



## “Holding the Line... watch out for these issues”

Actual case studies for navigating the sometimes not-so-bright line defining senior official misconduct

### The Cases:

#### 1 – VEHICLE MISUSE, DOMICILE-TO-DUTY

The complaint: A general officer directed that a parking space be designated for his use at the far end of a rarely used parking lot not near his office but within easy walking distance of his on-base residence. The sign on the parking space indicated it was reserved for that GO's GMV. The GO then regularly drove his GMV to this parking place at the end of duty hours and walked home, reversing the process in the mornings. Were any standards violated?

The Standards: 31 U.S.C. §1344, *Passenger carrier use*; DoD 5500.07-R, *Joint Ethics Regulation (JER)*; and AFI 24-301, *Vehicle Operations*.

IG Finding: The GO believed ensuring his assigned GMV was in close proximity to his quarters was necessary to ensure his ability to quickly respond to mission requirements. However, the AFI states “GMVs, to include emergency response vehicles, will not be parked at any location that facilitates partial domicile-to-duty transportation.” And, “The SecAF and the CSAF are the only two positions authorized domicile-to-duty transportation under the statute.” Moreover, the law and the AFI are also clear that SecAF (non-delegable) is the sole approval authority for any further domicile-to-duty allowances in the Air Force. The GO had not requested nor received permission for domicile-to-duty transportation. Vehicle Misuse – SUBSTANTIATED.

*If you have vehicle use questions, contact your local transportation office or your servicing SJA.*

#### 2 – ETHICS: PUBLIC OFFICE FOR PRIVATE GAIN

The complaint: A member of the Senior Executive Service (SES) brought Girl Scout cookies into his front office and the cookies were being sold in that official space to anyone interested. Were any standards violated?

The Standards: DoD 5500.07, *Joint Ethics Regulation (JER)*; and AFI 36-3101, *Fundraising within the Air Force*.

IG Finding: The SES's daughter was a Girl Scout and was selling the cookies as part of the annual scouting fundraiser. The SES's deputy told the SES she'd like to purchase cookies from his daughter. The SES brought in the cookies his deputy requested, as well as an additional supply of cookies in the event anyone else wanted to purchase them. Over the course of the sales period,

the cookie sales were facilitated by the SES's exec and secretary, who received payment for the cookies at their desks and helped transport new supplies of cookies from the SES's POV to the office. The JER prohibits the use of one's public office for private gain. It also prohibits “outside fundraising” as well as soliciting funds from or sales to subordinates. Further, the AFI prohibits Air Force employees from fundraising for any non-Federal entity except for those specifically identified in the JER (e.g., CFC or AFAF) without installation commander approval. Using Public Office for Private Gain – SUBSTANTIATED. And, Misuse of a Subordinate's Time, given the SES's subordinates actively participated in the cookie sales, also – SUBSTANTIATED

*If you have ethics related questions, contact your servicing SJA or local ethics officer.*

#### 3 – TDYs FOR PROMOTIONS AND RETIREMENTS

The complaint: A general officer went TDY to attend promotions and retirements for several former subordinates and coworkers. The GO was not an official participant in any of the events. In some instances, the GO arranged official engagements at the event location after being invited to the ceremony. In other instances, the only event was the ceremony. Were any standards violated?

The Standards: *Joint Travel Regulations (JTR)*; AFI 24-101, *Passenger Movement*; and AFI 36-3003, *Military Leave Program*.

IG Finding: The JTR does not allow for TDYs to attend ceremonial events except in rare circumstances. Those include serving as an official representative for a funeral or as an official representative for a change-of-command ceremony. And in those instances, the Component head (SecAF) or designee must approve the official travel. In addition, AFI 36-3003 notes Permissive TDY may be granted for a member to serve as the presiding official for a ceremony, but mere participation is not sufficient even for PDTY, and PDTY may be authorized for only one presiding official per ceremony. In this case, the GO had no official purpose for the travel or created after-the-fact “official” requirements to justify the travel. And, the travel was not authorized by the GO's supervisor or the Component head.

Travel Violations – SUBSTANTIATED.

*If you have Official Travel questions, contact your local travel office or your servicing SJA.*

## Senior Official investigations historical statistics and trends

This slide shows a 5-year lookback at the general types of allegations that have been substantiated against senior officials. It's important to note that the overall numbers each year are small, which may make it appear a "spike" or trend exists when in fact a single case with 2 or more substantiated violations may be the driver rather than a substantive increase in a particular category. When viewed over time, this chart indicates a small decrease in the overall number of ethics violations and small increases in violations related to leadership failures and personnel matters.

