c) Identification of local Mission Essential Vulnerable Areas (MEVA) and High risk Targets (HRT).
- (d) 902d MI Group/Military Intelligence POCs.
- (e) US Army CID Command.

(5) Maintain laptop or telework computers at an off-site location. Maintain duplicate emergency files and other key material on the NIPERNET and SIPERNET servers.

**b. Survival / Transition Phase.**

- (1) Report status to SWD Operations Center.
- (2) Initiate log/journal recording all events pertaining to security issues. Establish and ensure communications links are available for TSIs (Threats and Suspicious Incidents), SIRs (Serious Incident Reports), and OIRs (Offense/Incident Reports).
- (3) Establish minimal communications with SWD and other SWD districts. Alternate headquarters office equipment should include a STU-III/STE telephone, fax machine with secure capability and an appropriately accredited computer terminal with a word processor, graphics, e-mail, ENGLINK and database programs. Procure mobile communications such as hand held radios, cellular phones, and/or pagers. SIPR net access may become a critical item.
- (4) Obtain initial roster of deployed SWF personnel authorized to be on the scene from the Emergency Operations Manager. Conduct an assessment of the situation to determine what equipment, personnel, and any other special security needs that may be required.

**c. Recovery Phase.**

- (1) Establish contingency Security Office operations.
- (2) Maintain communications with counterparts. Engineering regulations and guidance will be available at the HQ homepage. DOD and Army regulations will be available through the Army Knowledge Online (AKO) web site. The security office area should be in a secluded area of the Emergency Operations Center. This is to facilitate the transmission of classified and sensitive data.

Seclusion is also required to complete required vulnerability assessments, sensitive investigations, and interview potential victims, informants or other persons.

(3) Perform all antiterrorism, intelligence, security and law enforcement missions. There are no non-essential SL tasks.

d. **Reconstitution Phase.** Perform all functions as outlined in Appendix P to SWDR 10-1-1.

**5. PERSONNEL:**

a. The District security officer will form the contingency SL Office and deploy to the alternate SWF headquarters location as directed by the command group. If additional personnel are needed to augment operations, assistance will be requested from SWD.

b. The following employees for the Fort Worth District Security Office Emergency Contact are:

Dan Matkin, Security Officer

Office (817) 886-1442

Home (972) 298-8497

Cell (817) 919-8620

Lea Reyes, Security Assistant

Office 817-886-1441

## **B-4 DHS ARCHITECT – ENGINEER RESOURCE CENTER (AERC)**

1. **PURPOSE:** This annex describes the functions and responsibilities of the Architect – Engineer Resource Center (AERC) during a major/catastrophic disaster response.
2. **SCOPE:** The mission of the AERC is to provide dedicated program management services for all projects assigned by the Department of Homeland Security (DHS), which are worldwide in scope. These projects cover the entire spectrum of Corps activities including, but not limited to, environmental, master planning, programming, design, construction, warranty, and real estate. Coordination and communication with other Corps Districts, HQUSACE and US Customs and Border Protection (CBP) is essential for the AERC to perform its mission.

### **3. REFERENCE:**

- a. SWFOM 10-1-1, 1 February 2003.
- b. MOA between DHS and DA, 8 January 2004.

### **4. EXECUTION:**

a. **Pre-Deployment Phase.** The Director, AERC will meet with all team members to review this plan and ensure all pre-deployment tasks have been addressed.

b. **Survival/Transition Phase.** Upon notification of implementation of the SWF COOP, the Director or alternate will:

- (1) Determine the status of AERC personnel.
- (2) Insure AERC ERG personnel deploy to SWD or designated alternate AERC site as appropriate.
- (3) Re-establish communication between CBP, SWD, HQUSACE, and other districts for uninterrupted support to assigned DHS projects.

#### **c. Recovery Phase.**

(1) Provide updated information for AERC employees, and status of on-going activities as necessary.

(2) Deploy AERC Team to assigned locations to support DHS.

(3) Coordinate with CBP as well as other Corps districts to insure continuity of mission.

#### **d. Reconstitution Phase.**

(1) Notify all AERC employees to return to work at original or temporary new facility.

(2) Perform all functions as outlined in SWFOM 10-1-1.

**5. PERSONNEL:**

a. **ERG Personnel.** The Director, AERC, will deploy to the alternate AERC site to ensure continuity of AERC activities. The first alternate will be the Assistant Director, AERC.

b. **Additional Support.** AERC Budget Analyst will provide additional support as required and resume normal operations at SWD headquarters or other designated alternate site as directed by Director, AERC.

## **ANNEX C**

### **EQUAL EMPLOYMENT OPPORTUNITY**

1. **PURPOSE:** This annex provides mission and responsibilities of the Equal Employment Opportunity Office (EEO) during a contingency situation when the SWF facility becomes inoperable.
2. **SCOPE:** The mission of SWF EE is to provide consultation and advisory services to the SWF Commander and staff members on EEO/Affirmative employment principles and requirements to ensure human resource management of all employees and bona fide applicants are treated equally and fairly without regard to age, race, color, religion, sex, national origin, or physical or mental disability. The EEO Office with the assistance of the Fort Worth District IM and Civilian Personnel Advisory Center (CPAC) provides system automation to their customers in the form of reports, information, and other connectivity guidance and assistance.
3. **REFERENCE:**
  - a. 29 CFR 1614, - July 1, 2004
  - b. AR 690-600, - Feb. 9, 2004
  - c. AR 690-12, - Mar. 4, 1988
  - d. AR 690-20, - Sep. 3, 1993
  - e. AR 600-7, - Nov. 15, 1983
  - f. EEOC Management Directive (MD 715), - Sep. 1, 2003
4. **EXECUTION:**
  - a. **Pre-Deployment Phase.**
    - (1) Prepare employee alert notification roster for EEO.
    - (2) Develop system to maintain the EEO emergency notification roster. Establish a designated location for list to be maintained that all employees could access if needed.
    - (3) Inform all EEO employees of procedures to be used when the COOP is activated.
    - (4) Identify and backup critical files and store off site.
    - (5) Laptop computers will be used, if computers are unavailable because of damage sustained or access prohibited when SWF facilities becomes inoperable.



Alternate: Audrey Shed, EEO Specialist,

Office (817) 886-1323

Home (817) 294-8205

Cellular (817) 291-9271

b. The EEO Manager will deploy to SWF COOP site to oversee the EE program and advise the ERG on all EE resource matters. The EEO Manager will use a cellular phone and a laptop computer to support mission requirements when existing systems are not operational. The EEO Manager will delegate authority, as necessary, to other EE personnel as needed.

c. The EE Specialist may deploy to SWF COOP site to assist the EEO Manager in all EE matters if the situation requires. The EEO Specialist will use a cellular phone and a laptop computer to support mission requirements when existing systems are not operational.

#### Cost Estimates for COOP Plan – Annex

The following is a list of requirements to support 2 mission essential personnel. The costs are for additional requirements at the COOP located at the SWF alternate site. Total COOP costs for additional equipment needed is estimated at \$3,000 (includes 2 lap top computers, 2 cellular phones, copy & fax machine, LANS usage).

## ANNEX D

### LOGISTICS DIRECTORATE

1. **PURPOSE:** This annex describes the function and responsibilities of the Logistics Directorate (LO) during a contingency situation when the SWF headquarters facility becomes inoperable.

2. **SCOPE:** The mission of the LO is to provide logistics management support to the SWF Commander and all staff elements through the performance of the following: planning, directing, and exercising staff supervision over MILSTRIP/FEDSTRIP/CSC procurement, inspection, warehousing, redistribution, disposal, transportation, and personal property activities of SWF, except any shop inspection, required for materials and equipment procured under supply contracts and /or furnished contractors under construction contracts which are to be incorporated into construction projects.

3. **REFERENCE:**

- a. ER-700-1
- b. SWFOM 10-1-1

4. **EXECUTION:**

LO activities must be completed in concert with overall command and control decisions. The LO will play a major role establishing operating facilities that will accommodate the SWF Commander and all staff elements. LO will provide guidance and assistance in acquiring initial equipment, supplies, and vehicle management functions.

a. **Pre-Deployment Phase.**

- (1) Initiate alert roster to account for all department personnel.
- (2) Submit predetermined list of equipment, furniture and supplies.
- (3) Identify plan for acquiring department requirements.

b. **Survival / Transition Phase.** Upon notification of implementation of the SWF COOP, the LO will:

- (1) Execute the emergency plan to purchase the necessary furniture, equipment and supplies for the Logistics section to operate.
- (2) Deploy as required to the designated alternate SWF headquarters site with the list of required predetermined equipment and furniture.
- (3) Advise and assist the SWF Commander in the purchase and acquisition of office furniture, supplies and equipment as required by each section.

**c. Recovery Phase.**

(1) Support the SWF Commander and staff in acquiring the necessary equipment, furniture and supplies needed to resume operations.

(2) Obtain funding information for the acquisition of the furniture, supplies, and equipment each section needs to operate.

(3) Work closely with Contracting by identifying the requirements of each section.

**d. Reconstitution Phase.** Perform all functions as required by applicable regulations and other authorities.

**5. PERSONNEL:**

a. All SWF Logistic personnel are currently located in the Fort Worth District Logistics Office.

b. The SWD/ SWF Logistics Officer will provide designated personnel to report to the alternate SWF headquarters site upon implementation of the SWF COOP plan.

Primary #1 Robert Woodards, Home 817-561-4853, Cell 817-907-5173, Personal 817-637-6084

Primary #2 Ross Black, Home 817-498-3102, Cell 817-657-6755, Personal 817-988-4646

Alternate #1 Charlie Sumner, Home 817-295-3069, Cell 817-371-7353

Alternate #2 Sheryl White, Home 817-451-3184

## **ANNEX E**

### **OFFICE OF COUNSEL**

1. **PURPOSE:** This annex describes the functions and responsibilities of the Office of Counsel (OC) during a contingency situation when the SWF headquarters facility becomes inoperable.
2. **SCOPE:** The mission of the OC is to provide staff assistance to the SWF Commander and staff members on all legal issues and procedural matters pertaining to interpretations of laws and regulations to quickly and smoothly transition from routine to emergency condition operations.
3. **REFERENCE:**
  - a. ER 500-1-1, 30 Sep 01.
  - b. SWDR 10-1-1, 31 Jan 00.
  - c. ER 27-1-1, 15 Sep 96.
  - d. AR 27-40, 19 Sep 94.
  - e. AR 27-20, 14 Nov 02.
  - f. AR 25-55, 14 Apr 97.
4. **EXECUTION:**
  - a. **Pre-Deployment Phase.**
    - (1) Prepare employee alert notification roster for OC.
    - (2) Designate staffing to the OC ERG.
    - (3) Identify and backup critical files and store off site.
    - (4) Laptop computers would be needed, if laptop computers are unavailable because of damage sustained or access prohibited when SWD Headquarters becomes inoperable.
    - (5) Access to phone or cell phone would be needed.
    - (6) Access to Internet.
    - (7) Access to copier or scanner.

**b. Survival / Transition Phase.**

- (1) Execute the emergency notification roster for OC to account for all employees and advise of initial reporting information.
- (2) Deploy, as required, to the designated alternate SWF headquarters site with laptop computer.
- (3) Establish communications with subordinate elements and SWD on status of contingency operations.

**c. Recovery Phase.**

- (1) Support the SWF Commander in evaluation of legal issues and related requirements in support of operations.
- (2) Determine need for additional OC staffing to meet immediate requirements. If required, request assistance through SWD from districts within the Division first, with a follow-up request through Emergency Management channels.
- (3) Records essential to SWF COOP should be obtained from the alternate file storage area.

**d. Reconstitution Phase.** Perform all functions as outlined in Appendix J to SWDR 10-1-1.

**5. PERSONNEL:**

a. The following individuals are designated as ERG OC employees, and will form the contingency OC Division:

Albert C. Proctor, District Counsel Office 817-886-1140, Home 817-790-3426  
Lloyd R. (Rex) Crosswhite, Deputy District Counsel Office 817-886-1145, Home 817- 277-0686  
Brenda K, Gibson, Paralegal Specialist Office 817-886-1147; Home 817 790-8372

b. If neither Albert C. Proctor nor Lloyd R. (Rex) Crosswhite, is available, then the following attorneys in SWF-OC should be contacted to provide support to the command: Jane Holt-Duecaster; Howard Strackbien; Dava Kaitala; Brian Naquin. If none of these is available proceed under Para 4

c. (2) above.

## ANNEX F

### PUBLIC AFFAIRS

1. **PURPOSE:** This annex describes the functions and responsibilities of the Public Affairs Office (PAO) during a contingency situation when the SWF headquarters facility becomes inoperable.
2. **SCOPE:** The mission of PAO is to provide timely and accurate information to SWF employees, the media and the public regarding actions being taken to quickly and smoothly transition from routine to emergency condition operations.

3. **REFERENCE:**

- a. AR 360-1, 15 Sep 02.
- b. SWDR 10-1-1, 31 Jan 00.

4. **EXECUTION:**

PAO activities must be completed in concert with overall command and control decisions. A policy of maximum release of information, consistent with safety and security considerations, will govern efforts to inform the SWF internal and external audiences.

- a. **Pre-Deployment Phase.** Chief, PAO will develop a PAO COOP and exercise, review and revise the plan as necessary.

- b. **Survival / Transition Phase.** Upon notification of implementation of the SWF COOP, the PAO will:

- (1) Will notify for the purpose of making public announcements with newspapers, radio and television stations to help in notifying personnel of the status of the SWF office building facilities and the 1-800 call in phone number.

- (2) Deploy, as necessary, to the designated alternate SWF Headquarters site with laptop computer, cellular phone, camera and other necessary equipment/supplies (normally stored in the public meetings briefcase). Determine need/notify additional PAO Specialist to deploy to alternate site.

- (3) Advise and coordinate with HQUSACE PAO and SWD PAOs on status of contingency operations.

- (4) Issue a News Release to advise media of contingency operations and continuity of services. Serve as primary spokesperson in response to media queries.

- c. **Recovery Phase.**

(1) Provide updated information for non-deployed employees, the media, HQUSACE PAO and SWD PAOs as outlined in paragraph 4b, (1) through (4), as necessary.

(2) If appropriate, arrange for and prepare the SWF Commander or designated representative for on-camera/telephone interviews.

(3) Determine need for additional PAO staffing to meet immediate/long-term requirements. If required, request assistance from SWD PAOs first, with a follow-up request through HQUSACE PAO and Emergency Management channels.

(4) Coordinate with Local, State and other Federal agency PAOs on the SWF COOP.

d. **Reconstitution Phase.** Continue above actions/updates, as necessary.

## 5. **PERSONNEL:**

The Chief, PAO, is a designated member of the SWF ERG. Other public affairs specialist will deploy to the alternate SWF headquarters site as requested or will be utilized as mission and circumstances permit.

a. The following individuals are designated as ERG PAO employees, and will form the contingency PAO Division:

Primary Judy Marsicano, Chief, Home 817.735.4573, Cell 817.291.2953

Alternate Clay Church, Home 817.498.5220, Cell 817.247.9543.

## ANNEX G

### SAFETY & OCCUPATIONAL HEALTH

1. **PURPOSE:** This annex describes the functions and responsibilities of the Safety & Occupational Health Office (SO) during a contingency situation when the SWF headquarters facility becomes inoperable.
2. **SCOPE:** The mission of SO is to provide timely and accurate safety & health information to SWF employees regarding actions being taken to quickly and smoothly transition from routine to emergency condition operations.
3. **REFERENCE:**
  - a. AR 385-10 Army Safety Program
  - b. AR 40-5 Preventive Medicine
  - c. EM 385-1-1 USACE Safety & Health Requirements Manual
  - d. ER 385-40-1 Occupational Health
  - e. SWDR 10-1-1, 31 Jan 00.
4. **EXECUTION:**
  - a. **Pre-Deployment Phase.** Chief, SO will meet with all team members to review this plan and ensure all pre-deployment tasks, as listed in Section 3.c.(1), have been addressed.
  - b. **Survival / Transition Phase.** Upon notification of implementation of the SWF COOP, the SO will:
    - (1) Deploy as required to the designated alternate SWF headquarters site.
    - (2) Re-establish communication with HQUSACE, subordinate commands and SWFO elements.
    - (3) Ensure that alternate worksite is safe for employees to work
  - c. **Recovery Phase.**
    - (1) Assess status of assigned personnel.
    - (2) Assess safety & health issues for all.
    - (3) Establish contact with HQUSACE, Division, and GSA. Provide updated information for non-deployed employees on safety & health issues and to HQUSACE SO and SWD SO as as necessary.

(4) Support the SWF Commander and staff with safety and health issues.

d. **Reconstitution Phase.** Perform Safety & Health functions as required or requested by SWF Commander.

