

EODMU SEVENTEEN INSTRUCTION 5370.1B

Subj: STANDARDS OF CONDUCT AND GOVERNMENT ETHICS

Ref: (a) SECNAVINST 5370.2J

Encl: (1) Bedrock Standards of Conduct for DON Personnel
(2) Commercial Dealings Involving DoN Personnel

1. Purpose. To assign responsibility for standards of conduct, education and screening within EODMU SEVENTEEN.

2. Cancellation. EODMUSEVENTEENINST 5370.1A

3. Discussion. Per reference (a) details the prescribed minimal standards and rules of conduct required of all Department of the Navy (DON) personnel, regardless of assignment and it provides guidance on Government ethics, fundraising, post-Government service employment restrictions, political activities, and related matters.

4. Action. The Commanding Officer maintains overall program responsibility for ensuring ongoing compliance, education, and screening. The following additional responsibilities are assigned within EODMU SEVENTEEN:

a. The Standards of Conduct Officer shall:

(1) Review this directive with incoming personnel as part of command indoctrination.

(2) Maintain an ongoing program of education via Plan of the Month, Plan of the Week, GMT, and annual training.

(3) Act as initial point of contact for all matters concerning alleged standards of conduct inquiries or violations.

(4) Liaison with appropriate Ethics Counselors as listed in Appendix E of reference (a).

(5) Report all incidents and concerns to the Commanding Officer immediately.

(6) Initiate any reports required by reference (a).

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b. The Training Officer shall:

(1) Maintain records of required training.

(2) Schedule Standards of Conduct training via the command's Planning Board for Training.

c. All Hands at EODMU SEVENTEEN:

(1) Review enclosures (1) and (2) of this instruction so as to be aware of the Navy's Standards of Conduct.

(2) Maintain awareness of the Bedrock Standards of Conduct for DON Personnel contained in enclosure (1).

(3) Maintain awareness of the provisions of chapter 4, section 405 of reference (a) concerning "Commercial Dealings Involving DON Personnel".

(4) Immediately report any concerns or violations to the Standards of Conduct Officer.

d. Selected Reserve Personnel assigned to EODMU SEVENTEEN shall:

(1) Keep the command informed of changes in civilian employment as required by chapter II, section 206.f. of reference (a).

(2) Report to the Standards of Conduct Officer on any situation or circumstances which conflicts or appears to conflict with the public interests of the United States relating to their duties as required in chapter 4, section 404.a. of reference (a).

S. R. WILSON

Distribution: (EODMUSEVENTEENINST 5216.1D)
List I (Case 1)
List II (Case 1)

Stocked: EODMU SEVENTEEN (N1)

BEDROCK STANDARDS OF CONDUCT
FOR DEPARTMENT OF THE NAVY PERSONNEL

To maintain the public's confidence in our institutional and individual integrity, all Department of the Navy (DON) personnel shall:

1. Avoid any action, whether or not specifically prohibited by the rules of conduct, which might result in or reasonably be expected to create an appearance of:
 - a. using public office for private gain,
 - b. giving preferential treatment to any person or entitles,
 - c. impeding Government efficiency or economy,
 - d. losing complete independence or impartiality,
 - e. making a Government decision outside official channels,
or
 - f. adversely affecting the confidence of the public in the integrity of the Government;
2. Do not engage in any activity or acquire or retain any financial or associational interest that conflicts or appears to conflict with the public interests of the United States related to their duties;
3. Do not accept gratuities from Department of Defense contractors unless specifically authorized by law or regulation;
4. Do not use their official positions to improperly influence any person to provide any private benefit;
5. Do not use inside information to further a private gain;
6. Do not wrongfully use rank, title, or position for commercial purposes;
7. Avoid outside employment or activities incompatible with their duties or which may discredit the Navy;

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8. Never take or use Government property or services for other than officially approved purposes.
9. Do not give gifts to your superiors or accept them from your subordinates when it is not appropriate to do so.
10. Do not conduct official business with persons whom participation in the transaction would violate law or regulation.
11. Seek ways to promote efficiency and economy in Government operations.
12. Preserve the public's confidence in the Navy and its personnel by exercising public office as a public trust.
13. Put loyalty to the highest moral principles and to country above loyalty to persons, party, or Government department.
14. Uphold the Constitution, laws, and regulations of the United States and never be a party to their evasion.
15. Give a full day's labor for a full day's pay, providing earnest effort to the performance of duties.
16. 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 person as influencing the performance of Government duties.
17. Make no private promises of any kind binding upon the duties of office.
18. Do not engage in business with the Government, either directly or indirectly, inconsistent with the conscientious performance of the government duties.
19. Expose corruption wherever discovered.

Enclosure (1)

COMMERCIAL DEALINGS INVOLVING DON PERSONNEL

A common area of misconception regarding standards of conduct involves "Commercial dealings involving Department of the Navy (DoN) personnel". Article 405 of reference (a) is reprinted here for information of all hands.

405. Commercial Dealings Involving DoN Personnel

a. Rule. **DoN PERSONNEL SHALL NOT KNOWINGLY SOLICIT OR MAKE SOLICITED SALES TO DoD PERSONNEL WHO ARE JUNIOR IN RANK, GRADE, OR POSITION OF THEIR FAMILY MEMBERS, AT ANY TIME, ON OR OFF DUTY. IN THE ABSENCE OF ACTUAL COERCION, INTIMIDATION, OR PRESSURE, THIS PROHIBITION DOES NOT INCLUDE;**

(1) THE SALE OR LEASE BY AN INDIVIDUAL OF HIS OR HER PRIVATELY OWNED REAL OR PERSONAL PROPERTY NOT HELD FOR COMMERCIAL OR BUSINESS PURPOSES; AND

(2) SALES IN COMMERCIAL ESTABLISHMENTS INCIDENT TO EMPLOYMENT BY INDIVIDUALS WORKING PART-TIME IN THEIR OFF-DUTY HOURS.

b. Comment. To eliminate the appearance of coercion, intimidation, or pressure from rank, grade, or position, DoN personnel may not solicit or make solicited sales to junior personnel. This prohibition includes, for example, the solicited sale of insurance, stocks, mutual funds, real estate, cosmetics, household supplies, vitamins, and other goods or services. Both the act of soliciting and the act of selling as a result of soliciting are prohibited. In both cases, however, a solicitation is necessary for a violation to occur. While the standard prohibits a senior from making a solicited sale to a junior or to the junior's family, sales made because a junior approaches the senior and requests the sale to be made are not prohibited. Caution, however, on the part of the senior is warranted since even subtle coercion or intimidation on his or by Article 1131, U.S. Navy Regulations, 1973, from having any pecuniary dealings with enlisted personnel except as required in the performance of official duty.