

DoD Standards of Conduct Office

Program Assist Visit

SOCO Program Assist Visit Questionnaire

The purpose of SOCO's Program Assist Visit is to assess whether DDAEO organizations are administering the ethics program effectively and in accordance with relevant requirements. The final report is provided to the head of the command or agency being visited, and to the DoD General Counsel as the DAEO. Requesting the information in a questionnaire format, rather than during an onsite interview, is intended to help ensure ethics officials can provide a more deliberate response and reduce the disruption of having SOCO staff onsite for long periods of time. The Program Assist Visit is an opportunity for DDAEO's to share successes, as well as challenges that SOCO may be able to assist with by, for example, noting a need for additional personnel resources.

Agency Data	Agency Response
Current number of full-time employees:	
Number of non-PAS public financial disclosure reports required to be filed during the last calendar year.	
Number of confidential financial disclosure reports required to be filed during the last calendar year.	
Name of DDAEO:	
Title of DDAEO:	
Grade/Rank of DDAEO:	
Name of the primary Ethics Program Manager:	
Grade/Rank of the Ethics Program Manager:	
Current number of full-time ethics officials:	
Current number of part-time ethics officials:	
Percentage of time the Ethics Program Manager spends on the ethics program in relation to other duties:	
Current number of part-time ethics officials.	
Current number of paralegals or administrative staff supporting the ethics program:	
Percentage of time the paralegals or admin staff spend supporting the ethics program in relation to other duties:	

Materials Required Prior to Ethics Program Assist Visit

Contact Information	
PRIMARY POINT OF CONTACT FOR SOCO PROGRAM ASSIST VISIT	
The DDAEO is the primary POC: Yes <input type="checkbox"/> No <input type="checkbox"/>	
[Name]	
[Title]	
[Phone]	
[E-mail]	
Email Addresses: SOCO’s final report will be emailed to the Agency Head/Commander and DDAEO. It is recommended that the either the Agency Head or the DDAEO provide copies of the report to lead human resources officials, if there are significant findings regarding an area of the program they are responsible for.	
Agency Head/Commander	
[Name]	
[Title]	
[E-mail]	
DDAEO (if other than Primary POC above)	
[Name]	
[Title]	
[Phone]	
[E-mail]	

Ethics Contact Data: SOCO has posted a spreadsheet containing contact information for all DoD ethics personnel to its SharePoint site at: https://dodgc.sp.pentagon.mil/SOCO/DDAEO All DoD ethics program officials should check regularly to ensure that the information listed for their organization is correct and make updates as necessary. If we have your correct e-mail, we have given you access to the site. If not, you can request access from osd.soco@mail.mil Subject: SOCO Sharepoint Access.	
Contact data for our organization has been reviewed and is currently up to date: Yes <input type="checkbox"/> No <input type="checkbox"/>	

Public Financial Disclosure	
1	Human resources officials are required to promptly notify the DDAEO of all appointments to positions that require incumbents to file public financial disclosure reports. <i>See</i> 5 C.F.R. § 2638.105(a)(1). Human resources officials are also required to notify the DDAEO of the termination of employees in positions that require incumbents to file public financial disclosure reports. <i>See</i> 5 C.F.R. § 2638.105(a)(2). If the processes for carrying out those functions are not provided as part of the agency’s response to SOCO’s request for materials (e.g., in a memorandum of understanding), please provide a narrative explanation to document how applicable requirements are met. Otherwise state “see materials.”
Agency Response to Item 1:	
2	Please provide a brief narrative statement explaining the general processes your agency uses to conduct a conflict-of-interest analysis of public financial disclosure reports. (E.g., whether there is an intermediate reviewer, if you use contractor or prohibited holdings lists, etc.) <i>See</i> 5 C.F.R. § 2634.605.
Agency Response to Item 2:	
3	How did your agency compile its master list of filers used to identify all employees who were required to file a public financial disclosure report? Are you confident that it was accurate?
Agency Response to Item 3:	
Confidential Financial Disclosure	
4	Human resources officials are required to promptly notify the DDAEO of all appointments to positions that require incumbents to file confidential financial disclosure reports. <i>See</i> 5 C.F.R. § 2638.105(a)(1). If the processes for carrying out that function are not provided as part of the agency’s response to SOCO’s request for materials (e.g., in a memorandum of understanding), please provide a narrative explanation to document how applicable requirements are met. Otherwise state “see materials.”