5. **PERSONNEL:** The Chief, SO, is a designated member of the SWF ERG. SO Specialist will deploy to the alternate SWF headquarters site as requested or as circumstances permit.

Alternate site employees deployed – Madeline Morgan, Chief  
Phone – 817-451-1706  
Cell - 817-233-2700

Benoit Palmer, Safety Specialist  
Phone – 817-232-0428  
Cell – 817-437-0333

Office has 2 laptops available for deployment purposes.

Employees linked from their home computers – Keith Bond and Valerie Little

## ANNEX H

### INTERNAL REVIEW

1. **PURPOSE:** The purpose of this annex is to describe the functions and responsibilities of the Internal Review Office (IR) during a contingency situation when the Fort Worth District becomes inoperable.

2. **SCOPE:** The mission of IR is to assist the Commander and managers in performing their duties. This assistance includes: management control risk assessments; quick reaction reviews of known or potential problem areas; performance of necessary contract audits; monitoring of the FEMA mission area (water, roofing, debris removal, power) contract administration process (contract changes, supplemental agreements, quality control, work safety, etc.); professional consulting advice on all aspects of the emergency operations; and liaison with the FEMA Inspector General (IG) and all other external audit and investigative activities.

3. **REFERENCE:**

- a. AR 11-7
- b. ER 11-7-1

4. **EXECUTION:**

IR activities must be completed in concert with overall command and control decisions. A policy of personnel and assignment execution, consistent with safety and security considerations, will govern efforts to assist the commander and staff with their missions.

**a. Pre-Deployment Phase.**

- (1) Identify COOP location (Elm Fork Project, Lewisville Lake)
- (2) Prepare employee alert notification roster for Emergency Management
- (3) Designate staffing to the ERG
- (4) Identify and backup critical files and store off site.
- (5) If laptop computers are unavailable because of damage sustained or access prohibited when SWF Headquarters becomes inoperable, laptop computers would be needed.
- (6) Access to phone or cell phone would be needed.
- (7) Access to internet.
- (8) Access to copier or scanner.

**b. Survival/Transition Phase.** Upon notification of implementation of the SWF COOP, the Internal Review Chief will:

(1) Execute the emergency notification roster to provide initial reporting information to employees.

(2) Deploy to the designated SWF COOP location with laptop computer and cell phone.

(3) Advise and coordinate SWF staff on contingency operations tasks.

**c. Recovery Phase.**

(1) Deploy Internal Review staff to assigned locations to support SWF staff and districts.

(2) IR staff coordinates with other SWF staff elements as well as other outside Local, State and Federal audit agencies to insure continuity of mission.

**d. Reconstitution Phase.** Continue above actions/updates, as necessary.

**5. PERSONNEL:** The following individual is designated as an ERG employee, and will form the contingency Internal Review Office:

Internal Review Chief	Charles Robson
Home Phone:	(214) 372-3300
Cell Phone:	(214) 356-5528
Office Phone:	(817) 886-1122

## **ANNEX I**

### **CONTRACTING DIVISION**

1. **PURPOSE:** This annex describes the functions and responsibilities of the Contracting Division (CT) during a contingency situation when the CESWF District facility becomes inoperable.

2. **SCOPE:** The mission of the CT Division is to provide staff assistance to the District commander and staff members on all policy and procedural matters pertaining to the acquisition functional area to quickly and smoothly transition from routine to emergency condition operations and provide essential support to HQ USACE and the uninterrupted execution of CESWF critical missions and functions.

#### **3. REFERENCE:**

- a. ER 500-1-1, 30 Sep 01
- b. SWDR 10-1-1. 31 Jan 00 Organization and Functions – SOUTHWESTERN DIVISION OFFICE (SWDO) AND DISTRICTS.
- c. ER 715-1-19, 5 Jul 96
- d. ER 15-1-20, 31 May 00

#### **4. EXECUTION:**

##### **a. Pre-Deployment Phase.**

(1) Identify and backup critical files and store off site. Duplicate Emergency Files (DEF) “Essential directives, instructions, programs, plans, emergency actions procedures, software and other critical records, documents required for the conduct of essential functions in a crises or emergency situation. As a minimum, the DEF must be maintained at alternate headquarters and emergency relocation”

(2) Laptop computers (wireless) would be needed, in the event that desktop computers are damaged or access to CESWF District is prohibited.

(3) Access to the following would be needed:

- (i) phone or cell phone,
- (ii) internet
- (iii) blackberry or equivalent

(4) Alerting and notification and accountability of Emergency Relocation Group (ERG) personnel.

ERG will relocate to alternate location when primary headquarters is threatened or no longer viable. Should be selected to provide best mix of senior leaders and support staff to execute essential functions regardless of the type of emergency or crisis that causes execution of COOP plans.

**b. Survival / Transition Phase.**

(1) Deploy, as required, to the Emergency Relocation Site (ERS): "A facility located, when possible, outside a prime target area to which all or part of a civilian/military headquarters may be moved in specified crises or emergencies. An ERS has the minimum essential communications and information systems to enable the headquarters to continue performing essential missions and functions, and is usually hardened against the effects of weapons of mass destruction."

(2) Establish communications with SWD Headquarters and Districts (laptop, cell phone, Blackberry)

**c. Recovery Phase.** "The process of (1) evaluating the status and capability of organizational resources following an attack or other serious event; and (2) reorganizing so those resources are secure and the organization can continue to function, though probably at a reduced capability level.

(1) Emergency Relocation Site, access to:

- (a) copier and/or scanner
- (b) contracting files (alternate file storage area)
- (c) CEFMS
- (d) SPS
- (e) F.: J.: and S: drives

(2) Support to SWD and SWF Commander in evaluation of procurement needs and requirements in support of operations.

(3) Determine need for additional CT staffing to meet immediate requirements.

- (a) CT staff tele-commuting
- (b) If it becomes necessary, relocate CT staff to various CESWF Area Offices to provide uninterrupted execution of Customer critical missions and functions.
- (c) If required, request assistance from other SWD District CT offices, first, with a follow-up request through Emergency Management channels.

**d. Reconstitution Phase.** "Actions taken to re-establish an organization or capabilities of an organization that have been destroyed or severely damaged. Also refers to the period in the post-attack environment when military activities re-establish Non-critical missions, functions, organizations, resources, and services as they existed prior to the crisis event."

(1) Determine need for additional CT staffing to meet immediate requirements. (Same as in Recovery Phase)

(a) CT staff tele-commuting

(b) If it becomes necessary, relocate CT staff to various CESWF Area Offices to provide uninterrupted execution of Customer critical missions and functions.

(c) If required, request assistance from other SWD District CT offices, first, with a follow-up request through Emergency Management channels.

## **5. PERSONNEL:**

a. Emergency Relocation Group (ERG) members must be capable of:

(1) Surviving or rebuilding a capability to provide essential contracting functions of the District,

(2) Providing uninterrupted execution of customer critical mission and functions,

(3) Alerting, notification and accountability of Contracting Division personnel, and

(4) Must be flexible and able to respond with minimal warning.

b. Contracting Division Senior Leaders:

Chief, Contract Division: Maureen Q. Taylor Cell 817-312-5941 Work: 817-886-1042

Chief, Construction Contracts Branch: John H. Rodgers 817-478-6262 /cell 817-673-7097 Work 817-886-1048

Chief, Service and Supply Contracts Branch: Debra L. Pulling 817-516-0723  
cell 817-881-9706 Work: 817-886-1064

Procurement Analyst: Denver S. Heath 817-447-2878/cell 817-673-7102  
Work: 817-886-1055

c. Emergency Relocation Group -- The following individuals are designated as the Fort Worth District Contracting Division (CESWF-CT) ERG:

A-E and Visa Contracting Officer, Leslie E. Guy 817 626-7967/ no cell Work: 717 886-1080

Alt Contracting Officer, Cheryl Hodge-Snead 817-361-8165/cell 817-905-0780  
Work: 817-886-1069

Contract Specialist, Linda Edie 817 596-8680/cell 817 313-1630 Work: 817-886-1085

Alt Contract Specialist, Sharon Hair 817 246-7511/no cell Work: 817-886-1058

Construction/Simplified Acquisition Process  
Contracting Officer, Valerie J. Sands 817-557-1345/cell 817-688-4048  
Work: 817-886-1050

Alt Contracting Officer, LaVette Buford 817-466-0767/cell 817-692-4465  
Work 817-886-1082

Contract Specialist, Ernie Waugh 817-596-2957/cell 817-480-8371 Work: 817-887-1087

Alt Contract Specialist, Shelley Martinez (817-280-0387/cell 817-896-5766)  
Work 817-886-1090

POC for this document: Barbara J. Zimmer, 817-886-1052

## **ANNEX J**

### **RESOURCE MANAGEMENT OFFICE**

1. **PURPOSE:** This annex describes the mission and responsibilities of the Resource Management Office (RM) during a major/catastrophic disaster response.

2. **SCOPE.:** The mission of the RM is to advise and assist the commander and his staff by exercising responsibilities as the command's Chief Financial Officer (CFO) in matters pertaining to the acquisition, direction, and use of financial, manpower, and other resources of the district. Activities involve financial management, programming and budgeting, finance, accounting and administrative control of funds, manpower and force development and management controls. Responsibilities include:

- a. Obtaining, allocating, administratively controlling, and accounting for funds from which the district's resources are acquired.
- b. Assisting in overall management of personnel, money, and material resources of the district.
- c. Collecting and processing financial and management information for use in the decision-making process within the district.

### **3. REFERENCE:**

SWFOM 10-1-1.

### **4. EXECUTION:**

#### **a. Pre-Deployment Phase.**

(1) The Chief, RM, will meet with all team members to review this plan and ensure all tasks have been addressed.

(2) Develop a plan for continuity of timekeeping operations.

(3) Develop a plan for continuity of Corps of Engineers Financial Management System (CEFMS) access.

(4) Ensure PBAS is accessible to off-site teleworking locations.

#### **b. Survival / Transition Phase.**

(1) Implement the RM alert notification roster.

(2) Assess status of assigned personnel and report status to the SWF Operations Center.

(3) Direct Emergency Relocation Group (ERG) RM employees to deploy to the alternate HQ.

**c. Recovery Phase.**

- (1) Form the contingency RM Office (see staffing requirements, paragraph 5).
- (2) Establish communications with USACE Finance Center (UFC) counterparts. Engineering regulations and guidance will be available at the HQUSACE homepage. DOD and Army regulations will be available through the web.
- (3) Establish communications with Defense Finance and Accounting Service (DFAS).
- (4) Activate new computers with access to CEFMS and the web. All funds control and accounting records will be available in CEFMS.
- (5) Establish communications with Bank of America. Reload Electronic Account Government Ledger System (EAGLS) for charge card control. Charge card status will be available through EAGLS.
- (6) Receive and issue all funding actions.
- (7) Control Funding Authorization Documents (FADs), customer orders, apportionment, and funds revocation.
- (8) Assure compliance with appropriation law including funds control.
- (9) Maintain District Operating Budget and monitor execution.
- (10) Maintain Table of Distribution Allowances (TDA) and associated manpower control and authorization documents.
- (11) Provide accounting guidance.
- (12) Manage the Defense Civilian Pay System. Provide payroll liaison services. Manage the government travel card programs.
- (13) Reissue CEFMS signature cards.

**d. Reconstitution Phase.** Perform all functions as outlined in Appendix T to SWFOM 10-1-1.

**5. PERSONNEL:**

- a. The following individuals are identified as ERG RM employees and will deploy to the alternate SWF site:

Robert Geiger, Chief Resource Management  
HOME 817-732-7048  
CELL 817-247-1461

Judy Judd, Budget Officer  
HOME 817-292-0388  
CELL 817-966-6430

Ramona Collins, Accounting Officer  
HOME 817-478-8961  
CELL 817-584-4065

Tim Tynes  
HOME 817-295-1263  
CELL 817-996-2664

ALTERNATE – Nicholas Bordlemay  
HOME 940-479-2739  
CELL 940-300-4475

Linda Vick  
HOME 817-4960-576  
CELL 817-480-8294

ALTERNATE – Ross Turner  
HOME 817-568-9364  
CELL 817-247-5438

Chris Jernigan  
HOME 817-468-4140

Renee De La Rosa  
HOME 817-596-5751  
CELL 817-925-6481

## **ANNEX K**

### **INFORMATION MANAGEMENT OFFICE**

1. **PURPOSE:** This annex describes the functions and responsibilities of Information Management (IM) during a contingency situation when the SWF headquarters facility becomes inoperable.

2. **SCOPE:** The mission of IM is to provide employees and contractors with the capability to acquire and protect information required to successfully accomplish their mission in an Information Technology (IT) environment that supports business strategies and goals during emergency operations.

#### **3. REFERENCES:**

- a. AR 25-1, 31 May 02.
- b. ER 25-1-17, 20 May 91.
- c. CESWF LAN SSAA, 11 Sept 03.

#### **4. EXECUTION:**

IM activities must be in concert with overall command and control decisions. In the event of a crisis, IM will provide prompt means of communications for decision-making operations.

##### **a. Pre-Deployment Phase.** The IM Chief will:

- (1) Keep alert notification roster of IM personnel current and furnish the IM ERG representative a cell phone for 24/7 contact.
- (2) Staff the Emergency Relocation Group (ERG) with the following IM personnel: Viet Nguyen
- (3) Staff each operational phase as follows:
  - (a) Survival and Transition: Travis Martin, Paula Ea, Becky Hill, Viet Nguyen
  - (b) Recovery: Sherrina Smart, Becky Hill, Larry Carver, Ric Rodriguez
  - (c) Reconstitution: Travis Martin, Sherrina Smart, Becky Hill, Viet Nguyen
- (4) Advise IM Team to backup all critical LAN files, applications, and store media copies in alternate location, off-site. All users are to conduct backups of their own personal working files on a weekly basis and keep copies on CD, stored at home (especially during National Alert Status Orange).
- (5) Advise supervisors to encourage employees to backup important files onto CD.

(6) Advise employees assigned with laptops to store them off-site, especially during National Alert Status Orange, and ready for use as IM Fly Away Kits.

(7) Notify SWF LO and IM of additional IM equipment support and furniture requirements for the SWF COOP site.

(8) Advise the following IM Team employees to telework in lieu of reporting to alternate SWD worksite during the initial stages of the crisis: Jenie Saldivar, Everett Morton, Steve Bartlett, Dorothy Howard, Martin Montes, Rechel Morrison, David Reavis, Diane Babb, Alfonso Garcia, Andy Goss, Marilyn McGriff, Karen Scheffer, Carol Shead, Richard Stone, and RWA Contractors.

(9) Direct employees to identify special transportation needs for deployment to alternate work site(s) during the alert notification process.

(10) Request that every user in SWF become familiar with AKO user account. According to the Department of the Army, every civilian and military user must obtain an AKO user account:

(a) In case of an emergency, personnel can communicate from any computer with Internet access through the AKO portal located at URL: <http://www.us.army.mil/>.

(b) Personnel not registered, register for a login and password on the web page.

(c) Personnel that have lost their password, go to the bottom of the web page at "Lost Password" and the AKO systems administrator will get back to you.

(d) Personnel should login, go to the AKO mail, or chat room (to access others logged onto AKO).

(e) A help feature is provided by AKO for further assistance.

**b. Survival / Transition Phase.** Upon notification of implementation of the SWF COOP, the IM Chief will:

(1) Execute the emergency notification roster to provide information and status of deployment to IM Team.

(2) Deploy to the designated SWF headquarters worksite with laptop computer and cellular phone.

(3) Deploy essential IM ERG personnel to alternate worksite to establish communications in support of operations.

(4) Establish initial communications with subordinate field sites and HQUSACE.

(5) Advise and assist the SWF Commander of IT/IM status and requirements to support operations.

**c. Recovery Phase.**

(1) Activate short-range communications and information systems plan for hardware/software required to meet mission requirements. IM ERG will setup interim hardware/software requirements identified as mission essential by the District Comander. (All information on the SWS LAN is Sensitive but Unclassified (SBU) and has a low critical level. If the SWF LAN were inoperable, impact would be minimal for the first 48 hours).

(2) Identify and recover mission essential data from backup in support of operations, as per DA PAM 25-1-1, as follows:

- (a) Priority 1 - system usage associated with essential command and control operations.
- (b) Priority 2 - system usage associated with essential security and safety operations.
- (c) Priority 3 - essential for national emergency, mobilization, or natural disaster operations.

(3) IM deployment team will collect stored backup tapes and load identified mission essential files onto servers.

(4) Provide updated information on IT services available for non-deployed SWF employees, as necessary.

(5) Determine additional IM staffing support requirements to meet immediate and long-term needs.

(6) Coordinate with IM Team on contingency and continuity of SWF IM operations.

