



# Government Ethics & Standards of Conduct for New Supervisors

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# Topics

- Basics
- Use and Abuse
  - Office, Job, Title
  - Government Property
  - Information
- Gifts
- Political Activities
- Sources of Assistance

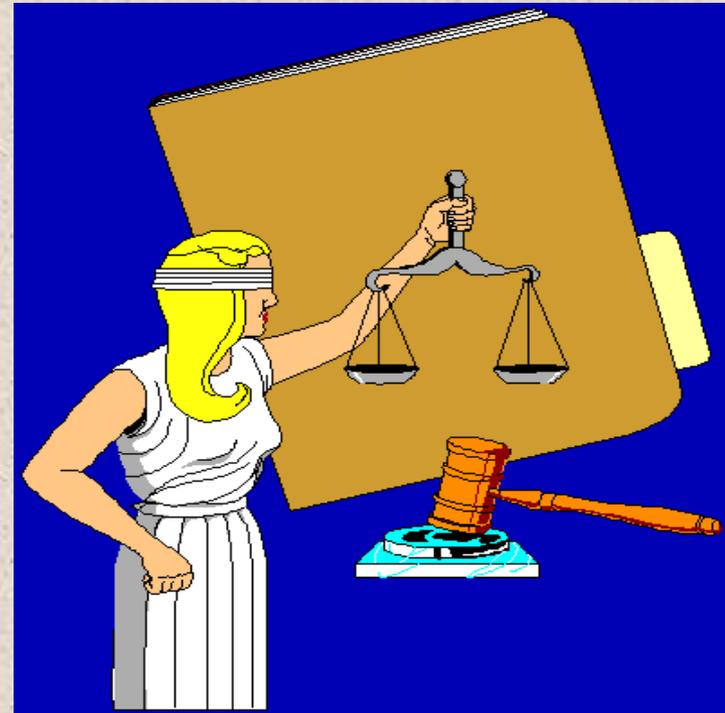
# Basics

- Laws and Regulations
  - 5 C.F.R. 2635 (OGE Regs)
  - DOD 5500.7-R (JER)
  - 18 U.S.C. §201 et. seq.
  - E.O. 12764
- Requirements
  - Financial Disclosure Filers
  - Initial and Annual



# General Principles of Public Service -- E.O. 12764

- 1) Public Service is a Public Trust
- 2) No Financial interests that conflict with the conscientious performance of duty
- 3) No Financial transactions using nonpublic Government Information
- 4) Strict scrutiny on gifts
- 5) Honest effort in the performance of duties



# General Principles

- 6) No unauthorized commitments/promises of any kind purporting to bind the Govt
- 7) No use of public office for private gain
- 8) No preferential treatment to any private organization or individual
- 9) Protect and preserve Federal property
- 10) No outside employment that conflicts with official Govt duties and responsibilities

# General Principles

- 11) Disclose fraud, waste, abuse, and corruption
- 12) Satisfy obligations of citizens (i.e... taxes)
- 13) Provide equal opportunities for all Americans
- 14) Avoid any actions creating the appearance of an ethical violation (reasonable person standard)

# Avoid Improper “Appearances””

## 5 CFR 2635, Subpart E

Where circumstances would cause a reasonable person with knowledge of all the relevant facts to question a federal employee’s involvement in a matter, the employee should not participate in the matter unless he has informed the agency that there is an appearance problem and he/she receives authorization from the agency to proceed.



# Use/Misuse of Government Resources

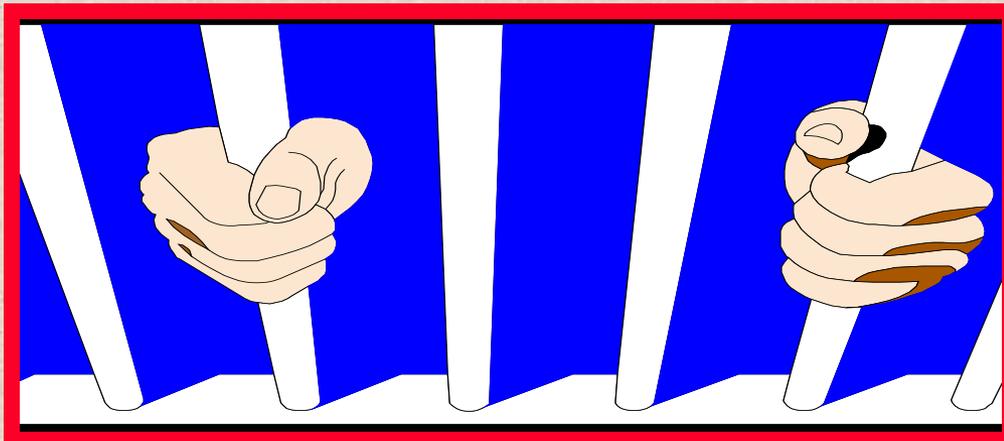


- Office/Job/Title
- Property
- Information

# Conflicts of Interest

18 U.S.C. §208

An employee may not participate personally and substantially as a Government officer or employee in any particular matter in which he, his spouse, or minor child... has a financial interest.



# Conflicts of Interest

- Your interests are “direct” interests
- Other interests may be “imputed” to you—in other words, treated as if they were yours.
- These other interests could include
  - interests of spouse or minor child
  - interests of off-duty associates

# Conflicts of Interests

## Solving COIs:

- PRIOR disqualification from participating in the matter
  - provide written notice to all parties
- Reassignment of duties
- Divestiture of assets

# Common Examples

- Fundraising
  - CFC, NMCRS are permitted with few exceptions
  - No Girl Scout cookies
- Selling
  - Don't sell on duty time
  - Don't sell to subordinates
    - Exception: One time sale of home or car
      - BUT BE CAREFUL TO AVOID APPEARANCE OF PRESSURE!

