MEMORANDUM FOR DEPUTY DESIGNATED AGENCY ETHICS OFFICIALS

SUBJECT: Standard Operating Procedures for Initial Ethics Training

The Department of the Navy’s (DON) Standard Operating Procedures (SOP) that outline the Initial Ethics Training (IET) requirements and establishes a consistent process for tracking IET completion is attached. The SOP sets forth the responsibilities for ensuring that DON personnel complete their IET requirement within the prescribed time frames, as well as, establishing requirements for tracking annual ethics training completion. Please distribute the SOP to the organizations under your cognizance for immediate implementation.

Questions regarding the SOP are to be directed to the Assistant General Counsel (Ethics), Sara Tetreault, at sara.tetreault@navy.mil.

[Signature]
Robert J. Sander

Attachment:
As stated

cc:
Principal Deputy General Counsel
Deputy General Counsel
Counsel for the Commandant of the Marine Corps
Deputy Judge Advocate General
Staff Judge Advocate to the Commandant of the Marine Corps
Assistant General Counsel (Ethics)
Department of the Navy
Initial Ethics Training
Standard Operation Procedures

References

(a) 5 CFR 2638.304, Initial Ethics Training
(b) DoD 5500.07-R, Joint Ethics Regulation
(c) NARA General Records Schedule 2.6: Employee Training Records

Purpose. The purpose of this Standard Operating Procedure (SOP) is to outline the Initial Ethics Training (IET) requirements and establish a consistent process for tracking IET completion.

Applicability/Scope. This SOP applies to ethics officials assigned to the Department of the Navy (DON), including the U.S. Navy (USN) and the U.S. Marine Corps (USMC).

This SOP is subordinate to and should be read consistent with all applicable statutes, regulations, U.S. Government of Ethics (OGE) issuances, and Department of Defense (DoD) issuances. The Assistant General Counsel (Ethics) (AGC (E)) will review this SOP on an annual basis and will update as required.

Responsibilities

Designated Agency Ethics Official (DAEO). The DAEO is the individual with ultimate responsibility for the DON’s ethics program. The DAEO for the DON is the General Counsel of the Navy.

Alternate DAEO (ADAEO). The ADAEO performs the duties of the DAEO in the DAEO’s absence. The ADAEO for the DON is the Judge Advocate General of the Navy.

Deputy DAEO (DDAEO). The DDAEOs are responsible for overseeing and administering all ethics program requirements within their respective organizations. The following positions are appointed as DDAEOs:

- Principal Deputy General Counsel (PDGC)
- Deputy General Counsel (DGC)
- Counsel for the Commandant of the Marine Corps (Counsel for CMC)
- Deputy Judge Advocate General of the Navy (DJAG)
- Staff Judge Advocate to the Commandant of the Marine Corps (SJA to the CMC)
- Assistant General Counsel (Ethics) (AGC (E))

The DDAEOs are responsible for ensuring that their subordinate organizations are complying with the IET regulatory requirements and this SOP. Additionally, the AGC (E) is responsible for ensuring that there is interactive IET available for all DON employees on the Total Workforce Management Services (TWMS) and Navy e-Learning websites.
**Ethics Counselors (ECs).** ECs are designated in writing by the DAEO, ADAEO, or DDAEO and have authority to manage their command’s IET program including providing ethics training and tracking ethics training completion.

**Ethics Officials.** The term Ethics Officials includes the DAEO, ADAEO, DDAEOs, and ECs.

**Human Resources Offices (HROs).** HROs that support civilian personnel onboarding are responsible for assisting command ethics counselor(s) in identifying new entrant employees that are required to complete IET.

**Requirements**

**IET Deadline.** The following employees are required to receive IET:

- Per reference (a), civilian employees and military officers appointed to a position within the DON who were not a DON employee/officer immediately prior to the appointment must complete IET within three (3) months of their appointment.

- Per Chapter 11 of reference (b), active duty enlisted Service Members upon their initial enlistment in the USN or USMC must receive IET within 180 days of entering active duty.

- Per reference (a), Presidentially Appointed, Senate-confirmed (PAS) Officials, non-career Senior Executive Service members, and Schedule C appointees must complete IET within three (3) months of their appointment. PAS officials may complete IET prior to their appointment.

- Per reference (a), Special Government Employees (SGEs) that are reasonably expected to serve no more than 60 days in a calendar year on a board, commission, or committee, must receive IET any time before, or at the beginning of, the employee’s first meeting of the board, commission, or committee.

**IET Format.** Per reference (a), the format of the IET can be live or interactive.

- Training is considered live if the presenter personally communicates a substantial portion of the material at the same time as the employees being trained are receiving the material, even if part of the training is pre-recorded or automated. The training may be delivered in person, or through video or audio technology. The presenter must respond to questions posed during the training and must provide instructions for employees to submit questions after the training.