**d. Reconstitution Phase.** Continue above actions and update as necessary.

**5. PERSONNEL:**

a. The following individual(s) is designated as the ERG IM, and will form the contingency IM Team:

IM Chief, Donald Walker  
Viet Nguyen, IM ERG Representative

b. The following individual(s) will deploy to the alternate HQ as circumstances permit. (An option is to link to the contingency IM virtually with the individuals residence until administration and logistical arrangements permit deployment on site.)

Dorothy Howard  
Rachel Morrison  
Ralph Simmons  
Stephen Bartlett  
Tim Grice

## Cost Estimates for COOP Plan & Additional Information

1. The following is a list of requirements to support 60 mission essential personnel. The costs are for additional requirements at the COOP located at the Lewisville Project Office. Currently, the room contains the following: LAN drops and phone connections, and seats approximately 60 personnel.

Phone lines	30 @ \$300.00	= \$ 9000.00
Cisco 24-port switch	3 @ \$1000.00	= \$ 3000.00
100 ft LAN Cable/Lines	60 @ \$24.00	= \$ 1440.00
Desktop Computers Rental	60 @ \$150.00	= \$ 9000.00
SWF IM Support - setting up computers-	60 @ \$200.00	= \$ 12000.00
SWF IM Support - setting up users	60 @ \$200.00	= \$ 12000.00
Printer - HP LaserJet 5000 rental	4 @ \$100.00	= \$ 400.00
Power Strips/Surge Protectors	60 @ \$10.00	= \$ 600.00
Backup Tapes	30 @ \$100.00	= \$ 3000.00

Total COOP costs for additional IT equipment and service needed: \$50,440.00

USACE DTOC System (see Para 5. below)      \$65,000.00/wk = \$260,000.00/mo

Grand Total for COOP operation (including one month of DTOC use):

\$50,440.00 + \$260,000.00 = \$ 310,440.00

2. Standard automated tools and CEFMS are accessible via computers at the Coop site, on laptops, and on the SWF domain:

3. Backup Tapes: Additional tapes must be ordered and maintained in order to have duplicates of the monthly backup.

4. Additional 1-800 line will be established for employees to call for further information and instruction.

5. The cost for the deployment and maintenance of the USACE DTOC System is approximately \$65,000.00/week. This use of the DTOC would allow 32 additional workstations when deployed and operational.

### Emergency Roster

Name	Office	Home	Cell
Donald Walker	817-886-1333	817-534-4772	817-371-4713
Viet Nguyen	817-886-1354	817-281-3873	817-673-9856
Travis Martin	817-886-1359	817-847-4102	817-239-7579

Sherrina Smart	817-886-1363	817-516-0079	
Paula Ea	817-886-1350	817-337-2804	817-412-8624
Becky Hill	817-886-1339	817-313-8345	
Larry Carver	817-886-1336	817-367-0140	
Ric Rodriguez	817-886-1315	817-446-0161	

Stephen Bartlett	817-886-1369	817-599-7164	(817) 800-0924
Rachel Morrison	817-886-1351	817-641-5704	
Ralph Simmons	817-886-1340	817-370-7599	
Dorothy Howard	817-886-1367	817-232-4678	
Tim Grice	817-886-1356	817-563-2489	

## ANNEX L

### ENGINEERING AND CONSTRUCTION - CONTRACT ADMINISTRATION BRANCH

1. **PURPOSE:** This annex describes the functions and responsibilities of the Engineering and Construction Division related to continuing operations during a major catastrophic disaster necessitating relocation of the Division from the normal duty station to an Emergency Relocation Site (ERS). Engineering and Construction Division is made up of HQ Staff and two Branches: the Contract Administration Branch and Design Branch.

2. **SCOPE:** The mission of the Contract Administration Branch (CESWF-EC-A) is to provide services related to Cost Engineering, Technical Support and Contract Administration. This is accomplished through a staff of engineers and technicians providing cost estimates for ongoing and new work, management of design services through contractual agreements with private industry architect-engineer firms and engineers providing technical assistance to remote offices administering construction contracts. Continued coordination and communication with customers, other Districts, field offices and design Architect-Engineers is essential for Contract Administration to perform their assigned mission.

The mission of the Design Branch (CESWF-EC-D) is to provide direction and guidance as the responsible office for all in-house design staff and design operations. The responsibilities of the Branch include Dam Safety, as well as water resources/management, and the provision of technical support in the design disciplines of Civil, Mechanical, Electrical, Architectural, Geotechnical, Structural, and Hydrology & Hydraulics. Anticipated emergency mission operations would include evaluation and analysis of the safety of water retention structures, bridges, and buildings, as well as providing technical guidance for emergency repair operations.

#### 3. REFERENCE:

- a. ER 1110-1-12, Engineering and Construction Quality Management, 1 June 93.

#### 4. EXECUTION:

##### a. Pre-Deployment Phase:

(1) The Division Chief will consult with Branch Chiefs (Chief of EC-A and EC-D) to share his/her assessment of the situation.

(2) The Chief of EC-A and the Chief of EC-D will meet with all team members to review this plan and ensure all pre-deployment tasks have been addressed.

##### b. Survival/Transition Phase:

(1) Implement EC alert notification roster. Initial essential personnel deploy to the ERS.

(2) Establish communications with other District staff elements, field offices and Architect-Engineer contractors.

(3) Establish operating capability of computers, telephones, FAX machines, etc... as necessary to maintain mission execution.

(4) Establish operating capability of computers, telephones, FAX machines, etc...as necessary to maintain mission execution.

**c. Recovery Phase:**

(1) Support SWF Commander in execution of District design and construction mission.

(2) Exercise staff oversight of Architect-Engineer and construction contracts.

(3) Provide regular updated information for non-deployed employees, and deploy team members to assigned location in support of the mission, as needed.

(4) Coordinate with other CESWF staff elements as well as outside Local, State, and Federal agencies to assure continuity of mission

**d. Reconstitution Phase:** Manage resources and personnel whereby all personnel are brought to a fully functional stage, capable of executing the continuing District mission.

**5. COMMUNICATION:**

Initial notification will be made through home phones or Government/personal cell phones based on the EC alert notification roster. Once the ERS essential staff is at the ERS, communication during the first two weeks will be through shared resources of those with assigned Government cell phones and phones available at the ERS.

**6. PERSONNEL:**

a. The following positions/individuals are designated as ERG essential and will form the initial contingency EC Division and EC-A Branch. (A separate Annex addresses Design Branch and compliments this Annex.)

Chief of Engineering & Construction Division – Larry Rogers

Home – 817-613-0170      Government Cell – 817-312-8653

Assistant Chief of Engineering & Construction – Jimmy Baggett

Home – 817-249-1225

Chief of Contract Administration Branch – Thomas Armstrong

Home – 817-578-3411      Personal Cell – 210-834-6226

Chief of Management Section – Joe Milliorn

Home – 817-483-6085      Government Cell – 817-313-1954

Civil Engineer – Tom Bancroft

Home – 817-473-1383

Administrative Officer – Carolyn Brown  
Home – Unlisted

- b. The following positions/individuals will deploy to the ERS as circumstances require/permit. Their deployment will be initiated by action from the Chief of EC.

Chief of Support Section – Mike Zalesak  
Chief of Cost section – Lee Osborne  
Chief of Structural Section – John VanLeeuwen  
Dam Safety Program Manager and evaluation team (Geotechnical and H&H)  
Technical Personnel as required  
Support Personnel as required

Remaining Division/Branch Technical and Support personnel will report for work at locations determined by the ERS personnel, based upon the particular situation dictating the ERS deployment and upon mission needs. Options for work locations of these personnel include Field Offices, Division Office, established interim offices and home.

## **7. RESOURCES:**

- a. Communications. See paragraph 5 relative to telephone communications. CESWF-EC will rely upon CESWF-IM to provide communication connectivity for computers and FAX. FAX machine capability will be obtained through the Field Office located at the ERS.
- b. Computers. A minimum of five (5) computers will be required. These will be from current assets in CESWF-EC. Programs will be pre-loaded. CEFMS accessibility will be required on two (2) of the computers.
- c. Supplies. Supplies will initially be obtained from the Field Office located at the ERS. Additional supplies will be obtained as necessary through credit card purchases.
- d. Local Transportation. If Government vehicles are available they will be utilized. In the event Government vehicles are not available, leased of POV will be used. Individuals will be authorized to use their POV and obtain reimbursement through a Local Voucher in CEFMS.

## ANNEX M

### PLANNING, ENVIRONMENTAL AND REGULATORY DIVISION

1. **PURPOSE:** This annex describes the functions and responsibilities of the Planning, Environmental and Regulatory Division (PER) during a contingency situation when the SWF headquarters facility becomes inoperable necessitating relocation of key emergency personnel from the Emergency Relocation Site (ERS).

2. **SCOPE:** The mission of PER is to support civil and military project execution by providing support services which include planning, environmental design, environmental analyses and regulator permitting.

#### 3. REFERENCES:

ER 1105-2-100	RCLA
AR 200-1	CRCLA
AR 200-2	Section 404 Clean Water Act
AR 210-20	
National Environmental Policy Act	
Archeological Resources Protection Act	
Native American Graves and Repatriation Act	
Section 106 National Historical Preservation Act	

#### 4. EXECUTION:

a. **Pre-Deployment Phase.** The Chief, PER, will meet with all team members to review this plan and ensure all pre-deployment tasks, as listed in Section 4.c. (1), have been addressed.

##### b. Survival/Transition Phase.

- (1) Implement PER alert notification roster.
- (2) Emergency essential personnel deploy to the ERS.
- (3) Communicate with and assess status of assigned PER personnel.
- (4) Establish contact with HQUSACE, districts, and customer and consultants.
- (5) Re-establish operating capability of computers, telephones, FAX machines, etc...as necessary to maintain mission execution.

##### c. Recovery Phase.

(1) Support SWF Commander in execution of District Civil, Military and Support For Others (SFO) planning and programming missions. Execute regulatory functions.

- (2) Identify space requirements and required equipment/services support from all PER offices.

(3) Obtain all needed DOD clearances and approvals, if any.

(4) Ensure sufficient funding is available to execute assigned missions.

d. **Reconstitution Phase.** Perform all functions as required by applicable regulations and other authorities.

## 5. PERSONNEL:

a. The following positions/individuals are designated as ERS essential employees and will form the initial contingency PER Division:

Chief, Planning, Environmental & Regulatory Division, William Fickel, Jr.

Home – 817-860-8907      Cell – 817-307-0777

Asst. Chief, Planning, Environmental & Regulatory Division, Mark Harberg

Home – 817      Cell – 817 455-0689

b. The following individuals will link virtually from their residences to the contingency PER functions until administration and logistical arrangements permit deployment on site:

Chief, Planning Branch, Becky Griffith

Home – 817-598-1460      Cell – 817-996-0709

Chief, Regulatory Branch, Wayne Lea

Home – 817-295-9067      Cell – N/A

Chief, Design Branch, Mark Simmons

Home – 940-433-5033      Cell – N/A

Remaining PER Division personnel will report for work at time and locations determined by ERS personnel during the recovery and reconstitution phase.

## ANNEX N

### REAL ESTATE DIVISION

1. **PURPOSE:** This annex describes the functions and responsibilities of the Real Estate Division (CESWF-RE) during a contingency situation when the CESWF headquarters facility becomes inoperable or unavailable for use.
2. **SCOPE:** The mission of CESWF-RE is to support civil and military projects by providing realty services which include planning, appraisal, acquisition, management, and disposal of Federally-owned properties under the jurisdiction or responsibility of the Corps of Engineers, Fort Worth District, including support of the Southwestern Division COOP.
3. **REFERENCE:** ER 405-1-12.
4. **EXECUTION:**
  - a. **Pre-Deployment Phase.** The Chief, CESWF-RE, will meet with all team members to review this plan and ensure all pre-deployment tasks, as listed in Section 4.c, have been addressed.
  - b. **Survival / Transition Phase.**
    - (1) Assess status of assigned personnel. Branch Chiefs will be responsible for accountability of personnel in their respective Branches and reporting this information to the Chief, RE. In the event the Branch Chief is unavailable, this task will be performed by the Team Leaders of the Branch. Chief, RE will be responsible for accountability of the RE executive staff members. Assistant Chief, RE will provide secondary accountability support for all RE personnel and assure assigned ERG personnel are available or sufficient substitutes are recruited to staff the Emergency Relocation Site (ERS). In the event that Chief, RE is unavailable to staff ERS, Assistant Chief, RE will be delegated this responsibility, followed in order by Chief, Acquisition and Chief, Management and Disposal.
    - (2) Deploy CESWF-RE Emergency Response Group (ERG) employees to the ERS. After assessing the contingency and assessing the availability of personnel, assigned ERG personnel supporting RE will deploy to the designated ERS.
    - (3) Establish contact with SWD and GSA. In the event of a contingency effecting the Fort Worth Federal Building, GSA could be operating at their own contingency site. Coordination will be maintained with GSA to assure each organization is aware of their respective COOP.
    - (4) Assess availability and safeguard essential resources, facilities, files, and records.
  - c. **Recovery Phase.**
    - (1) Ascertain if a special delegation of authority to lease space from GSA is appropriate; if this authority is secured, perform the actions below, including rental appraisals, with CESWF-RE personnel; if not secured, facilitate these actions through GSA.

- (a) Identify space requirements from all SWF offices.
- (b) Provide all necessary information to GSA.
- (c) Obtain all needed DOD clearances and approvals, if any.
- (d) Ensure that funding is available to GSA.
- (e) Review market rent data to determine if proposed lease costs are reasonable.
- (f) Execute appropriate Occupancy Agreements with GSA once space is made available.
- (g) Report progress.

(2) Mission Essential Functions

(a) Maintain administration of leased facilities, including Recruiting stations, Reserves, and Leased Government Housing.

(b) Perform time-sensitive tasks such as budget input for submissions to Congress and critical Civil Works and Military installation tasks effecting construction schedules.

d. **Reconstitution Phase.** Perform all functions as required by applicable regulations and other authorities.

5. PERSONNEL:

a. The following individuals are designated as ERG CESWF-RE employees and will form the contingency Real Estate Office:

	Home	Cell
Hyla Head Chief, CESWF-RE	817-788-2704	817-307-5813
Carol Peterson Chief, CESWF-RE-R	940-648-2167	817-307-7854
Lovetter Oporto Admin Officer, CESWF-RE	817-306-7187	210-254-2403
Mary Beaty Program Analyst, CESWF-RE-S	817-421-5495	817-614-6432

b. The following individuals will link virtually from their residences to the contingency CESWF-RE functions until administration and logistical arrangements permit deployment on site:

	Home	Cell
Bobby Camp Assistant Chief, CESWF-RE	817-478-6432	817-371-0710
Shane Demmer Chief, CESWF-RE-M	254-582-0905	817-247-3952
Rocky Lee Team Leader, CESWF-RE-A	817-297-2872	817-832-8552

Other employees will be mobilized as needed depending upon the scope of the event and the availability of resources.

## ANNEX O

### OPERATIONS DIVISION

1. **PURPOSE:** This annex describes the functions and responsibilities of the Operations Division during a contingency situation when the SWF headquarters facility becomes inoperable.
2. **SCOPE:** The mission of Operations Division is to insure that there is a orderly transition from routine operations to emergency condition operations, projects continue to provide flood damage protection, hydropower and water supply services, and field employees are accounted for.
3. **REFERENCES:**
  - a. EP 1130-2-500, 27 Dec 1996
  - b. SWDR 10-1-1, 31 Jan 00.
  - c. SWD Contiuity of Operations Plan (Draft)
4. **EXECUTION:** Operations activities must be completed in concert with overall command and control decisions. A policy of personnel and project accountability, consistent with safety and security considerations, will govern efforts to insure projects continue to operate as they are intended.
  - a. **Pre-Deployment Phase.**
    - (1) Identify COOP location (Elm Fork Project, Lewisville Lake)
    - (2) Prepare employee alert notification roster for Emergency Management
    - (3) Designate staffing to the ERG
    - (4) Identify and backup critical files and store off site.
    - (5) If laptop computers are unavailable because of damage sustained or access prohibited when SWF Headquarters becomes inoperable, laptop computers would be needed.
    - (6) Access to phone or cell phone would be needed.
    - (7) Access to internet.
    - (8) Access to copier or scanner.
  - b. **Survival / Transition Phase.** Upon notification of implementation of the SWF COOP, the Operations Chief will:

- (1) Execute the emergency notification roster to provide initial reporting information to employees.
- (2) Deploy to the designated SWF COOP location with laptop computer and cell phone.
- (3) Establish contact with district counterparts to assess status of projects.
- (4) Advise and coordinate SWF staff on status of contingency operations.

