



COMDTINST 1740.3
NOV 30 2004

COMMANDANT INSTRUCTION 1740.3

Subj: USE OF NON-GOVERNMENTAL EDUCATIONAL MATERIAL AND PRESENTERS

Ref: (a) Commercial Solicitation Controls at Coast Guard Units, COMDTINST 1740.2 (series)
(b) Transition Assistance Program, COMDTINST 1900.2 (series)

1. PURPOSE. This Instruction provides guidance to commanders and staffs when considering whether to use non-governmental educational material or whether to permit a non-governmental source to make an educational presentation to a group of Coast Guard personnel.
2. ACTION. Area and district commanders, commanders of maintenance and logistics commands, commanding officers of headquarters units, assistant commandants for directorates, Chief Counsel, special staff offices at Headquarters, and commanding officers of field units shall ensure compliance with the provisions of this directive. Internet Release Authorized.
3. DIRECTIVES AFFECTED. Reference (a) has been revised to eliminate the discussion of education programs, which is addressed in this Instruction.
4. DISCUSSION. References (a) and (b) deal with related issues. Commanding officers and their staffs have an obligation to educate and inform their personnel (uniformed and civilian) about certain important topical issues (e.g., consumer credit, financial planning, insurance, government benefits, etc.). Where the Coast Guard and other parts of the federal government have subject matter experts and materials that can be used for that purpose, commanding officers and staffs can use those governmental resources. Additionally, commanding officers and staffs can use non-governmental topical educational material and presenters as long as the non-federal organization and its educational material have been approved by Commandant (G-WKW).

DISTRIBUTION-SDL No. 142

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NON-STANDARD DISTRIBUTION:

5. APPLICATION. Commanding officers and their staffs may use qualified organizations to provide educational programs and materials in support of individual and professional development initiatives. This may include, but is not limited to, a military pre-retirement education program, financial planning seminars, job fairs, survivor benefit plans, resume assistance and personal commercial affairs (e.g., consumer credit and financing, insurance, Government benefits, savings and budgeting, etc.).
6. DEFINITIONS.
 - a. Organization. A non-governmental entity's headquarters office and all of its agents and employees.
 - b. Private Organization. An organization that is private, non-profit, self-insured, tax exempt or not tax exempt and not financially linked to or supported by any for-profit organization.
 - c. Government-Sponsored Enterprise. An enterprise that is created by Federal Statute, has a board of directors partially appointed by the President, is regulated by the Federal government, has a statutory purpose of increasing the supply of funds available to mortgage lenders, and has no ability to originate mortgage loans to consumers. Prime examples of this class are the Federal Home Loan Mortgage Corporation (known as Freddie Mac) and the Federal National Mortgage Association (known as Fannie Mae).
 - d. Qualified Organization. A private organization or government sponsored enterprise that has been approved by Commandant (G-WKW) to provide commands and staffs with topical educational material or to make topical educational presentations.
7. PROCEDURES FOR DESIGNATION. All non-federal organizations that want to provide topical educational materials or make topical educational presentations must petition Commandant (G-WKW). All commanding officers and staff must contact Commandant (G-WKW) to determine whether the non-federal organization is a designated qualified organization before allowing any non-federal organization to provide educational material or make an educational presentation. Commandant (G-WKW) will retain a list of all qualified organizations. Commandant (G-WKW) must designate an organization as a qualified organization before it will be allowed to present educational programs or materials to a Coast Guard staff or command. A request for designation shall be submitted on organizational headquarters letterhead, and be signed by an official at the organization's headquarters office. Each request shall:
 - a. Certify that the organization is a private organization or a government-sponsored enterprise as defined above.
 - b. Indicate whether or not the organization qualifies as a tax-exempt organization under section 501c(3) of Title 26, United States Code.
 - c. Certify the organization's understanding of and agreement to comply with the conditions for retaining designation specified below, as well as the penalties for non-compliance.
 - d. Certify that the organization will advise Commandant (G-WKW) of any discovery of non-compliant activity within their program and their corrective action, or their intent to discontinue their participation in this program.
 - e. Include a copy of all topical educational material to be provided to Coast Guard personnel. (Material must be entirely educational in nature, and be void of any

commercial logos, and cannot refer to any commercial product, service or company anywhere on or in the material.)