# Government Property

- Telephones
  - Brief personal local calls OK
    - Check on family members, make doctor or mechanics appointment
  - If long distance, use phone card or personal cell
- Govt Vehicles
  - Don't drive home in it
  - Don't go out to eat in it (unless TAD)
    - Don't take it anywhere that will put government in embarrassing situation
  - Don't carry friends and relatives

# More Examples

- Copiers
- Computers
  - Internet abuse
    - Web surfing
    - Personal/junk e-mail
  - Use for school IF approved by supervisor

## Use of Non-Public Information

**Employees shall not engage in financial transactions using non-public official or governmental information, or allow the improper use of such information to further any private interest**



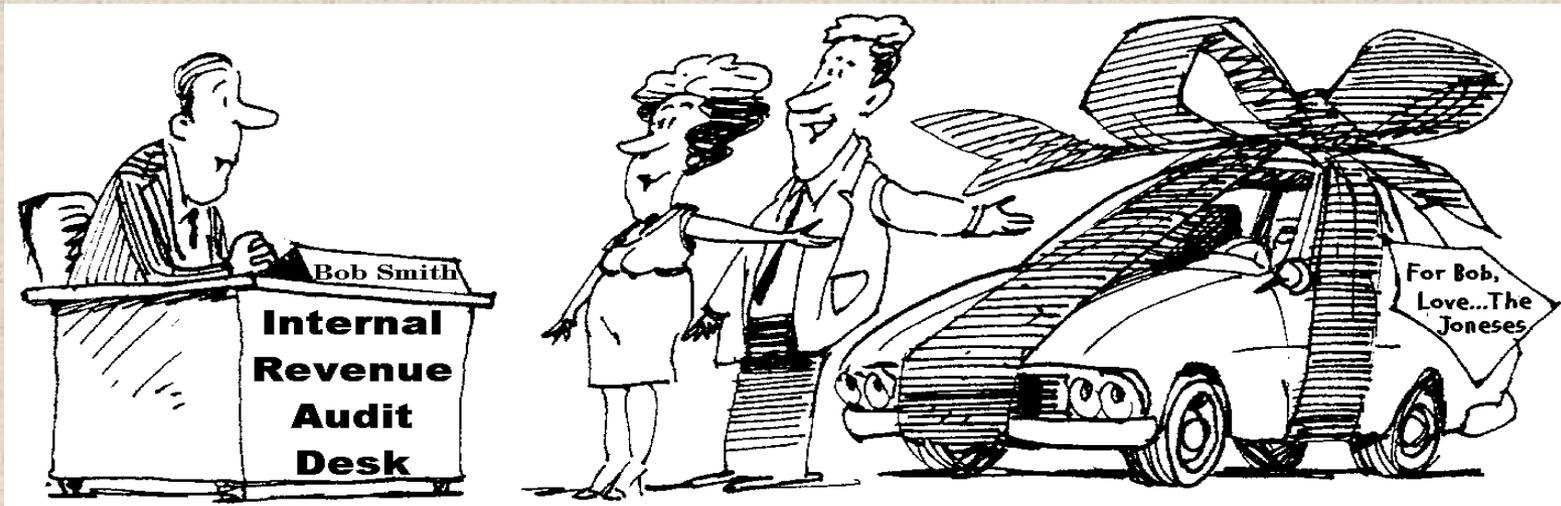
# Use of Non-Public Information



- Personal information
- Future Government Actions
- Proprietary Business Information
- Source Selection Information
- Don't release or misuse it!

# General Gift Rule

- Employee shall not solicit or accept gift:
  - Prohibited Source
  - Given because of employee's official position or because of performance of job



# Common Questions

- What's a gift?
  - Anything of value
    - Exceptions: minimal or token value (coffee cup)
- Gifts to supervisors
  - Customary life milestones—weddings, babies, etc.
  - “Hostess” gifts—i.e. bringing wine to dinner party
  - Souvenirs of minimal value, occasional basis
  - End of supervisory role
- Gifts from “prohibited sources”
  - Someone who does business with or could benefit from actions or decisions
- Gifts given because of your government position

# Gift Acceptance Analysis

- Is it from a prohibited source?
- Is it offered because of your official position?
- Is it a “gift”?
- Is there an exception?
- Is there a limitation on the exception?

## What to do with gifts?

- Refuse it diplomatically
- Pay fair market value for it and keep it
- Return it to the donor/giver
- Perishable goods

# Political Activity (Hatch Act)

- YES

- Register & vote
- Run for nonpartisan local office
- Contribute money
- Express opinion
- Campaign for a candidate
- Belong to a political party

- NO

- Political activity on duty
- Running for partisan public office
- Use official position to support a candidate
- Use gov't resources to run a campaign
- Receive contributions

## Bottom Line

- Rule #1: Public Service is a Public Trust
  - Remember the above and chances are you'll be okay
  - How would it look in the Washington Post?
- Bad things can happen to you if you violate the rules
- If you have questions, contact an Ethics Counselor BEFORE you say “yes”

# Sources of Assistance

- Command Ethics Counselors
  - Captain Sid Velandy, HQMC(CL)
    - (703) 614-2150
  - Mr. Ed McDonnell, HQMC(JAR)
    - (703) 614-2510
- <http://ethics.navy.mil/>
- [http://www.defenselink.mil/dodgc/defense\\_ethics/](http://www.defenselink.mil/dodgc/defense_ethics/)
- <http://www.usoge.gov>
- <http://afmcethics.wpafb.af.mil/>
- <http://sja.hqmc.usmc.mil/>