- Training is considered interactive if the employee being trained is required to take an action with regard to the subject of the training. The required action must involve the employee’s use of knowledge gained through the training and may not be limited to merely advancing from one section of the training to another.

**IET Duration and Content.** Per reference (a), the training must be of a sufficient duration to communicate the basic ethical obligations of Federal service and to address the concepts listed below. Per Chapter 11 of reference (b), DON employees, including enlisted Service Members, must be given a minimum of one (1) hour of official duty time to review written materials discussed below. This one (1) hour period is reduced by the amount of time the employee receives either live or interactive training.
• Financial conflicts of interest (including a discussion of 18 U.S.C. 201, 203, 205, 207-209);

• Impartiality (including a discussion of 5 CFR 2635 Subpart E);

• Misuse of Position (including a discussion of 5 CFR 2635 Subpart G); and

• Gifts (including a discussion of 5 CFR 2635 Subparts B and C).

**IET Written Materials.** Per reference (a), in addition to live or interactive training, the ECs must provide employees and Service Members with either the written materials listed below or instructions for accessing them.

• The summary of the Standards of Conduct distributed by OGE or an equivalent summary prepared by the agency. The Office of the Secretary of Defense, Standards of Conduct Office (SOCO) developed a summary of the Standards of Conduct rules for use by the DoD. A copy of the summary is available on the SOCO website at [https://dodsocoo.ogc.osd.mil/Portals/102/employee_guide_1.pdf](https://dodsocoo.ogc.osd.mil/Portals/102/employee_guide_1.pdf).

• Provisions of any supplemental agency regulations that the DAEO determines to be relevant or a summary of those provisions. The SOCO website contains links to the DoD Supplemental Regulations (5 CFR Part 3601) and reference (b) at [https://dodsocoo.ogc.osd.mil/General-Ethics-Program-Materials/Resources/Authorities-Ethics-Officials/](https://dodsocoo.ogc.osd.mil/General-Ethics-Program-Materials/Resources/Authorities-Ethics-Officials/).

• Instructions for contacting the agency’s ethics office. Local ECs must provide the IET recipients with their offices’ contact information. Additionally, IET and written materials may include the DON’s ethics inbox, [ethics@navy.mil](mailto:ethics@navy.mil), which is managed by the Office of the AGC (E). The OAGC (E) will forward ethics inbox inquiries to the appropriate ethics counselor for action.

**IET Completion Tracking.** Per reference (a), the DON is required to establish written procedures for tracking IET completion. As such, command ECs are required to do the following:

• **Civilian Employees.** Command ECs shall ensure that civilian new entrant employees complete IET within three (3) months of their appointment date. To properly identify new employees that are required to complete IET, command ECs shall request from the command’s servicing human resources department, on an at least monthly basis, a list of civilian employees that are new to the DON with effective appointment dates during the previous two pay periods. Training completion must be tracked as follows:
  o Interactive Training – TWMS training completion reports or similar on-line training completion reports; or
  o Live Training – sign-in sheets or excel spreadsheets that include the employee’s name, command name, position title, date of training, and presenter’s name.

• **Service Members.** ECs that support Accession Commands (e.g., United States Naval Academy, Officer Candidate Schools, The Basic School, Officer Development School, USN Basic Training, USMC Basic Training/Depots) shall ensure that all military officers receive IET within three (3) months of their appointment date and that enlisted Service Members
receive IET within 120 days of entering active duty. Training completion must be tracked as follows:

- Interactive Training: TWMS training completion reports or similar on-line training completion reports;

- Live Training: Sign-in sheets or excel spreadsheets that include the employee name, command name, date of training, and presenter’s name

- SGE. ECs that support a DON board, commission, or committee shall ensure that any SGE appointed to the board, commission or committee receives IET prior to the first meeting. ECs shall track IET completion on an excel spreadsheet that includes the SGE name; committee, board, or commission name; date of training; and, for live training, name of presenter.

- Political Appointees. The AGC (E) shall provide live IET to each PAS official within seven (7) days of his/her Senate confirmation. Additionally, AGC (E) shall provide live IET to all other political appointees (i.e., non-career SES members and Schedule C appointees) within seven (7) days of their appointment dates. AGC (E) shall track IET completion with an excel spreadsheet which includes the employee name, position title, date of training and name of the presenter.

Document Retention Requirements. Per reference (c), commands must retain IET records for a period of six (6) years. IET records include, but are not limited to, the following:

- Records related to the administration of new employee ethics orientation;

- Notices about IET requirements;

- Rosters of employees required to attend and verification of training completed; and

- Copies of training slides, instructor guides, handbooks, handouts and other materials.