- f. All requests for designation shall be mailed to: Commandant (G-WKW), USCG Headquarters, 2100 2nd Street, SW, Washington, DC 20593-0835. Upon approval of the application, Commandant (G-WKW) will issue a designation letter to the organization.

8. CONDITIONS FOR RETAINING DESIGNATION. Once designated as a qualified organization, that organization will be permitted to present educational programs and materials to a Coast Guard staff or command provided they comply with the following conditions:
 - a. Presentations shall be conducted and materials shall be provided only at the express request of a unit commander or staff supervisor.
 - b. All agents and employees of the organization involved in the presentation of materials must be certified by the organization as a qualified trainer, facilitator or presenter, and must comply with all participation rules.
 - c. All prospective trainers, facilitators, and presenters must agree to use appropriate disclaimers clearly indicating that they do not endorse or favor any commercial supplier, product or service.
 - d. All presentations and educational materials must use appropriate disclaimers clearly indicating that the U. S. Coast Guard does not endorse or favor any commercial supplier, product or service.
 - e. Pamphlets, booklets and other material or information provided to attendees or participants may not contain any solicitation or sales material, nor may it be presented in a biased way so as to favor any commercial entity's products or services.
 - f. No sales or solicitation activity may be conducted during any seminars or presentations made by the organization or its representatives. In addition, no references to, or opinions about, other commercial entity's products or services may be provided.
 - g. Names, addresses and phone numbers of Coast Guard personnel attending seminars or presentations may not be retained by the organization or be disseminated to any organization or commercial entity.
 - h. Participation will be non-exclusive, in that any other qualified organization may be permitted to participate in these programs at the sole discretion of the Coast Guard.
 - i. All services provided by the qualified organization must be cost-free to the Coast Guard and to all seminar participants.

- j. Any qualified organization that discovers non-compliant activity within their program shall immediately notify Commandant (G-WKW) of that activity and the organization's corrective action.
 - k. A copy of all educational material and curriculum presented must be provided to Commandant (G-WKW) prior to its presentation.
 - l. All qualification, participation and termination decisions are made by Commandant (G-WKW).
9. PENALTIES FOR NON-COMPLIANCE. Commandant (G-WKW) will monitor qualified organizations participating in these activities to ensure compliance with the above conditions. Each staff or command that uses a qualified organization to provide educational programs and materials shall assign a staff member to review all materials and attend all programs presented, and shall report incidents of non-compliance to Commandant (G-WKW). Failure to comply with the conditions prescribed above may result in an organization being removed from the list of qualified organizations. The timeliness and extent of corrective action taken by the offending organization will be considered in any decision to terminate its designation. An organization removed from the list of qualified organizations will be prohibited from these activities for a minimum period of one year, depending on the nature of non-compliance. The organization would be eligible to reapply for designation as a qualified organization at the end of the penalty period.
10. DUTIES AND RESPONSIBILITIES.
- a. Commandant (G-WKW) will process requests for designation, develop a list of qualified organizations, disseminate that list to Coast Guard ISC Work-Life staffs and commands, monitor the organizations for compliance with program conditions, and make all decisions regarding the termination of an organization's designation due to non-compliance.
 - b. Commandant (G-LGL) will provide legal assistance regarding the administration of the designation process.
 - c. Commanding officers of field units, and staff supervisors (e.g., area, district, maintenance and logistics command, headquarters units, assistant commandants for directorates, and special staff offices at Headquarters) that elect to use a qualified organization to provide educational materials or programs shall designate a staff member to review all materials and attend all programs presented, and report incidents of non-compliance to Commandant (G-WKW).
 - d. Commanding Officers and staff can provide a copy of this Instruction to any non-governmental organization that requests information about making educational presentations or providing educational materials.
11. ENVIRONMENTAL ASPECT AND IMPACT CONSIDERATION. Environmental considerations were examined in the development of this Instruction and have been determined to be not applicable.

12. FORMS/REPORTS. None

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Director of Health and Safety