SECRETARY OF THE ARMY
WASHINGTON

27 DEC 2005

MEMORANDUM FOR
PRINCIPAL OFFICIALS OF HEADQUARTERS, DEPARTMENT OF THE ARMY
MACOM COMMANDERS

SUBJECT: Face-To-Face Annual Ethics and Acquisition Ethics Training for 2006

This memorandum reaffirms and continues the requirement for annual ethics training. During calendar year 2006, every Soldier and Army civilian employee will attend one hour of ethics training. Furthermore, every Soldier and civilian employee involved in the acquisition process will also be required to receive an additional hour of ethics training to address recurring and emergent acquisition and contracting issues. Only appointed ethics counselors will conduct training. The ethics training requirement is inapplicable to personnel serving in a combat zone. The ethical rules are applicable, however, in combat zones and the required training should be scheduled either before deployment or as soon as practicable after returning to home station.

In the recent Global War on Terror, the Army has, more than ever, become an advocate for American values--fair play, equal treatment, and respect for the rule of law. In conducting Army missions, we must be mindful of the ethical values which are the foundation for our role as America's representative to the world. Accordingly, I have attached (1) the Federal Oath of Office (5 U.S.C. § 3331); (2) the U.S. Army Statutory Requirement of Exemplary Service (10 U.S.C. § 3583); and (3) the Principles of Ethical Conduct for Government Officers and Employees (E.O. 12731, 55 F.R. 42547), and I direct that all Army personnel review these documents by June 30, 2006.

These documents and the annual face-to-face ethics and acquisition ethics training form a firm foundation for the Army Ethics Program, which I fully endorse and expect all personnel to follow. I have asked the Office of the Army General Counsel to inform me on a quarterly basis of the progress that your offices and commands are achieving in this training. My goal is to ensure that the Army never experiences an ethical misadventure that other federal agencies have had the misfortune to encounter and to avoid even the appearance of an ethical impropriety.

Francis J. Harvey

Enclosures

Federal Oath of Office
5 USCS § 3331 (2004)

§ 3331. Oath of office

An individual, except the President, elected or appointed to an office of honor or profit in the civil service or uniformed services, shall take the following oath: "I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God." This section does not affect other oaths required by law.

U.S. Army Statutory Requirement of Exemplary Conduct
10 USCS § 3583 (2004)

§ 3583. Requirement of exemplary conduct

All commanding officers and others in authority in the Army are required--
(1) to show in themselves a good example of virtue, honor, patriotism, and subordination;
(2) to be vigilant in inspecting the conduct of all persons who are placed under their command;
(3) to guard against and suppress all dissolute and immoral practices, and to correct, according to the laws and regulations of the Army, all persons who are guilty of them; and
(4) to take all necessary and proper measures, under the laws, regulations, and customs of the Army, to promote and safeguard the morale, the physical well-being, and the general welfare of the officers and enlisted persons under their command or charge.

Principles of Ethical Conduct for Government Officers and Employees
E.O. 12731 of October 17, 1990
55 FR 42547
October 19, 1990

EXECUTIVE ORDER 12371 – PRINCIPLES OF ETHICAL CONDUCT FOR GOVERNMENT OFFICERS AND EMPLOYEES

By virtue of the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to establish fair and exacting standards of ethical conduct for all executive branch employees, it is hereby ordered as follows:

Part I, Section 101- Principles of Ethical Conduct

To ensure that every citizen can have complete confidence in the integrity of the Federal Government, each Federal employee shall respect and adhere to the fundamental principles of ethical service as implemented in regulations promulgated under sections 201and 301 of this order:

(a) Public service is a public trust, requiring employees to place loyalty to the Constitution, the laws, and ethical principles above private gain.
(b) Employees shall not hold financial interests that conflict with the conscientious performance of duty.
(c) Employees shall not engage in financial transactions using nonpublic Government information or allow the improper use of such information to further any private interest.
(d) An employee shall not, except pursuant to such reasonable exceptions as are provided by regulation, solicit or accept any gift or other item of monetary value from any person or entity seeking official action from, doing business with, or conducting activities regulated by the employee's agency, or whose interests may be substantially affected by the performance or nonperformance of the employee's duties.
(e) Employees shall put forth honest effort in the performance of their duties.
(f) Employees shall make no unauthorized commitments or promises of any kind purporting to bind the Government.
(g) Employees shall not use public office for private gain.
(h) Employees shall act impartially and not give preferential treatment to any private organization or individual.
(i) Employees shall protect and conserve Federal property and shall not use it for other than authorized activities.
(j) Employees shall not engage in outside employment or activities, including seeking or negotiating for employment that conflict with official Government duties and responsibilities.
(k) Employees shall disclose waste, fraud, abuse, and corruption to appropriate authorities.
(l) Employees shall satisfy in good faith their obligations as citizens, including all just financial obligations, especially those -- such as Federal, State, or local taxes -- that are imposed by law.
(m) Employees shall adhere to all laws and regulations that provide equal opportunity for all Americans regardless of race, color, religion, sex, national origin, age, or handicap.
(n) Employees shall endeavor to avoid any actions creating the appearance that they are violating the law or the ethical standards promulgated pursuant to this order.