**c. Recovery Phase.**

- (1) Provide updated information for non-deployed employees, and status of projects as necessary.
- (2) Deploy Operations staff to assigned locations to support SWF staff and districts.
- (3) With available Operations staff, coordinate with other SWF staff elements as well as other outside Local, State and Federal agencies to insure continuity of mission.

**d. Reconstitution Phase.** Continue above actions/updates, as necessary.

**5. PERSONNEL:**

a. The following individuals are designated as ERG employees, and will form the contingency Operations Division:

	<u>Home Phone</u>	<u>Cell Phone</u>	<u>Office Phone</u>
<u>Operations Division</u>			
Tom Fleeger, Chief	(817) 484-2929	(817) 302-3986	(817) 886 1526
Charlie Burger, Asst. Chief	(817) 295-8822	(817) 201-1242	(817) 886-1567
Kelly Beck	(817) 596-8638	(817) 597-0259	(817) 886-1526
 <u>Management Support Branch</u>			
Don Harris	(817) 988-1445	(817) 675-0457	(817) 886-1563
Debbie Barzano	(817) 295-1639	(817) 272-7935	(817) 886-1562
Barbara Bazar	(817) 496-8713	(817) 475-8353	(817) 886-1561
 <u>Maintenance Section</u>			
Terry Bachim	(817) 738-5130	(817) 504-1092	(817) 886-1606
Steve Dempsey	(817) 361-9009	(817) 980-5980	(817) 886-1607
Brian Phelps (Alternate)	(817) 868-9716	(817) 269-2636	(817) 886-1641
 <u>Natural Resources and Recreation Section</u>			
Bill Collins	(817) 237-1913	(817) 797-6715	(817) 886-1565
Don Wiese	(940) 665-7488		(817) 886-1568

	Home Phone	Cell Phone	Office Phone
<u>Technical Support Branch</u>			
Doug Perrin, Chief	817-236-1485	817-308-6291	817-886-1601
<u>Elm Fork Personnel</u>			
Doug Cox, Project Manager	(972) 317-8781	(972) 880-0968	(972) 434-1217
Tim MacAllister	(940) 272-0064	(972) 880-3923	(972) 434-1217
<u>Reservoir Control Personnel</u>			
Paul Rodman	(817) 534-4519	(817)925-2837	(817)886-1551
Tom Johnston	(817) 244-9264		(817) 886-1609
John Rael	(817) 483-7634		(817) 886-1544
Jerry Cotter	(817) 685-6518	(817) 991-4112	(817) 886-1549
Mike Schwind	(817) 447-9945		(817) 886-1540
Jim McClain	(817) 741-0537		(817) 886-1536
Lynn Rednour	(817) 430-1378		(817) 886-1546

## PERMANENT EMPLOYEES (New to Federal Government)

<b>NAME</b>	<b>TYPE OF APPT</b>
<b>LOCATION</b>	<b>EFFECTIVE DATE</b>

**MAIL THE FORMS BELOW TO: SWCPOC; ATTN: B11; 301 Marshall Avenue; Fort Riley, KS 66442-5004.**

<b>SF 61</b>	<b>APPOINTMENT AFFIDAVITS</b> – Must be executed the 1 <sup>st</sup> day the appointee enters on duty.
<b>OF 306</b>	<b>DECLARATION FOR FEDERAL EMPLOYMENT</b> – Must be executed the 1 <sup>st</sup> day the appointee enters on duty.
<b>FORM I-9</b>	<b>EMPLOYMENT ELIGIBILITY VERIFICATION</b> – Must be completed within 3 business days of the effective date.
<b>ABC IVRS*</b> (menu attached)	<b>HEALTH BENEFITS ELECTION</b> – Must be completed within 60 days of the effective date.
<b>ABC IVRS *</b>	<b>LIFE INSURANCE ELECTION</b> – Must be completed within 31 days of the effective date.
<b>ABC IVRS *</b>	<b>THRIFT SAVINGS PLAN ELECTION</b> – Must be completed within 60 days of the effective date.
<b>SF 144</b>	<b>STATEMENT OF PRIOR FEDERAL SERVICE</b>
<b>SF 181</b>	<b>RACE &amp; NATIONAL ORIGIN IDENTIFICATION</b>
<b>SF 256</b>	<b>SELF-IDENTIFICATION OF HANDICAP</b>
<b>SF 813</b>	<b>VERIFICATION OF A MILITARY RETIREE’S SERVICE IN NONWARTIME CAMPAIGNS OR EXPEDITIONS</b> (if applicable)
<b>SWCPOC 007</b>	<b>EDUCATION INFORMATION SHEET</b>
<b>SWCPOC 005</b>	<b>CERTIFICATION OF SELECTIVE SERVICE REGISTRATION</b> (MALES DOB AFTER 12/31/59)
<b>SWCPOC CFD FORM 050</b>	<b>ARMED FORCES RESERVE OR NATIONAL GUARD STATUS</b>

**Send to the District Security Office within 14 days of the effective date.**

<b>OF 306 (copy)</b>	<b>DECLARATION FOR FEDERAL EMPLOYMENT</b>
<b>SF 85</b>	<b>QUESTIONNAIRE FOR NON-SENSITIVE POSITIONS</b>
<b>SF 87</b>	<b>FINGERPRINT CARD</b>

**FORWARD TO DISTRICT/DIVISION CUSTOMER SERVICE REPRESENTATIVE**

<b>SF 1199A</b>	<b>DIRECT DEPOSIT SIGN UP FORM</b> (forward to District’s Resource Management Office (CSR))
<b>ENG 3898</b>	<b>REQUEST FOR MAILING</b> (forward to District’s Resource Management Office (CSR))
<b>FORM W-4</b>	<b>EMPLOYEE’S WITHHOLDING ALLOWANCE CERTIFICATE</b> (forward to District’s Resource Management Office (CSR))
<b>RI 20-97</b>	<b>ESTIMATED EARNINGS DURING MILITARY SERVICE</b> (if applicable) (Note: Forward to applicable military finance office.)

**BENEFITS INFORMATION TO BE RETAINED BY THE EMPLOYEE**

- RI 76-21 FEDERAL EMPLOYEES GROUP LIFE INSURANCE
- ARMY BENEFITS CENTER BROCHURE
- RI 70-1 GUIDE TO FEDERAL EMPLOYEES HEALTH BENEFITS
- RI 90-1 FEDERAL EMPLOYEES RETIREMENT SYSTEM
- TSPBK08 THRIFT SAVINGS PLAN FOR FEDERAL EMPLOYEES

**\* TO MAKE LIFE INSURANCE, HEALTH BENEFITS, AND THRIFT SAVINGS PLAN ELECTIONS CALL ARMY BENEFITS CENTER (ABC) INTERACTIVE VOICE RESPONSE SYSTEM (IVRS) AT (877) 276-9287, OR GO TO THE ABC WEBSITE AT: [HTTPS://WWW.ABC.ARMY.MIL](https://www.abc.army.mil).**

**(NOTE: ALL FORMS LISTED ABOVE HAVE BEEN HYPERLINKED FOR YOUR CONVENIENCE.)**

# IVRS MENU

<b>Call 1-877-276-9287 (Army Center)</b>									
<b>Press</b>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">2</td> <td style="width: 50%; text-align: center;">B&amp;E</td> </tr> <tr> <td style="text-align: center;">1</td> <td style="text-align: center;">Curr Emp</td> </tr> </table>	2	B&E	1	Curr Emp				
2	B&E								
1	Curr Emp								
<b>Enter: SSN &amp; PIN**</b> <b>Enter/Verify</b> <b>Phone #</b>  <b>MAIN MENU</b> <b>Press</b> 1 FEHB 2 Retirement 3 TSP 4 FEGLI 5 Benefit News 6 Request Faxed Documents 9 Exit  <b>**If this is your first time using the system and you have not created PINs via the web, your PIN will be 4-digits (month/year of your date of birth), i.e., Oct 56 will be 1056.</b>			<b>FEHB</b>  1 General FEHB 2 Personal FEHB 3 New Employee Coverage 4 Self & Family to Self Only w/o Changing Health Plans 5 Open Season Election 6 Cancel FEHB 7 Non-Open Season Change 8 Faxed Copy of SF 2809 0 Transfer to a Benefits Counselor 9 Return to the Previous Menu	<b>Retirement</b>  1 General Retirement 2 Personal Retirement Info 3 Retirement Estimate 0 Transfer to a Benefits Counselor 9 Return to the Previous Menu	<b>TSP</b>  1 Personal TSP 2 Enroll/change during TSP Open Season 3 New Employee Election 4 Stop Contributions 0 Transfer to a Benefits Counselor 9 Return to the Previous Menu  <b>FEGLI</b>  1 General FEGLI 2 Personal FEGLI 3 Elect New Employee FEGLI 4 Non-Open Season Election/Change/Term 5 Open Season Election 0 Transfer to a Benefits Counselor 9 Return to the Previous Menu				



**US Army Corps  
of Engineers**  
Fort Worth District

# **U.S. Army Corps of Engineers Regulatory Program Overview**

March 17, 2003



## Abstract

The Regulatory Program of the U.S. Army Corps of Engineers (Corps) plays a critical role in the protection of the aquatic ecosystem and navigation. Important elements of the program implemented by the Corps under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899 include conducting jurisdictional determinations for wetlands and other waters of the United States and navigable waters of the United States; authorizing activities in these jurisdictional areas through individual and general permits; ensuring compliance of issued permits; and enforcing requirements of the law for unpermitted activities. The Corps works closely with other federal and state natural resource agencies and the public in exercising these responsibilities.

## Introduction

The U.S. Army Corps of Engineers (Corps), acting under Section 404 of the Clean Water Act, provides a vital function in protecting our valuable aquatic resources, including wetlands. The objective of this Act is to restore and maintain the chemical, physical, and biological integrity of the Nation's waters. Under Section 404 of the Clean Water Act, the Secretary of the Army is responsible for administering a Regulatory Program that requires permits for the discharge of dredged or fill material into waters of the United States, including wetlands. The Secretary operates this program through the Corps. Each District Engineer and his staff carry out the day-to-day functions of this program. The Corps also implements Section 10 of the Rivers and Harbors Act of 1899 in the Regulatory Program.

## Jurisdiction

Areas regulated under Section 404 are collectively referred to as "waters of the United States." Included are any part of the surface water tributary system down to the smallest of streams, any lake, pond, or other water body on those streams, and adjacent wetlands. Isolated waters such as playa lakes, prairie potholes, old river scars, cutoff sloughs, and abandoned construction and mining pits may also be waters of the United States if they meet certain criteria. An important point is that waters of the United States include areas that are man-made, or man-induced, as well as natural.

Wetlands are found in many different forms including bottomland hardwood forests, wooded swamps, marshes, wet meadows, bogs, and playa lakes. Wetlands have been identified as being of particular concern because they perform valuable functions in restoring and maintaining the quality of the Nation's waters. These functions include sediment trapping, nutrient removal, chemical detoxification, shoreline stabilization, aquatic food chain support, fish and wildlife habitat, flood water storage, and ground water recharge.

Prime examples of the adverse impacts associated with the loss of wetlands are the effects of Hurricane Andrew in Florida in 1992 and the Mississippi River flood in 1993. In areas where wetlands

were still present, tremendous benefits were realized including flood protection, erosion prevention, and storm surge buffering. Where wetlands had been eliminated, or reduced in extent, storm and flood damages were much more extensive.

Wetland delineations under Section 404 are currently made as a part of determinations of waters of the United States primarily by the Corps and occasionally by the U.S. Environmental Protection Agency (EPA) using the 1987 Corps of Engineers Wetlands Delineation Manual. However, the Department of the Army signed a Memorandum of Agreement (MOA) with the Department of Agriculture (DOA), Department of the Interior, and EPA in January 1994 for wetland delineations on agricultural lands. Under this MOA, the Corps and EPA will accept written Natural Resource Conservation Service (NRCS) wetland delineations for agricultural land under the Food Security Act as the final government position on the extent of Section 404 wetland jurisdiction if the delineation relates to an agricultural action. This MOA may eventually be revised because of amendments to the Food Security Act since the original MOA. Corps district offices have developed local agreements with the NRCS of the DOA in order to more efficiently integrate the two agencies' programs.

The National Academy of Sciences completed a study on wetland delineation in May 1995. The National Academy of Sciences study concluded that the Corps 1987 Manual is scientifically sound, but that improvements to the manual can, and should be made. The Corps, along with the other responsible federal agencies, has been evaluating the results of that study and will determine, with full opportunity for public comment, if the 1987 Corps of Engineers Wetland Delineation Manual should be revised. To date no changes have been proposed.

The Corps also regulates navigable waters of the United States under Section 10 of the Rivers and Harbors Act of 1899 in the Regulatory Program. Navigable waters of the United States are those waters that are subject to the ebb and flow of the tide shoreward to the mean high water mark and/or are presently used, or have been used in the past or may be susceptible to use to transport interstate or foreign commerce. Navigable waters of the United States include many coastal waters, including bays, and portions of major rivers, such as the Trinity, Sabine, Brazos, Colorado, and Rio Grande in Texas.

### Permitting

Section 404 of the Clean Water Act is the Nation's primary wetland regulatory authority. Under Section 404, a permit is required from the Corps for any activity involving the discharge of dredged or fill material into waters of the United States, including wetlands. The term "discharge of dredged material" includes the redeposit of dredged or excavated material into a water of the United States, when such redeposit has the effect of destroying or degrading waters of the United States. This includes the addition or redeposit of material associated with mechanized land clearing, ditching, channelization, sidcasting, temporary stockpiling, and other ground disturbing activities. The term "discharge of fill material" includes the addition of material into a water of the United States where the material has the effect of replacing a water of the United States, such as a wetland, with dry land or of changing the bottom elevation of any portion of a water of the United States. An example of a discharge of fill material would be the placement of clean soil into a wetland to create dry land so that an apartment complex could be built on the site.

The Corps issued regulations in August 1993 that included a revised definition of "discharge of dredged material" and clarified that prior converted croplands are not waters of the United States. The

definition of discharge of dredged material included discharges associated with excavation activities. However, because of subsequent decisions by the United States in the U.S. District Court for the District of Columbia and the U. S. Circuit Court for the District of Columbia in the case of *American Mining Congress v. Corps*, the Corps no longer regulates incidental fallback discharges of dredged material into waters of the United States associated with excavation activities. Incidental fallback is the redposit of small volumes of dredged material that is incidental to excavation activity in waters of the United States when such material falls back to substantially the same place as the initial removal.

Certain activities in waters of the United States are exempt by law from regulation under Section 404(f), including certain farming, ranching, and forestry activities. Included are normal farming, silvicultural, and ranching activities; maintenance of recently damaged structures; construction and maintenance of farm ponds and irrigation ditches; construction of temporary sedimentation basins; and construction and maintenance of farm, forest, and mining roads using approved best management practices. However, the exemptions are applied carefully and are not intended to exempt activities with more than minor adverse impacts to the aquatic ecosystem.

Under Section 10, the Corps regulates all work and structures in, or affecting, the course, condition, or capacity of navigable waters of the United States. Examples of activities and structures that require authorization under this statute include dredging, filling, excavation, weirs, power lines, tunnels, piers, wharves, dolphins, breakwaters, booms, bulkheads, revetments, riprap, jetties, permanent mooring structures, aids to navigation, permanently moored floating facilities, and pilings.

Authorizations may be in one of three primary forms: general permits, letters of permission, and standard individual permits. In any case, the purpose of the permit process is to reduce the potential impact of construction projects on our important aquatic resources.

Activities requiring authorization that are similar in nature and would cause only minimal individual and cumulative environmental impacts may qualify for general permits. These general permits may be either nationwide or regional in scope. There are 43 nationwide general permits currently in effect that address Section 404 and Section 10 activities. These permits may be used to authorize specified activities as long as the impact of the work on the aquatic ecosystem is minor and the person or group responsible for the work meets certain conditions. Some general permits require that the Corps be notified before work begins. Other general permits do not require notification as long as all of the terms and conditions of the permit are met. The Corps issued the most current set of nationwide permits on January 15, 2002 (effective date March 18, 2002). The current nationwide permits expire on March 18, 2007.

In addition to the nationwide general permits, regional general permits may be issued for certain types of projects and geographic areas. These regional general permits may cover a variety of activities including utility lines and intake and outfall structures; boat ramps and minor facilities; and oil, gas, and water exploration and production wells. Regional general permits also include conditions that must be met for the authorization to be valid and may require Corps notification.

The letter of permission is another Corps permit option. This is a form of individual permit issued through an abbreviated process that includes coordination with federal and state fish and wildlife agencies and a public interest evaluation, but without the publication of an individual public notice. For cases subject to Section 404, the Corps must issue a public notice requesting comments and offering an opportunity for public hearing on the categories of activities and the proposed letter of permission procedures, and receive water quality certification from the state, before using this approach. Letters of

permission require the submittal of an application to the Corps in every case.