Agency Response to Item 4:	
5	Please provide a brief narrative statement explaining the general processes your agency uses to conduct a conflict-of-interest analysis of confidential financial disclosure reports. (E.g., whether there is an intermediate reviewer, if you use contractor or prohibited holdings lists, etc.) <i>See</i> 5 C.F.R. § 2634.605.
Agency Response to Item 5:	
Item	Education and Training
6	How has your agency implemented leader led annual ethics training?
Agency Response to Item 6:	
7	Please provide the percentage of new employees who (1) received initial ethics training and (2) received initial ethics training within three months of appointment.
Agency Response to Item 7:	
8	Please provide both the percentage of public filers and confidential filers who completed annual ethics training before the end of the calendar year.
Agency Response to Item 8:	
9	Please provide the percentage of SGEs who (1) received initial ethics training; (2) received initial ethics training within three months of appointment; and (3) received annual ethics training before the end of the calendar year.
Agency Response to Item 9:	
Program Management and Internal Oversight	

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10	How does your agency ensure that ethics-related requirements are met within regions, components, or offices that have been delegated authority to administer elements of the ethics program? For example, if a bureau or office has been authorized to collect, review, and certify confidential financial disclosure reports, how do you ensure that the reports are timely collected and reviewed and certified in accordance with relevant requirements?
Agency Response to Item 10 (if applicable):	
Significant Changes	
11	Have there been any recent changes within the agency that significantly affected the ethics program or are there any such changes anticipated? For example, has there been a significant change in the structure of the ethics program or the number of ethics officials?
Agency Response to Item 11:	

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Challenges, Problems, and Significant Deficiencies	
12	Please note any challenges or problems (staffing shortages, technology failures, reorganizations) or deficiencies (a significant percentage of covered employees didn't receive required annual ethics training, inability to consistently identify new entrant confidential financial disclosure filers timely) that you are aware of. Include any actions you've taken to address them.
Agency Response to Item 12 (if applicable):	
Additional Information	
13	If there is anything that you would like SOCO to know about your ethics program that is not addressed in this questionnaire or SOCO's request for materials, please provide that information either here or as an attachment to the materials you provide to SOCO in preparation for the Program Assist Visit.
Agency Response to Item 13 (if applicable):	

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Materials Required For SOCO Program Assist Visit

*Note: Unless otherwise indicated, the materials requested for this review cover **the previous calendar year**. Please limit your submission to the information requested below. Do not provide additional information unless requested by SOCO.*

This request for materials document should also be used to indicate any negative responses where no materials are available or an item is not applicable to your agency/command.

Responsive documents should be placed in a hard copy or virtual “binder” with a separate “tab” or “folder” for each lettered section and dividers/subfolders for each numbered item (e.g., A1., A2., etc.).

A. Program Administration

1. Current agency organizational chart which indicates the placement of the ethics office.
2. Delegation letters authorizing named ethics officials to coordinate and manage the ethics program. 5 CFR 2638.202(c).
3. Current policies and procedures governing the overall administration of your ethics program
 - a. Procedures for the review of outside activities and employment.
 - b. Procedures for governing the acceptance of travel benefits from non-Federal sources under 31 U.S.C. § 1353, including the process for conducting conflict of interest analysis.
 - c. Procedures for any other agency-specific ethics prohibitions, restrictions, and requirements.
4. In-processing and Out-processing procedures or checklists for your organization.
5. Provide your Command’s or Agency’s mission statement.

B. Public, Confidential, and Alternative Financial Disclosure

1. Policies and procedures governing the administration of the financial disclosure program.
 - a. Procedures for the collection, review, evaluation, and public availability of Public Financial Disclosure Reports and Periodic Transaction Reports (OGE Form 278-T). See 5 U.S.C. app 402(d)(1) & (2).
 - b. Procedures for the collection, review, evaluation, and public availability of Confidential Financial Disclosure Reports. See 5 U.S.C. app 402(d)(1) & (2).
 - c. Procedures for tracking filing extensions and subsequent approvals for extensions granted

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over 45 days. See 5 CFR 2634.201(g).

- d. Procedures for identifying new and departing filers. Include procedures that demonstrate the process by which human resources officials promptly notify the DDAEO of all (a) appointments to positions that require incumbents to file financial disclosure reports, and (b) the termination of employees in positions that require incumbents to file public financial disclosure reports. See 5 C.F.R. § 2638.105(a)(1) and 2638.105(a)(2).
 - e. Procedures for annually reviewing the roster of financial disclosure report filers, including any questionnaire or other guidance provided to supervisors for this review.
2. List of Schedule C positions the agency has excluded from public financial disclosure reporting requirements pursuant to 5 C.F.R. § 2634.203 and a copy of the DDAEO's written determination for each position.
 3. List of all employees required to file public financial disclosure reports during the previous calendar year or as otherwise determined by your SOCO POC. Include anyone who was required to file a report but didn't, and an explanation as to why a report wasn't filed, if applicable. Please ensure the list indicates the type of report required to be filed and the type of report that was actually filed (i.e., new entrant, annual, or termination).
 4. List of all employees required to file confidential financial disclosure reports during the previous calendar year or as otherwise determined by your SOCO POC. Include anyone who was required to file a report but didn't and an explanation as to why a report wasn't filed, if applicable. Please ensure the list indicates the type of report required to be filed and the type of report that was actually filed (i.e., new entrant, annual). If the list includes employees who file confidential financial disclosure reports under an OGE-approved alternative procedure, those employees should be indicated or you may provide a separate list.
 5. FDM "Disclosure Detail Reports" showing OGE 450 filing data for previous calendar year and current calendar year to date.
 6. Integrity "List of Reports in System" reports showing OGE 278 filing data for previous calendar year and current calendar year to date.
 7. Copies of written requests for filing extensions and the subsequent written approvals for extensions granted over 45 days. See 5 CFR 2634.201(g).
 8. Copies of any cautionary guidance or other advice given based upon the content of financial disclosure reports.
 9. Copies of any exemptions to electronic filing granted by the DDAEO.
 10. Sample notifications from human resource officials notifying ethics officials of the appointment and termination of financial disclosure filers. See 5 C.F.R. § 2638.105(a)(1) and 2638.105(a)(2).