If a project does not meet the requirements of a general permit and cannot be authorized by a letter of permission, a standard individual permit is required. The project evaluation process for this type of permit includes: pre-application consultation; submittal of a completed application form; a public notice and comment period on the permit application; evaluation of the permit application; preparation of permit decision documents, including a discussion of the environmental impacts of the project, the findings of the Corps public interest review process and compliance determinations with the Section 404(b)(1) Guidelines; and the permit decision. The Corps will issue a permit if the proposal being reviewed is found not to be contrary to the public interest and meets the requirements of the Section 404(b)(1) Guidelines and other legal requirements.

The Corps public interest review is of great importance to the project evaluation. The public and private benefits and detriments of all factors relevant to each case are carefully evaluated and balanced. Relevant factors may include conservation, economics, aesthetics, wetlands, cultural resources, navigation, fish and wildlife values, water supply, water quality, and any other factors judged important to the needs and welfare of the people.

The Section 404(b)(1) Guidelines, published by EPA, are the substantive aquatic ecosystem standards by which all Section 404 permit applications are evaluated. To highlight the efforts of the Corps to protect waters of the United States and heighten our environmental sensitivity, the Corps entered into a MOA with EPA for determining the type and level of mitigation necessary to demonstrate compliance with the Section 404(b)(1) Guidelines. The joint memorandum prescribes a sequence of steps for evaluating proposed projects that require an individual permit. This sequence begins with an evaluation of all practicable alternatives. The Corps will authorize only the practicable alternative that is the least damaging to the aquatic ecosystem and does not cause or contribute to significant degradation of waters of the United States. This reflects the objective of avoiding adverse impacts to aquatic ecosystems whenever practicable. Once the appropriate alternative is identified, all practicable steps must be taken to minimize impacts to the aquatic ecosystem. Finally, the Corps must insure that appropriate and practicable compensation is provided for any unavoidable adverse impacts. Mitigation, particularly compensatory mitigation, is addressed most recently in Regulatory Guidance Letter 02-2 "Guidance on Compensatory Mitigation Projects for Aquatic Resource Impacts Under the Corps Regulatory Program Pursuant to Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899" dated December 24, 2002.

Mitigation banking is restoration, enhancement, creation, and, in exceptional circumstances, preservation undertaken in advance of multiple projects to compensate for adverse impacts to the aquatic ecosystem. Mitigation banking may be an acceptable form of compensatory mitigation for adverse impacts associated with permits issued by the U. S. Army Corps of Engineers under Section 404 of the Clean Water Act under circumstances outlined primarily in "Federal Guidance for the Establishment, Use, and Operation of Mitigation Banks" dated November 28, 1995.

Other approaches to mitigation and wetland protection and enhancement are available to those who are interested. These approaches include joint-project mitigation; in-lieu fee mitigation; federal, state, and local incentive programs; and aquatic ecosystem restoration projects through Congressionally authorized programs.

Numerous other environmental laws must be addressed in the evaluation of all permit applications, including the National Environmental Policy Act, Endangered Species Act, and the National Historic

Preservation Act. While the final decision regarding Department of the Army permit applications rests solely with the Corps, federal and state natural resource agencies have an important, sometimes mandatory, advisory role in the Regulatory Program. Examples of such partnering agencies are the EPA, the U. S. Fish and Wildlife Service, the state fish and wildlife agency, and the state water quality agency. In addition, no permit can be issued under Section 404 without the issuance of water quality certification by the responsible state agency (the Texas Commission on Environmental Quality in the state of Texas).

On March 9, 1999, the Corps published a final regulation establishing an administrative appeal process for the Regulatory Program. Effective August 6, 1999, Corps division offices will conduct reviews of appeals filed by applicants on standard individual permits denied with prejudice by a district engineer and permits declined by an applicant who objected to certain terms or conditions. The appeal process was expanded to include jurisdictional determinations on March 28, 2000.

### Enforcement and Compliance

Enforcement authority is shared by the Corps and EPA under Section 404 and is the sole responsibility of the Corps under Section 10. The partnering effort with EPA in Section 404 in identifying potential violations is very important in the implementation of the regulatory program. Unauthorized activities may be discovered by a number of methods, including reporting by other agencies and the public. When unauthorized activities are discovered, the Corps works to ensure compliance through various means, including voluntary restoration, other remedial measures, and after-the-fact permitting. Substantial penalties and fines may be used to deter further violations. The Corps also monitors authorized projects for compliance with permit terms and conditions, and to confirm that impacts to the aquatic system are no greater than expected and that any mitigation work is completed and successful.

### Federal Wetland Policy

The Corps strongly supports the goal of no overall loss of the Nation's remaining wetlands, and the long-term goal of increasing the quality and quantity of the wetland resource base. Federal wetland policy seeks to ensure that regulatory programs are efficient, fair, flexible, and predictable; promote non-regulatory programs to protect wetlands and accomplish long-term wetland gains; expand partnerships with state, tribal, and local governments, private groups, and individuals in protecting and restoring wetlands through ecosystem/watershed approaches; and base federal wetlands policy on the best scientific information available.

The Corps and other federal agencies have taken many steps to protect the aquatic environment, including wetlands, while providing efficient decision-making and fair and reasonable decisions. Included are streamlining the permitting program for transportation, energy, and national security projects; responding to the concerns of farmers and small landowners; improving cooperation with private landowners to protect and restore wetlands; and increasing the role of state, local, and tribal governments in wetlands protection. Actions taken by the Corps include: exempting prior converted cropland from Section 404 requirements; implementing an appeal process for landowners for permit conditions and permit denials; streamlining permit application processing for private landowners; emphasizing mitigation needs and improving mitigation options; and increasing certainty and flexibility for identifying wetlands through increased coordination with the NRCS on agricultural lands.

## Conclusion

The Corps is committed through the Regulatory Program to the protection of wetlands and other waters of the United States. This commitment is a partnership in water between federal, state and local agencies, and the general public.

For more information about the Regulatory Program for activities in the State of Texas, please refer to the attached map showing district boundaries and contact the appropriate Corps Regulatory Office (Fort Worth District, (817) 886-1731; Galveston District, (409) 766-3930; Tulsa District, (918) 669-7400; and Albuquerque District, El Paso Office, (915) 568-1359). For information in other states, contact the appropriate Corps Regulatory Office. On the Internet, you can visit the Fort Worth District's Regulatory Branch homepage at <http://www.swf.usace.army.mil/regulatory/> or the national USACE Regulatory Program homepage at <http://www.usace.army.mil/inet/functions/cw/cecwo/reg/>.

US ARMY CORPS OF ENGINEERS, SOUTHWESTERN DIVISION  
LEADERSHIP DEVELOPMENT PROGRAM IMPLEMENTATION GUIDE



U.S. Army Corps of Engineers  
Southwestern Division

Leadership Development Program  
Implementation Guide

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**US ARMY CORPS OF ENGINEERS, SOUTHWESTERN DIVISION  
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## **1.7 Introduction**

The SWD Leadership Development Program (LDP) provides a means for developing and enhancing leadership skills to better meet the changing needs of the US Army Corps of Engineers (USACE) and to improve execution of our missions. By participating in the SWD RLDP, you will learn how to improve areas of performance through training, self development, and on-the-job experience. This will prepare you for leadership, supervisory and management roles in the USACE.

It is imperative that the organizations within SWD share a common understanding and commitment to developing the kind of leadership needed to support USACE strategic direction. The operational requirements for the LDP include:

- Consistency: Regional Business Centers must adhere to the 4 LDP levels and the LDP content as outlined in ER-690-1-1214 (USACE Leadership Development Program). This Implementation Guide identifies the required components and requires consistent program objectives and outcomes among the SWD Districts and HQSWD.
- Transportability: LDP participants will be able to transfer what they have learned about leadership in one place and it will be corporately accepted and applied anywhere within the Corps. Accomplishments in a level in one location will be accepted in another location. If a USACE LDP participant transfers within USACE, the two organizations will work together with the employee to ensure the employee transfers smoothly into the program at the new organization.

The SWD LDP must:

1. grow leaders-at-all-levels; recognizing individuals can be leaders of processes or situations regardless of their role in the organization;
2. support the succession planning process;
3. be aligned with the USACE Campaign Plan and the SWD Implementation Plan;
4. be aligned with the way we operate as regional business entities and as one Corps;
5. be designed to achieve the USACE LDP performance objectives and outcomes; and,
6. promote continuous, career-long learning and education to attain greater individual and organizational competence.

It is not intended that every Corps employee participate in every level or that levels be completed in successive years. To that end, participants will incorporate other developmental experiences such as Department of Army and Department of Defense leadership programs.

The LDP will:

- develop and nurture leaders who continuously adapt and adjust the USACE/SWD strategic direction to sustain our relevance to the Army and the nation;
- develop leaders for a learning organization who encourage innovation, teamwork, and partnerships to ensure customer success, and develop organizational learning in the process of work and meetings. These leaders create a learning agenda, and drive it forward as an engine of organizational transformation; and,
- increase individual self-awareness of talents and how to identify and develop them to increase personal and organizational competence. LDPs will also develop awareness of other's talents and the increased value to stakeholders and the mission when their talents are aligned with their work.

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The LDP includes 4 different levels. Level 1 (Basic Training and Orientation) and Level 2 (Self and Teams) are administered by the local District offices. Level 3 (Regional Leadership) is administered by the Southwestern Division Headquarters (HQSWD). Level 4 (National Leadership), which is still under development, will be administered by USACE Headquarters (HQUSACE).

### **1.1. Background**

The Commander and SWD Senior Leaders are committed to leadership development as reflected by their direct involvement in many aspects of the program. The LDP requires a commitment of duty and off-duty time by LDP participants. Participants are expected to attend all LDP sessions and complete all assignments in a timely manner.

### **1.2. Goals**

- Develop awareness and understanding of the vision and values of current USACE leaders and managers.
- Prepare for leadership roles as team members, team leaders, supervisors, managers, and/or senior executives.
- Assist in clarifying and establishing your own values.
- Stimulate continued personal and career growth.
- Create an understanding of accountability by making you responsible for managing your career.
- Provide a forum to exchange ideas and promote understanding and appreciation for organizations and disciplines.
- Provide career enhancement through increased self-awareness, improved skills, and a broadened understanding of USACE activities.
- Optimize use of executive development funds for leadership and management development.
- Foster the goals of the Equal Employment Opportunity Program.

### **1.3. Leadership and Management Support**

SWD senior leaders, managers, and team leaders are committed to providing opportunities for you to participate in and complete program requirements.

### **1.4. Enrollment**

All new employees, effective October 1, 2008, are required to participate in Level 1 of the LDP and Level 1 is highly recommended for all remaining employees.

All employees at the GS-13 grade or equivalents and below and wage grade employees are eligible to participate in Levels 2 and 3 of the LDP, except that Stay-In-School employees are not eligible to participate in Level 3 of the LDP.

All employees at the GS-14 -15 grade or equivalents or graduates of Level 3 are eligible to participate in Level 4 of the LDP. This level is under development by HQUSACE and the open season for accepting applications has not yet been determined.

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**1.5. Completion/Graduation**

Each Level must be completed within the timeframe established. Participants may request an extension for completing curriculum requirements based on extenuating circumstances. This request must be in writing, must document the reason(s) for not completing the requirements in the specified timeframe, and must be submitted through the participant's supervisor to the appropriate Program Manager / Level Advisor for approval. If a request is disapproved or the Level requirements are not completed within the approved extended time frame, the employee will be removed from the program and will not be allowed to re-enroll for 1 year.

**1.6. Program Evaluation**

Evaluation surveys (Appendix B) must be completed and submitted to the appropriate LDP Level Advisor after completion of the required curriculum. The purpose of the survey is to obtain recommendations about modifications that should be made to improve the LDP and to measure the success of the program through both participant and management input.

**1.7. Funding**

Senior leaders and managers understand that employee participation in the LDP requires a commitment of resources. Salaries and costs associated with training, seminars, site visits, team projects, and/or other LDP activities are funded by the participants' organization.

**1.8. Equal Employment Opportunity**

All members of the target audience will receive consideration for the program without regard to race, religion, color, national origin, sex, age, handicapped conditions, political affiliation, or any other non-merit factor.

**1.9. Accommodations for Disabled Employees**

Every effort will be made to ensure accessibility to training programs by employees with disabilities. Please notify the appropriate LDP Champion or Program Manager of any special provisions that may be necessary.

**1.10. Administration**

Appendix C includes a list of the LDP Administrators and descriptions of the expectations of the Administrators.

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**2.7 Level 1 – Basic Training and Orientation (6 Months)**

**2.1. About Level 1**

Level 1 is a self-paced, 6-month program focusing on reading material that will familiarize you with USACE/SWD culture and values, strategic direction, and business processes and principles.

**2.2. Eligibility Requirements:**

All new USACE employees, effective October 1, 2009, are required to complete Level 1 of the LDP. Completion of Level 1 is highly recommended for all other employees.

**2.3. Application Process**

*Application Period* – Open all year

*Intent Form* - Complete the Level 1 Intent Form. A copy of the Intent Form should be provided to your Training Coordinator and the local LDP Level 1 Advisor.

*Individual Development Plan* - The participant and their supervisor will modify or update the Individual Development Plan as necessary. This should be annotated in Section 4, Developmental Assignments, of the IDP.

**2.4. Method of Selection**

All USACE employees who submit an Intent Form will be accepted into Level 1.

**2.5. Time Requirements**

*Duration:* It is expected that each employee would require approximately 26 duty hours during a 6-month period to complete the curriculum below.

**2.6. Curriculum**

**Lesson 1: Learning Organization Synopsis.** Read the Learning Organization Synopsis located at: <https://kme.usace.army.mil/SWD/HQs/default.aspx>

**Lesson 2: U.S. Army Corps of Engineers (USACE) Business Processes.** Read the U.S. Army Corps of Engineers Business Process (ER 5-1-11) located at: <https://kme.usace.army.mil/SWD/HQs/default.aspx>

**Lesson 3: USACE Campaign Plan and Southwestern Division (SWD) Implementation Plan.** Read the USACE Strategic Campaign Plan and the SWD Implementation Plan to the USACE Campaign Plan located at: <https://kme.usace.army.mil/XO/CampaignPlan/default.aspx>. You should become familiar with the Goal and Objectives that you are able to affect as part of your daily duties.

**Lesson 4: Local Orientation:** Attend New Employee Orientation (NEO) or an approved comparable orientation. Your Training Coordinator will be able to tell you when / where the next NEO (or the equivalent) is to be conducted. If no NEO is available, review your District's New Employee Handbook.

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**Lesson 5: Develop Resume.** Input your information into the Resume Builder at: <https://cpolst.belvoir.army.mil/public/resumebuilder/builder/index.jsp>.

**Lesson 6: History of the USACE.** Read The History of the USACE located at: <http://www.usace.army.mil/History/Pages/Brief/index.html>

**Lesson 7: Environmental Operating Principles (EOP).** Read the EOP located at: <https://kme.usace.army.mil/SWD/HQs/default.aspx>

**Lesson 8: Communication Principles.** Read the USACE Communication Principles located at: <https://kme.usace.army.mil/SWD/HQs/default.aspx>

**Lesson 9: Attend Civilian Education System (CES) Foundation Course.** See <http://www.amsc.belvoir.army.mil/ces/> for more info and how to apply/enroll for courses.

**Lesson 10: Review Quality Management System (QMS) ER 5-1-14** located at <https://kme.usace.army.mil/SWD/HQs/default.aspx>

## **2.7. Evaluation and Feedback**

**Requirement 1:** You must submit your completed checklist to your local LDP Champion or Level Advisor.

**Requirement 2:** You must complete and submit the Level 1 evaluation in Appendix B. This information will be used to improve Level 1.

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**3.7 Level 2 – Self and Teams (Maximum of 2 Years)**

**3.1. About Level 2**

Level 2 will provide you with experiences to increase self-awareness and understanding of your strengths and potential for leadership. Objectives are to allow you to learn about the USACE; to expose participants to leadership principles; gain team-building skills; encourage participants to think and learn about leadership and management issues, principles, and how they apply to themselves and the USACE.

**3.2. Eligibility Requirements**

All employees at the GS-13 grade or the NSPS equivalent and below and wage grade employees are eligible to participate in Level 2 of the LDP. You must have completed Level 1 or obtained exemption through your supervisor and the appropriate LDP Champion prior to submitting a Level 2 application.

**3.3. Application Process**

*Application Period* – Annually 15 Oct – 1 Dec

*Application Package* – The application should be submitted to the local LDP Champion during the application period

**3.4. Method of Selection**

Selection will be competitive and applicants will be evaluated based on their application package. Recommendations for acceptance will be made to the Commander's Advisory Board (CAB), with final approval by the Commander.

**3.5. Time Requirements**

*Duration* – 2 years. Participants will have a maximum of 2 years to complete Level 2 and should note that participation will require duty hours and non-duty hours to complete. Participants can expect to contribute some of their own time reading and studying. Participants should note that any personal time, or non-duty hours, devoted to completing this phase will not be compensated, but will be an investment in their personal and professional growth. Portions of the program completed on duty time will require supervisory approval.

**3.6. Curriculum**

**Module 1: Oral/Written Skill Development**

**Lesson 1: Public Speaking Presentation.** Make a presentation to a District field office (a lake or an area office) to promote the Leadership Development Program. The field office visit will be coordinated (if possible) with a senior leader visit. Other public speaking presentations may be substituted to meet this requirement as approved by the LDP Champion.

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**Lesson 2: Personal Reflection Essay.** You will write a one-page essay titled: “How I Contribute Toward Making the Corps a “GREAT” Organization.” This essay will be reviewed by your supervisor and LDP Champion.

**Module 2: Understanding Strengths Concepts**

**Lesson 1:** Read “Now, Discover Your Strengths” (see your local LDP Champion or Advisor for a copy) and Complete the StrengthsFinder Assessment (Online Process).

**Lesson 2: Meet with StrengthsFinder Performance Coach (SPC).** A SPC will be assigned to you by the SWF LDP Champion. You will coordinate an initial meeting with your SPC to set self-development goals. A minimum of two SPC sessions are required.

**Lesson 3: Attend the Introduction to StrengthsFinder Workshop (approximately four hours).** The LDP Champion will coordinate this workshop on an annual basis.

**Lesson 4: Update IDP.** Participants shall update their IDP to include participation in the LDP, identify goals and link their IDP to strength measures identified through the StrengthsFinder Assessment.

**Module 3: Learning Organization Concepts**

**Lesson 1: Attend the Introduction to Learning Organization / Introduction to CoPs Workshop (approximately four hours).** The LDP Champion will coordinate this workshop, in conjunction with the SPC workshop, on an annual basis.

**Module 4: Class Project**

**Lesson 1: Class Project.** The team will work on a project approved by the Commander that supports the District’s mission. You must expect to dedicate a minimum of 60 hours to this team project. You will meet with your team discuss each of your individual talents and how they can be used during the project. The team must follow the PMBP principles and develop metrics for determining their success.

**Class Project Guidelines:**

The purpose of class projects is for LDP participants to develop skills in collaborative leadership and team learning while producing a project of value to the District. The process of doing the team project is as important as the end product and should be one that:

- offers an opportunity for collaborative team learning and the chance to apply and test ideas developed during the meetings portion of the program;
- results in a piece of work that furthers the operations plan or strategic agenda of the District;
- provides exposure to critical issues at the Corps and exposes participants to learning outside of their functional areas; and,
- represents value-added work that is both time and cost effective and feasible to complete within the existing time frame.

The local LDP Advisors, along with input from the local LDP Champion, will provide the general project scope; assist the team with developing a project plan; consult periodically with the team

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to insure the success of the project outcomes; and troubleshoot team project problems that may occur during the year.

Using ER 5-1-11, U.S. Army Corps of Engineers Business Process, the team will clarify the purpose, rationale, objectives, method to be used, timeline, anticipated outcome/products, and resources required; clarify expected roles and responsibilities of team members; and consider how team leadership will happen, how you will manage the project, and how you plan to work through conflicts.

The project should be one that the LDP participants and the district management will support and approve. The team will make a presentation to the CAB and the Commander for approval of project and solicit constructive guidance. If the CAB and the Commander state that the project does not sufficiently meet the criteria listed above, the team will be requested to revise or change their project scope.

The teams will provide periodic updates to the LDP Champion and/or the CAB.

**Lesson 2: Command Taskers.** You will work on special projects as assigned by the Commander. Special projects may include but are not limited to assistance in the facilitation of Lunch and Learns, Town Hall Meetings, Engineer Day Activities, or any District Learning Initiative.

### **Module 5: Career Planning and Development**

**Lesson 1: Establish Relationship with a Mentor.** Select a mentor and meet with him/her on a quarterly basis for approximately 1 hour to discuss career goals and leadership development. You should develop a mentor agreement (example is enclosed as Appendix E).

**Lesson 2: Review USACE and SWD Mentorship Guidance** (to be provided as appendix when developed)

**Lesson 3: Read Jim Collins' "Good to Great".** Please see your local LDP Advisor or Champion for a copy.

**Lesson 4: Attend CES Foundation Course** (if not able to attend as part of Level 1) **or CES Basic Course.** See <http://www.amsc.belvoir.army.mil/ces/> for more info and how to apply/enroll for courses.

### **Module 6: Exposure to Leadership Principles**

**Lesson 1: Shadowing.** You will shadow a senior leader for 16 hours. The shadowing assignment should take place outside of your office (See Appendix D for Shadowing Guide prior to attending your assignment).

### **3.7 Evaluation and Feedback.**

**Requirement 1: Checklist.** You must submit your completed Level 2 Checklist to the local LDP Champion.

**Requirement 2: End of Program Evaluation.** You and your supervisor will complete the evaluations in Appendix B. This information will be used to improve the program level.

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#### **4.7 Level 3 – Regional Leadership (2 Years)**

##### **4.1. About Level 3**

Level 3 is administered by the Southwestern Division Headquarters and will provide you with experiences to develop and expand your regional leadership perspectives.

##### **4.2. Eligibility Requirements**

All employees at the GS-13 grade or the NSPS equivalent and below (except stay-in-school employees) and wage grade employees are eligible to apply to participate. You must completed Level 2 requirements and provide the local LDP Champion with the completed Level 2 Checklist prior to submitting a Level 3 application.

##### **4.3. Application Process**

*Application Period* – Annually 15 Oct – 15 Nov

*Application Package* – The application should be submitted to the local LDP Champion for consideration.

##### **4.4. Method of Selection**

Each year, no less than two District employees will be selected to participate in Level 3. Selection will be competitive and applicants will be evaluated based on their application package and a panel interview. The Commanders Advisory Board (CAB) will make a recommended selection, with final approval by the District Commander.

##### **4.5. Time Requirements**

*Duration* – 2 years. You should note that participation in Level 3 will require duty hours and non-duty hours to complete. Participants can expect to contribute some of their own time reading and studying. Participants should note that any personal time, or non-duty hours, devoted to completing this phase will not be compensated, but will be an investment in their personal and professional growth. Portions of the program completed on duty time will require supervisory approval.

#### **4.6. Curriculum (Year 1)**

##### **Module 1: Communication and Written Skill Development**

**Lesson 1: Interview for USACE Emerging Leaders Conference.** During Year 1 (incoming year), you will interview to attend the USACE Emerging Leaders Conference while attending the Southwestern Division Leaders Conference.

**Lesson 2: Establish / Continue a Mentoring Relationship.** You will establish a relationship with a mentor and meet with him/her to review your progress in Level 3 and to receive further guidance on career and leadership development. You and you mentor should sign a Mentoring Agreement (example provided in Appendix E). You should meet approximately 1 hour per quarter.

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**Lesson 3: Personal Reflection Essay.** You will write a two-page essay on one of the following topics: “The challenges and benefits of leadership in an interdependent regional environment;” “Discuss leadership challenges in transforming USACE toward a “GREAT” organization;” or another topic as approved by the RLDP Champion or Advisor. This essay will be reviewed by your supervisor and regional LDP Champion.

**Module 2: Strengths-Based Leadership Concepts**

**Lesson 1: Update IDP.** You will work with your supervisor and mentor to incorporate the goals developed with your Strengths Performance Coach into your IDP.

**Lesson 2: Strengths Discussion with Project Delivery Team.** In a team meeting, discuss each team members StrengthsFinder themes and how they will contribute to team performance.

**Module 3: Regional Leadership Concepts**

**Lesson 1: Attend at least two (2) regional business meetings.** You will attend at a minimum two (2) regional business meetings, such as the Regional Management Board, Regional Acquisition Strategy Board, Regional Command Council, Regional Program Review Board, etc. You can contact Mr. Angel De La Rosa (469-487-7103) in the Business Management Division for meeting dates/times.

**Lesson 2: Regional Team Projects.** During Year 1, you will complete a mission assigned by the Division Commander and regional LDP Champion that addresses Regional leadership challenges. Using the PMBP process, create innovative solutions addressing mission related regional challenges across boundaries that engage team and customers to co-produce success. The team will follow the PMBP principles and will develop metrics for determining their success.

**Lesson 3: Attend the Southwestern Division (SWD) Leadership Development Conference (LDC) and Senior Leaders Conference (SLC).**

**Lesson 4: Assist, as needed, on LDP management / issues**

**Lesson 5: Level 3 Washington Week.** You will participate in a Capitol Hill Workshop (2.5 days) with a 1 ½ day long HQUSACE overview.

**Module 4: Career Planning and Development**

**Lesson 1: Attend CES Intermediate Course.** See <http://www.amsc.belvoir.army.mil/ces/> for more info and how to apply/enroll for courses.

**Lesson 2: Complete a developmental assignment, as approved by your supervisor, at District, Division or HQUSACE.**

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**4.7. Curriculum (Year 2)**

**Module 1: Communication and Written Skill Development**

**Lesson 1: Continue mentoring relationship.** Meet with your mentor to review your progress in Level 3 and to receive further guidance on career and leadership development. You and your mentor should sign a Mentoring Agreement. You should meet approximately 1 hour per quarter.

**Lesson 2: Formally mentor a Level 2 participant at your District or another.** Mentoring sessions should happen no less than once a quarter.

**Module 2: Learning Organization Concepts**

**Lesson 1: Leading in a Learning Organization Seminar (USACE Prospect Course, Control Number 34).** Attend the Leadership for Learning Course to develop a shared understanding of The Learning Organization Doctrine, what a learning organization is and how leaders create learning, a common language of leadership for current leaders and those who might be leaders, the selection and development of leaders as a "Be, Know, Do, Learn" process, how leaders understand the Context they operate in, the Logic necessary for success, and the Process for leading organizational change. Class dates and locations are located at: <http://pdsc.usace.army.mil/Default.aspx>.

**Module 3: Regional Leadership Concepts**

**Lesson 1: Level 3 Washington Week.** If unable to attend in Year 1: You will participate in a Capitol Hill Workshop (2.5 days) with a 1 ½ day long HQUSACE overview.

**Lesson 2: Host the Southwestern Division Leadership Development Conference and Senior Leaders Conference.** Your class will host the LDC/SLC. Expect to provide up to 60 hours of your time as part of the PDT.

**Lesson 3: Facilitate Small Group Discussion:** Facilitate a small group discussion about LDP related content within a Level 2 group.

**Lesson 4: Assist as needed on LDP management / issues**

**Module 4: Career Planning and Development**

**Lesson 1: Attend CES Intermediate Course** (if not able to in Year 1) See <http://www.amsc.belvoir.army.mil/ces/> for more info and how to apply/enroll for courses.

**4.8. Evaluation and Feedback**

**Requirement 1: Checklist.** You must submit your completed checklists to the LDP Champion by 1 June of Year 2.

**Requirement 2: Conduct 360° Review.** Your leadership abilities will be assessed based on feedback from superiors, peers, and subordinates. **Looking into using AKO, SharePoint, or some other media for online 360 evals.**

**Requirement 3: End of Program Evaluation.** You and your supervisor will complete the evaluations in Appendix B. This information will be used to improve the program level.

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**5.7 Level 4: National Leadership (Under Development)**

**5.1. About Level 4**

Level 4, which is still under development, will ultimately be administered by HQUSACE. In the meantime, SWD LDP participants that have completed all of Level 3 requirements are encouraged to continue their self-development and leadership skills maturation by increasing their awareness and knowledge of USACE Senior Leaders, Pentagon officials, and Congressional staff's strategic perspectives and abilities to affect change.

**5.2. Eligibility Requirements**

All employees that have completed Level 3 requirements are eligible to compete to participate.

**5.3. Method of Selection**

Each year two SWD employees will be selected to participate in Level 4. Selection will be competitive, and applicants will be evaluated based on their application package and a panel interview. The SWD LDP Champion and Program Manager will recommend a selection, with final approval by the Division Commander.

**5.4. Time Requirements**

*Duration – 2 years.* You should note that participation in Level 4 will require duty hours and non-duty hours to complete. Participants should note that any personal time, or non-duty hours, devoted to completing this phase will not be compensated, but will be an investment in their personal and professional growth.

**5.5. Curriculum**

Level 4 is still under development; however, the following curriculum is recommended:

- Attend the Office of Personnel Management (OPM) Executive Core Qualifications (ECQ) Course;
- Ongoing Mentoring Relationship;
- Become a Mentor to a junior employee within your District
- National Challenges Workshop;
- Strategic Dialogue around national challenge;
- Corporate team project on strategic challenge;
- Facilitator / Leader of Leadership workshops with constituents and customers;
- Assessment and re-assessment of interaction with employees / customers regarding leadership style and level of engagement to gauge improvement;
- Attend CES Advanced Course
- Work on SWD Regional Integration Team (RIT) at HQUSACE on a development assignment for 2-6 months, with supervisor approval

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6.7 Appendix A: Checklists

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**6.1. Level 1 Checklist**

<b>Curriculum</b>	<b>Employee Initials</b>	<b>Supervisor Initials</b>	<b>Date</b>
Read Learning Organization Synopsis			
Read U.S. Army Corps of Engineers Business Process (ER 5-1-11)			
Read USACE Campaign Plan and SWD Implementation Plan			
Attend New Employee Orientation or equivalent			
Develop Resume			
Read History of the US Army Corps of Engineers			
Read Environmental Operating Principles			
Read Communication Principles			
Attend CES Foundation Course			
Review QMS ER 5-1-14			
Submit Completed Evaluation Form			

I have completed all the requirements of Level 1:

Employee Name: _____	Employee Signature: _____	Date: _____
Supervisor Name: _____	Supervisor Signature: _____	Date: _____

**6.2. Level 2 Checklist**

<b>Curriculum</b>		<b>Date Task Completed</b>	<b>Supervisor Initials</b>
Make a Public Speaking Presentation			
Complete Personal Reflection Essay			
Read “Now, Discover Your Strengths” and Take the Assessment On-Line			
Meet with StrengthsFinder Coach			
Attend StrengthsFinder Workshop			
Update IDP			
Attend Learning Organization Workshop			
Complete a Class Project			
Establish Relationship with Mentor and Meet Quarterly			
Mentors Name:			
Review USACE and SWD Mentorship Guidance			
Read Jim Collins’ “Good to Great”			
Attend CES Foundation (if applicable) or Basic Course			
Complete 16 Hours of Shadowing	Leader’s Name		
	Leader’s Name		
	Leader’s Name		
	Leader’s Name		

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**Level 2 Checklist Continued:**

<b>Curriculum</b>	<b>Date Task Completed</b>	<b>Supervisor Initials</b>
Complete Command Taskers (As Assigned)		
Submit Completed Evaluation Form		

I have completed all the requirements of Level 2:

Employee Name: _____	Employee Signature: _____	Date: _____
Supervisor Name: _____	Supervisor Signature: _____	Date: _____

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**6.3. Level 3 Checklist**

Curriculum	Date Task Completed	Supervisor Initials
<b>Year 1</b>		
Interview for USACE ELC Conference		
Establish / Continue Mentoring Relationship with a Mentor. Meet once a quarter.		
Complete and Submit Personal Reflection Essay		
Update IDP		
Strengths Discussion with PDT		
Attend a minimum of two (2) regional business meetings		
Complete Team Project Assignment		
Attend SWD LDC/SLC		
Assist with LDP management / issue as needed		
Attend CES Intermediate Course		
Complete Developmental Assignment		
<b>Year 2</b>		
Continue Mentoring Relationship. Meet quarterly		
Establish / Continue Mentoring Relationship with a Level 2 Mentee. Meet once a quarter.		
Attend Washington Week		
Attend the Leadership for Learning Course		

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<b>Curriculum</b>	<b>Date Task Completed</b>	<b>Supervisor Initials</b>
Host the SWD LDC/SLC		
Facilitate Small Group Discussion with Level 2 Group		
Assist with LDP management / issue as needed		
Attend CES Intermediate Course (if not able to in Year 1)		
Complete 360° Review		
Submit Completed Evaluation Form		

I have completed all the requirements of Level 3:

Employee Name: _____	Employee Signature: _____	Date: _____
Supervisor Name: _____	Supervisor Signature: _____	Date: _____

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**6.4. Level 4 Checklist:**

<b>Curriculum</b>	<b>Date Task Completed</b>
Attend OPM ECQ Course	
Become a Mentor to a junior employee	
National Challenges Workshop	
Strategic Dialogue around national challenge	
Corporate team project on strategic challenge	
Facilitator / leader of leadership workshops with constituents and customers	
Assessment and re-assessment of interaction with employees/customers regarding leadership style and level of engagement to gauge improvement	
Establish Relationship with Mentor and Meet Quarterly Mentors Name:	
Work on SWD Regional Integration Team (RIT) at HQUSACE on a development assignment	

I have completed all the recommended curriculums of Level 4:

Employee Name: \_\_\_\_\_ Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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**7.7 Appendix B: Evaluations**



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**7.2. Level 2 Participant Evaluation**

**Name:** \_\_\_\_\_ **Date:** \_\_\_\_\_

1. Was the essay topic challenging and meaningful? Were there others that you would like to see instead? What are they?

2. As you worked on your essay, what was your main nugget of learning?

3. What concept / idea / objective from the LDP Level 2 can you best apply to your IDP or future career goals?

4. What has the LDP Level 2 meant to you – personally and professionally?

5. Describe yourself when you began the program and today. Am I the same? How have I changed? How have my perceptions of the leadership in the Corps changed?