C. **Education and Training**

1. A copy of the initial ethics orientation material provided to all new employees. 5 CFR 2638.304.

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2. The written procedure for tracking initial ethics orientation for covered employees (e.g., tracking spreadsheets, email confirmations, sign-in rosters, procedures indicating material is automatically provided, etc.). *See* 5 C.F.R. § 2638.304(f).
3. Documentation demonstrating that new employees hired during the previous calendar year received Initial Ethics Training.
4. Annual training material provided to public financial disclosure report filers. 5 CFR 2638.305.
5. Annual training material provided to confidential financial disclosure report filers. 5 CFR 2638.307. (Note: If different training material was provided to different groups of employees, please clarify which material was provided to each group of employees.)
6. Procedures for tracking annual training for covered employees (e.g., tracking spreadsheet, email confirmations, sign-in rosters, etc.).
7. Documentation demonstrating that all covered employees received Annual Ethics Training in *the previous calendar year*.
8. Additional ethics-related training material provided by the agency (e.g., supervisory training, ethics official training, financial disclosure review training).
9. Procedures for ensuring compliance with 5 C.F.R. 2638.303-310, to include ensuring that servicing personnel offices from other components/agencies are providing required confirmations.
10. Sample letters indicating compliance with the requirements that certain ethics language be included in Federal job offer and new supervisor letters. *See* 5 CFR 2638.303 and 2638.306.
11. A copy of any leader messaging that addresses ethics.
12. Date(s), presenter(s), audience and material used for any leader-led ethics training.

D. **Written Advice/Counseling**

1. A total of five samples of written counseling provided to agency employees addressing the criminal conflict of interest statutes (18 U.S.C. §§ 203, 205, 207, 208, and 209) or the Standards of Conduct. *See* 5 C.F.R. § 2638.104(c)(4). No two samples should address the same topic. To avoid duplication, do not include cautionary guidance or other advice given based upon financial disclosure report data in this section.
2. Copies of the three most recent post-Government employment opinions. If one of these is not for a senior official (GO/FO or SES), please include one or more samples of such an opinion.
3. List of post-Government employment opinions required to be stored in AGEAR.
4. Copies of handouts related to seeking employment and post-Government employment.

E. Enforcement

1. Description of relationship with agency Inspector General or equivalent office.
2. Procedures for referring ethics violations to the Inspector General or equivalent office.

F. Conflicts Remedies

1. Provide copies of approved waivers under 18 U.S.C. 208(b)(1).

G. Special Government Employees (SGEs) *(If your agency/command has no SGEs, simply indicate that here:*

1. List of all advisory committees, copies of their charters, lists of their members and the committee manager/DFO. Also include the meeting dates for each committee, council, board, commission, etc., and which SGE's attended. (This information is necessary to determine if SGE's filed financial disclosure reports and received Initial Ethics Training timely.)
2. List of individuals who served for 130 days or less during any 365 days (i.e., temporarily on either a full-time, intermittent, or part-time basis) and are assigned to committees, councils, boards, commissions, etc., identified, if applicable, by SGEs and non-SGEs.
3. List of individuals who served for 130 days or less during any period of 365 days (e.g., experts/consultants), identified, if applicable, by SGEs and non-SGEs.
4. List of SGEs required to file public or confidential financial disclosure reports during two most recently completed filing cycles, as determined by your SOCO POC.
5. Requests for filing extensions and the subsequent written approvals for all extensions granted over 45 days for SGEs.
6. List of all SGEs excluded from filing confidential financial disclosure reports (or sections of the report) under 5 CFR 2634.904(b). Please provide any documentation used in making the exclusion determination.
7. Training material and method used to provide initial ethics orientation and ethics training for SGEs (e.g., tracking spreadsheet, email confirmations, sign-in rosters, etc.).
8. Procedures for tracking completed initial and ethics training for all SGE employees (e.g., tracking spreadsheet, email confirmations, sign-in rosters, etc.)