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6. Personal Reflection: How have my perceptions of my leadership abilities/talents changed?

7. Additional comments?

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**7.3. Level 2 Supervisor Evaluation**

Provide this completed form to the local LDP Champion.

**Supervisor**  
**Name:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Employee**  
**Name:** \_\_\_\_\_ **Date:** \_\_\_\_\_

1. Were the goals established in the participants' Individual Development Plan (IDP) met by the participant?
  
  
  
  
  
  
  
  
  
  
2. Indicate any improvements you have noticed in this employees' personality and/or job performance that you believe are a result of LDP participation.
  
  
  
  
  
  
  
  
  
  
3. Please comment on the benefits/risks your organization experienced while allowing this employee to participate in the program?
  
  
  
  
  
  
  
  
  
  
4. Were you supportive of your employee while he/she participated in the program? Please explain.
  
  
  
  
  
  
  
  
  
  
5. Please provide comments/suggestions for program improvement.

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**7.4. Level 3 Participant Evaluation**

**Name:** \_\_\_\_\_ **Date:** \_\_\_\_\_

1. Were the essay topics challenging and meaningful? Were there others that you would like to see instead? What are they?
  
2. As you worked on your essay, what was your main nugget of learning?
  
3. What was surprising or significant from the results of feedback from others?
  
4. Did you discuss these results with your mentor? Or Coach? What was the outcome of this discussion?
  
5. My main nugget of learning from the Evaluation by Others (360° Review) was:
  
6. Does this form capture what you would like to communicate about the program? What would you add or change?
  
7. What concept / idea / objective from the USACE LDP Level 3 can you best apply to your future career development?
  
8. What has the USACE LDP Level 3 meant to you – personally and professionally?

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9. Describe yourself when you began the program and today. Am I the same? How have I changed? How have my perceptions of the leadership in the Corps changed?

10. Additional comments?

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**7.5. Level 3 Supervisor Evaluation**

Provide this completed form to the LDP Champion.

**Supervisor Name:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Employee Name:** \_\_\_\_\_ **Date:** \_\_\_\_\_

1. Were the goals established in the participants' Individual Development Plan (IDP) met by the participant?
  
  
  
  
  
  
  
  
  
  
2. Indicate any improvements you have noticed in this employees' personality and/or job performance that you believe are a result of LDP participation.
  
  
  
  
  
  
  
  
  
  
3. Please comment on the benefits/risks your organization experienced while allowing this employee to participate in the program?
  
  
  
  
  
  
  
  
  
  
4. Were you supportive of your employee while he/she participated in the program? Please explain.
  
  
  
  
  
  
  
  
  
  
5. Please provide comments/suggestions for program improvement.

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**8.7 Appendix C: Program Administration – Headquarters and Division**

It is imperative for the successful development of our future leaders through this program that all individuals associated with this LDP fully understand their roles and carry out their responsibilities as defined in the following pages.

**USACE Headquarters**

Commander: LTG Van Antwerp

LDP Champion: JoAnn Eisenberg

USACE LDP Program Manager: JoAnn Eisenberg

Program Advisor for Level 4: JoAnn Eisenberg

USACE LDP Steering Committee: Brian Giacomozzi, Andy Constantaras, MG John McMahon, Chris Hinton-Lee, BG Joseph Schroedel, Beth Fleming, Pamela Hertzberg, Dawn Clappsy, Richard Hancock, and Christiana Baysinger.

Directorate of Human Resources:

Equal Employment Manager: William Gonzales

**USACE Commander:** The USACE Commander will provide support and guidance to USACE senior leadership and Major Subordinate Commanders in the execution of the USACE LDP. The Commander will also provide appropriate funding to sustain the viability of the program and ensure resources are allocated to allow full participation. The USACE Commander will appoint the USACE LDP Champion and communicate leadership development philosophy and strategic vision through policy to achieve strategic goals.

**USACE LDP Champion:** The USACE LDP Champion is a Headquarters USACE senior executive, appointed by the USACE Commander; with a passion for leadership development. The LDP Champion will provide overall guidance and oversight to the USACE LDP Program Manager. The USACE LDP Champion will chair the USACE LDP Steering Committee and will appoint the LDP Program Manager. The USACE LDP will require that there is one appointed USACE LDP Champion at each Regional Business Center and Engineer Research and Development Center. The USACE LDP Champion will be responsible for ensuring that the LDP is accomplishing intended outcomes.

**USACE LDP Program Manager:** The USACE LDP Program Manager is a Headquarters USACE employee, appointed by the USACE LDP Champion and provides program management and oversight for the LDP throughout USACE. The USACE LDP Program Manager will ensure that the LDP is accomplishing intended outcomes. The USACE LDP Program Manager will participate in the LDP Communities of Practice (sub-CoP) by sharing and incorporating lessons learned and effective LDP improvements. The USACE LDP Program Manager will work closely with the LDP Regional Program Managers.

**Program Level Advisor for Level 4:** The Program Level Advisor is appointed by the USACE LDP Champion and will execute (i.e., oversee, coordinate, administer, etc.) Level 4. The Program Level Advisor will arrange for the delivery of training courses and materials and evaluation of program participants. The Advisor will capture lessons learned, program improvement suggestions, and perspectives of participants as a source of organizational learning and will share learning, suggestions, and implementation challenges with the USACE LDP Champion. The Program Level Advisor will conduct quarterly discussions with participants and evaluate participants' performance. The Program Level Advisor will provide feedback to the USACE LDP Champion regarding successes and learning

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points discovered during the execution of the program level. The Advisor will participate in the USACE LDP sub-CoP by sharing and incorporating lessons learned and effective improvements.

**USACE LDP Steering Committee:** The USACE LDP Champion shall chair the USACE LDP Steering Committee. Membership is comprised of the USACE LDP Champion, USACE LDP Program Manager, each of nine Regional Champions, and appointee from HQUSACE, Directorate of Human Resources. The USACE LDP Steering Committee will provide the strategic direction and desired outcomes for the USACE LDP. The USACE LDP Steering Committee interview applicants and select Level 4 participants.

**USACE Directorate of Human Resources:** The Directorate of Human Resources will serve as a member of the USACE LDP PDT. Through the USACE LDP PDT, the Directorate of Human Resources will periodically evaluate and revise the Implementation Guide to facilitate more effective leadership development throughout the USACE. Revisions will be based upon input from the USACE LDP sub-CoP and an analysis of issues, best practices, and changing corporate needs.

**USACE Equal Employment Manager:** The Equal Employment Manager serves as an advisor to the Division and District Commanders to ensure that equal opportunity is available to all participants and applicants without regard to sex, age, race, national origin, color, religion and physical disability.

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**Southwestern Division Headquarters**

Division Commander: BG Kendall Cox

LDP Regional Champion: Mr. Robert Slockbower

LDP Regional Program Manager: Mr. Tom Hudspeth

Program Level Advisor for Level 3: Ms. Karli Mulliniks

LDP Regional Steering Committee: COL Billy Tollison, LTC Matthew Orenstein, Mr. Robert Geiger, LTC Ed Feigenbaum, MAJ Marvin Griffin, LTC Eugene Snyman

Strengths Performance Coach: Ms. Karli Mulliniks

SWD Equal Employment Manager: Alphonso Carter

**Southwestern Division Commander:** The Division Commander will provide support and guidance to Division senior leadership and District Commanders in the execution of the LDP. The Division Commander provides appropriate funding to sustain the viability of the program and ensure that resources are allocated to allow full participation. The Commander will appoint a LDP Regional Champion and Regional Program Manager. The Division Commander will select supplemental curriculum for Level 3 that is congruent with the USACE LDP goals and objectives.

**Southwestern Division LDP Regional Champion:** The LDP Regional Champion is a senior executive in the Southwestern Division Office with a passion for leadership development. The Regional Champion is appointed by the Division Commander and will ensure that the LDP is executed throughout the Southwestern Division, is meeting the strategic and operational requirements of the LDP, and is achieving intended outcomes. The Regional Champion will chair the LDP Regional Steering Committee.

**Southwestern Division LDP Regional Program Manager:** The LDP Regional Program Manager is appointed by the Division Commander and will provide program management and oversight for the LDP execution throughout the Southwestern Division. The LDP Regional Program Manager will ensure that the LDP is accomplishing intended outcomes. The LDP Regional Program Manager will participate in the USACE LDP sub-CoP by sharing and incorporating lessons learned and effective LDP improvements. The LDP Regional Program Manager will work closely with the USACE LDP Program Manager at HQUSACE, and Program Level Advisors at each District Office. There are nine appointed USACE LDP Regional Program Managers, one for each Region as defined by the RBC, as well as one for ERDC.

**Program Level Advisor for Level 3:** The Program Level Advisor is appointed by the Division Commander and will execute (i.e., oversee, coordinate, administer, etc.) Level 3. The Program Level Advisor will arrange for the delivery of training courses and materials, small group discussions and evaluation of program participants. The Program Level Advisor will designate coaches and facilitators to assist in program execution. The Advisor will capture lessons learned, program improvement suggestions, and perspectives of participants as a source of organizational learning and will share learning, suggestions, and implementation challenges with peers and the USACE LDP Program Manager. The Program Level Advisor will conduct quarterly discussions with participants and evaluate participants' performance. The Advisor will provide feedback on the participants' written work (e.g. reflective essays) and will share (without attribution) with the senior leadership. The Program Level Advisor will provide feedback to the USACE LDP Program Manager regarding successes and learning points discovered during the

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execution of the program level. The Advisor will participate in the USACE LDP sub-CoP by sharing and incorporating lessons learned and effective improvements.

**Southwestern Division LDP Regional Steering Committee:** Membership is comprised of one representative from the Division Office, each District, and the HQSWD Regional Champion. Efforts will be made to balance the functional representation of the HQSWD LDP Steering Committee. The Steering Committee is responsible for ensuring the LDP execution is producing intended outcomes. Each year lessons learned will be compiled to share learning, make suggestions for improvement, and address implementation challenges throughout SWD. The Steering Committee will provide overall LDP execution guidance and monitor program execution.

**Southwestern Division Strengths Performance Coach:** The Strengths Performance Coach will provide coaching to participants to teach, clarify and help participant distinguish natural talents from things learned. They will work with dominant talents identified in the Clifton StrengthsFinder® web based assessment and apply Clifton StrengthsFinder® themes as a common language to describe talents. Through the coaching relationship, the Coach will help the participant build on talents, develop strengths, and achieve a level of performance that is both excellent and fulfilling. The Strengths Performance Coach must maintain their Strengths Performance Coaching certification.

**Southwestern Division Equal Employment Manager:** The HQSWD Equal Employment Manager serves as an advisor to the Division and District Commanders to ensure that equal opportunity is available to all participants and applicants without regard to sex, age, race, national origin, color, religion and physical disability.

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**9.7 Appendix D: Shadowing Guide**

The purpose of this guide is to provide prospective Shadows and Shadow Sponsors some idea as to what to expect as they embark on a shadowing experience. Providing the opportunity to shadow senior leaders demonstrates the Corps' interest in investing in people and developing our future leaders. Shadowing senior leaders gives employees the opportunity to be exposed to events and learning experiences outside of their current working environment. The experience provides both the Shadow and Sponsor an excellent opportunity to observe each other "up-close and personal" and, as a result, learn about each other's leadership styles and abilities. The Shadow will gain insight and a broader perspective concerning the myriad responsibilities and issues that USACE leaders face and how these challenges affect decision making at the highest levels within the Corps. The Sponsor has an opportunity to learn from the Shadow and hear about the inner workings of the organization that they normally do not get feedback on. Additionally, it is rewarding and enriching for the Sponsor to contribute to the growth and development of the future leaders of the Corps.

**Tips and Suggestions:**

**For the Sponsor** - Share your biography with your Shadow prior to the shadowing experience as a means to "break the ice" and facilitate your initial, get-acquainted meeting. Shadows will initiate a telephonic or email introduction with you prior to getting together. Encourage your Shadow to ask questions, share observations, and seek advice and guidance from you. Ensure that your Shadow understands your expectations of him/her with regard to accompanying you to meetings, to include which meetings, briefings, luncheons, and any other activities as you deem appropriate; taking of notes; and active participation in conversations or just observation; trip reports; etc. Ensure that your Shadow feels comfortable and has as many opportunities as possible for interaction and visibility with others (e.g., introduce your Shadow to your colleagues). Provide opportunities for your Shadow to assist you in meaningful tasks (e.g., retrieving/looking up information, preparing synopses of meetings or presentations, etc.) Engage your Shadow in a "lessons learned" discussion frequently. Share any suggestions you may have on career enhancement/development activities, job opportunities, which you feel may be beneficial to your Shadow. Discuss each other's career, hopes and dreams. Discuss with the Shadow what leadership is or is not, or how vital strategic vision is to executive success, or the need for good relationship development, or resolving conflict or active listening, etc. Encourage the Shadow to give honest feedback on where these attributes were displayed or observed by you and others during the course of the shadowing experience. A key leadership attribute and teaching point for the Shadow are for the sponsor to admit that they too have weaknesses / blindspots and are always looking for constructive feedback on ways to improve.

**For the Shadow** - Contact your Sponsor prior to getting together in order to introduce yourself, share your biography and a brief description of your position and duties, and make plans for your initial meeting. Make sure you understand your Sponsor's expectations of you--if unclear, ask for clarification. Ask if there is any preparation work required, to include agenda, briefing materials, etc. Be punctual, energetic, and show that you are willing to make the most of this opportunity to engage with your Sponsor and others. Use every available opportunity, as appropriate, to ask questions, seek to understand, share your observations, and or seek advice from your Sponsor. Use every available opportunity to interact and/or network with your Sponsor and others. A major part of the shadowing experience is for the Shadow to stay with the Sponsor throughout the day to include all side conversations that might take place. This is another opportunity to learn how the Sponsor interacts with others as well as enhance knowledge and awareness of various issues. This is something that the two need to work out at

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the outset. In some instances this may be in confidence and the Shadow needs to understand this. Ask your Sponsor to suggest tasks or areas where you can be of assistance (e.g., gathering information; taking notes of meetings; preparing synopses of presentations, etc.) Be open and willing to share lessons learned and observations, as well as to ask questions of your Sponsor frequently. Seek to establish rapport with your Sponsor that may result in continued interaction and communication after the shadowing experience.

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**10.7 Appendix E: Mentor Agreement Form**

Mentor Name: \_\_\_\_\_

Participant Name: \_\_\_\_\_

## **MENTOR'S STATEMENT OF AGREEMENT**

I agree to participate in the Southwestern Division Leadership Development Program (LDP), as a mentor. I am willing to enter into an agreement with a LDP participant regarding the specific developmental goals he/she wishes to achieve and to meet quarterly to work toward these objectives which may include learning about career opportunities within the Corps of Engineers, networking with other professionals, learning more effective self-management, and understanding the best approaches to problem solving in the Corps environment. I understand and will reinforce to my Mentee(s), as appropriate, that participation in our activities does not guarantee access to any specific jobs, advancement or promotional opportunities.

### **MENTOR ROLES AND RESPONSIBILITIES**

As a volunteer mentor with the US Army Corps of Engineers - Southwestern Division Mentoring Program, I agree to accept the responsibilities and roles of a mentor as listed in the LDP Implementation Guide (page 5), as well as the following:

- Make a one-year commitment to mentoring;
- Be on time for scheduled meetings;
- Notify the Mentee and/or the LDP Champion if I am unable to keep the agreed upon schedule for mentoring sessions;
- Engage in the relationship with an open mind;
- Consult with the LDP Champion when I need assistance, do not understand something or am having difficulty with my mentoring relationship;
- Notify the LDP Champion and the Mentee of any changes in my employment, address and telephone number;

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**AGREEMENT**

We are voluntarily entering into a mentoring relationship from which we both expect to benefit. We want this to be a rich, rewarding experience with most of our time together spent in career development activities. To this end, we have mutually agreed upon the terms and conditions of our relationship as outlined in this agreement.

***Objectives***

We hope to achieve:

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To accomplish this we will do:

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***Frequency of Meetings***

We will attempt to meet at least once a quarter. If we cannot attend a scheduled meeting, we agree to be responsible and notify our partner.

***Duration***

We have determined that our mentoring relationship will continue until the LDP participant graduates from the program.

***No-Fault Termination***

We are committed to open and honest communication in our mentoring relationship. We will discuss and attempt to resolve any conflicts as they arise. If, however, one of us needs to terminate the relationship for any reason, we agree to abide by the decision of our partner.

\_\_\_\_\_  
Mentor

\_\_\_\_\_  
Mentee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**Operations Division**  
**Technical Support Branch**  
**Natural Resources and Recreation Section - OD-TN**  
**May 2010**

<b><u>Program</u></b>	<b><u>Subject Matter Expert (SME)</u></b>	<b><u>Phone</u></b>
Hunting Program	Brandon Mobley	(817) 886.1565
Scientific Collectors Permits	Brandon Mobley	
Watchable Wildlife - Important Birding Areas	Brandon Mobley	
Natural Resources Mitigation	Brandon Mobley	
NEPA	Brandon Mobley	
Range Management	Brandon Mobley	
Special Status Species (Threatened and Endangered)	Brandon Mobley	
Tree, Landscape, and Wildlife Habitat Damage Evaluation	Brandon Mobley	
Wildlife and Fisheries Management	Brandon Mobley	
Pest control, invasive species and herbicide program	Brandon Mobley	
ES-Best - OD-TN POC	Brandon Mobley	
Environmental Stewardship OMBIL POC	Brandon Mobley	
Shoreline Management	Brandon Mobley	
Use fees (fee schedule, annual passes)	Cheryl Jasper	(817) 886.1570
Ranger Program (training manual)	Cheryl Jasper	
Volunteer Program, Student Conservation Association, etc.	Cheryl Jasper	
Wetland Development and Restoration	Cheryl Jasper	
ERGO Alternate	Cheryl Jasper	
Annual Awards (NRM program)	Cheryl Jasper	
Sign Program Alternate	Cheryl Jasper	
Gate Attendant Program	Cheryl Jasper	
ERGO	Chris Byrd	(817) 886.1569
AEWRS	Chris Byrd	
Sign Program	Chris Byrd	
Cultural and Historical Resources Management	Dan McGregor	
Field office websites	Mike Weber	(817) 886.1572
GIS	Mike Weber	
Maps and Brochures	Mike Weber	
NRRS	Greg Webb	(817) 886.1576
REC-Best - OD-TN POC	Greg Webb	
Recreation Program Policy	Greg Webb	
Special Events Program Policy	Greg Webb	
Water Related Recreation Use Studies	Greg Webb	
Market Demand Studies	Greg Webb	
ADA	Jennifer Linde	(817) 886.1578
Oil and Gas Exploration	Jennifer Linde	
OMBIL	Jennifer Linde	
Recreation OMBIL POC	Jennifer Linde	
Visitation (VERS)	Jennifer Linde	
Visitor Comment Card	Jennifer Linde	
National Public Lands Day	Jennifer Linde	
Accident/Incident Reporting	Tim Gibson	(817) 886.1571
Citations	Tim Gibson	
Law Enforcement Agreements	Tim Gibson	
Visitor Assistance	Tim Gibson	
Water Safety Program	Tim Gibson	
ES-Best - District Field POC	Dale King (GR Lake)	(817) 865.2600
Recreation Partnership Initiative	Doug Cox (LE Lake)	(469) 645.9100
REC-Best - District Field POC	Martin Gustafson (SO Lake)	(979) 596.1622
Forest Management Program	Matt Seavey (WP Lake)	(903) 838.8781 x112
Hazardous Tree Management	Matt Seavey (WP Lake)	(903) 838.8781 x112
Uniforms	Susan Haney (WH Lake)	(254) 622.3332

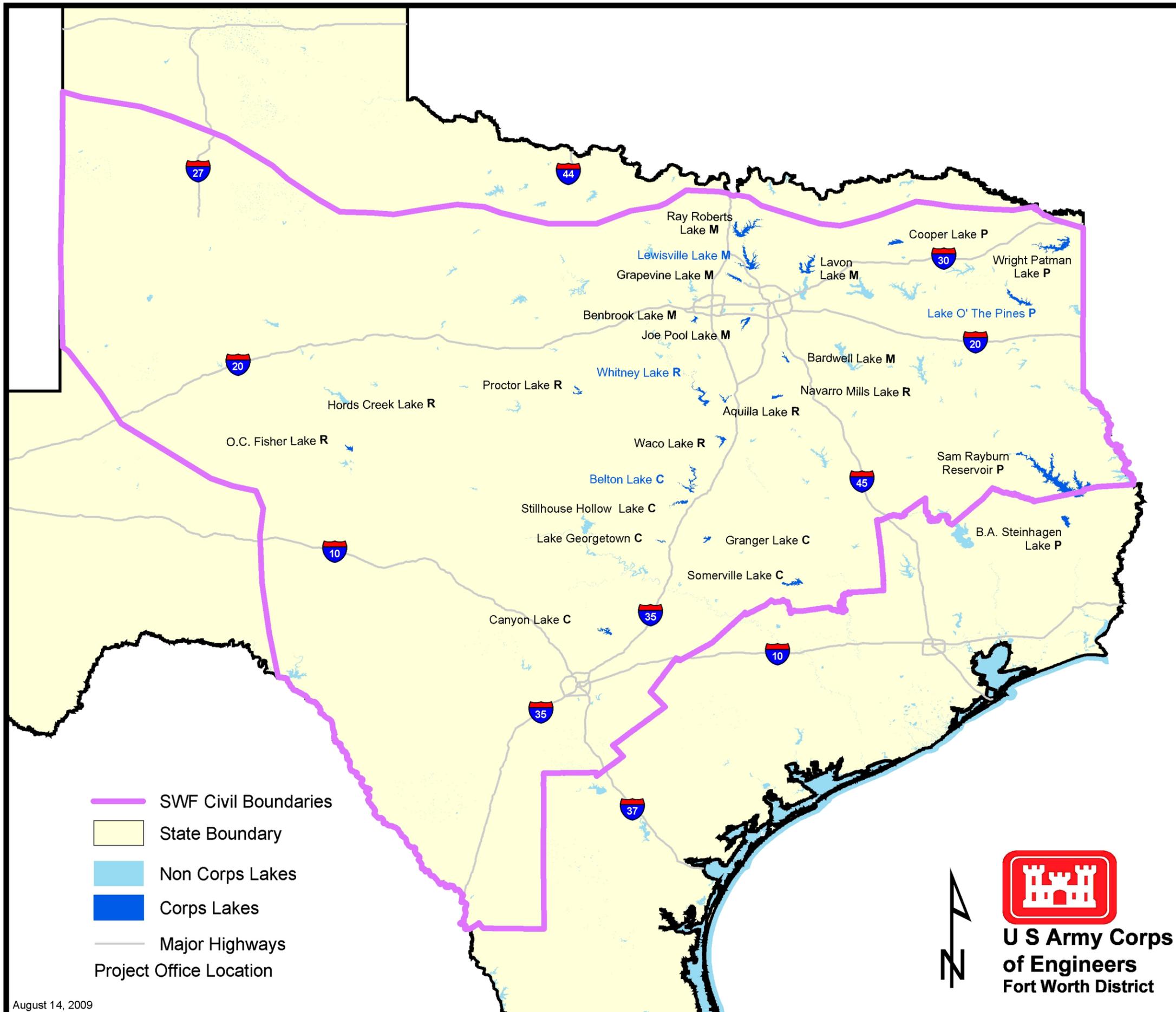
**Operations Division  
 Technical Support Branch  
 Natural Resources and Recreation Section - OD-TN  
 1-May-10**

<u>Regional Office</u>	<u>District PM</u>	<u>Phone</u>	<u>District Alternate PM</u>	<u>Phone</u>
<b>Capital Regional Office</b>	Tim Gibson	(817) 886.1571	Grady Clay	(817) 886.1574
BN Belton				
CN Canyon				
NF Georgetown				
GA Granger				
SO Somerville				
SH Stillhouse Hollow				
<b>Piney Woods Regional Office</b>	Chris Byrd	(817) 886.1569	Grady Clay	(817) 886.1574
CP Cooper				
LP Lake O' the Pines				
SR Sam Rayburn				
TB Town Bluff				
WP Wright Patman				
<b>Three Rivers Regional Office</b>	Jennifer Linde	(817) 886.1578	Brandon Mobley	(817) 886.1565
AQ Aquilla				
HC Hords Creek				
NM Navarro Mills				
OC O.C. Fisher				
PR Proctor				
WA Waco				
WH Whitney				
<b>Trinity Regional Office</b>	Cheryl Jasper	(817) 886.1570	Brandon Mobley	(817) 886.1565
BR Bardwell				
LA Lavon				
LE Lewisville				
RR Ray Roberts				
BB Benbrook	Greg Webb	(817) 886.1576	Brandon Mobley	(817) 886.1565
GR Grapevine				
JP Joe Pool				

# OPERATIONS FIELD OFFICES

Project/Lake Offices

<b>M - Trinity Regional Office</b>	469-645-9100
Operations Project Manager, Vacant	
Deputy Operations Project Manager, Brian Phelps	
Bardwell Lake Office	972-875-5711
Lake Manager, Bobby Wooley	
Benbrook Lake Office	817-292-2400
Lake Manager, Bobby Faucett	
Grapevine Lake Office	817-865-2600
Lake Manager, Craig Edmondson	
Lavon Lake Office	972- 442-3141
Lake Manager, Heath McLane	
Lewisville/Ray Roberts Lake Office	469-645-9100
Lake Manager, Eric Pederson	
Joe Pool Lake Office	972-299-2227
Lake Manager, Bobby Faucett	
<b>R - Three Rivers Regional Office</b>	254-622-3332
Operations Project Manager, Toni Rushing	
Deputy Operations Project Manager, Tim Horn	
Hords Creek Lake Office	325-625-2322
Lake Manager, Vacant	
Navarro Mills Lake Office	254-578-1431
Lake Manager, Alton Hurley	
O.C. Fisher Lake Office	325-944-7085
Lake Manager, Vacant	
Proctor Lake Office	254-879-2424
Lake Manager, Brett Delk	
Waco Lake Office	254-756-5359
Lake Manager, Carl Smith	
Whitney/Aquilla Lake Office	254-622-3332
Lake Manager, Brady Dempsey	
<b>P - Piney Woods Regional Office</b>	903-665-2336
Operations Project Manager, Jerry Paul Thomas	
Deputy Operations Project Manager, Mark Shaw	
Cooper Lake Office	903-945-2108
Lake Manager, Mike Bransford	
Lake O' the Pines Office	903-665-2336
Lake Manager, Bobby Hamrick	
Sam Rayburn Lake Office	409-384-5716
Lake Manager, David LaRue	
Town Bluff Lake Office	409-429-3491
Lake Manager, Floyd Boyett	
Wright Patman Lake Office	903-838-8781
Lake Manager, Mike Bransford	
<b>C - Capitol Regional Office</b>	254-939-1829
Operations Project Manager, Gregory Pope	
Deputy Operations Project Manager, Ron Miller	
Belton/Stillhouse Hollow Lake Office	254-939-2461
Lake Manager, Dan Thomasson	
Canyon Lake Office	830-964-3341
Lake Manager, Vacant	
Granger Lake Office	512-859-2668
Lake Manager, Marcus Schimank	
Lake Georgetown Office	512-819-9046
Lake Manager, Carey Weber	
Somerville Lake Office	979-596-1622
Lake Manager, Ernest Eberle	



August 14, 2009

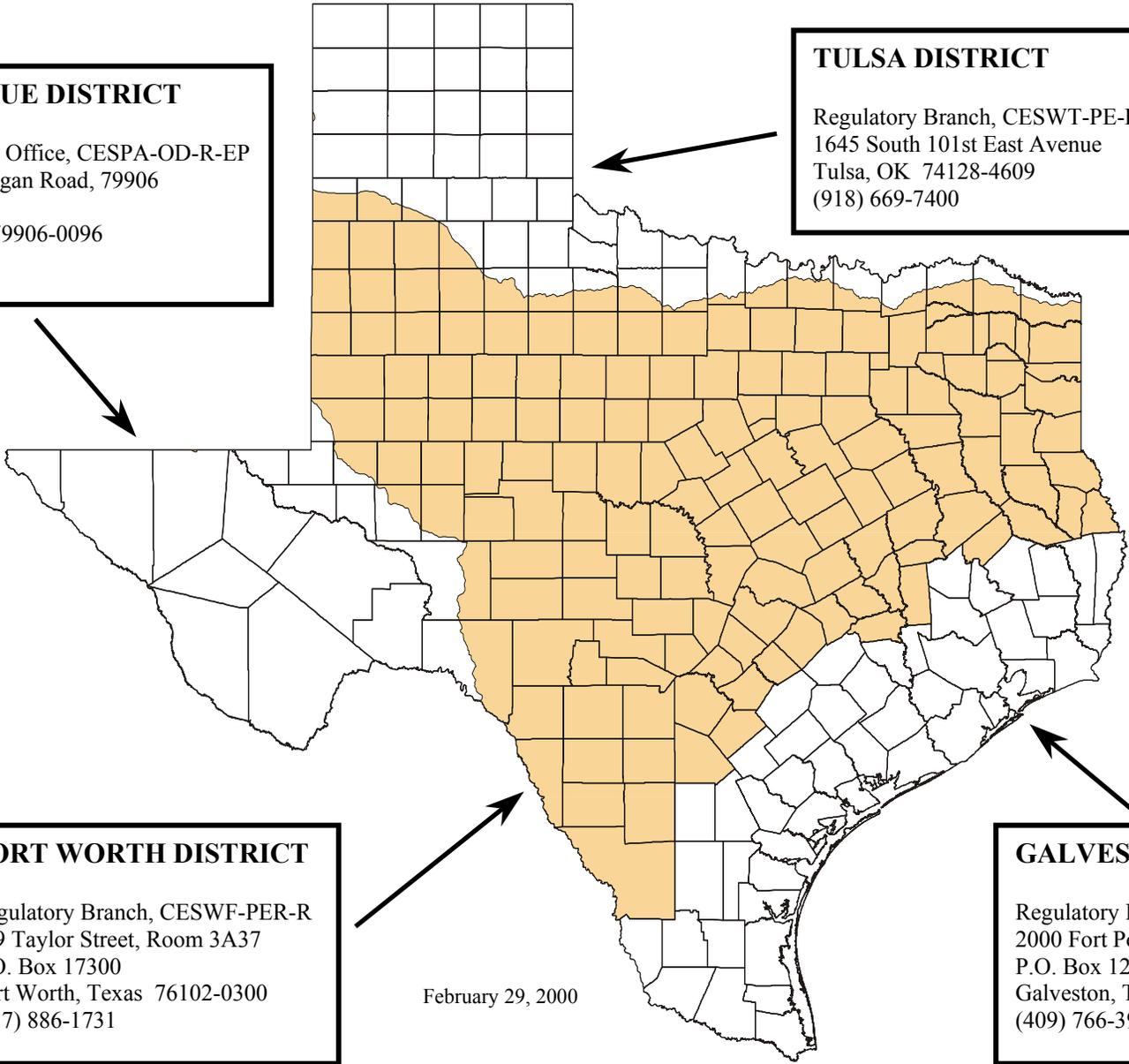
# U.S. Army Corps of Engineers Districts within the State of Texas

**ALBUQUERQUE DISTRICT**  
El Paso Regulatory Office, CESPA-OD-R-EP  
Building 6380 Morgan Road, 79906  
P.O. Box 6096  
Fort Bliss, Texas 79906-0096  
(915) 568-1359

**TULSA DISTRICT**  
Regulatory Branch, CESWT-PE-R  
1645 South 101st East Avenue  
Tulsa, OK 74128-4609  
(918) 669-7400

**FORT WORTH DISTRICT**  
Regulatory Branch, CESWF-PER-R  
819 Taylor Street, Room 3A37  
P.O. Box 17300  
Fort Worth, Texas 76102-0300  
(817) 886-1731

**GALVESTON DISTRICT**  
Regulatory Branch, CESWG-PE-R  
2000 Fort Point Road  
P.O. Box 1229  
Galveston, Texas 77553-1229  
(409) 766-3930



February 29, 2000