

# **Ethics Satellite Broadcast**

## **September 29<sup>th</sup>, 2005**

**Department of the Interior**  
**Departmental Ethics Office**

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# *Today's Topics*

- **Executive Order 12674**
- **Title 18 of the United States Code**
- **Fund-Raising and Gifts**

# *General Principles*

- **President Bush's 1989 Executive Order modified in 1990**
- **Fourteen General Principles broadly defining the obligations of public service**

# ***Executive Order 12674***

- **Public service is a public trust**
- **Employees shall not hold financial interests that conflict with the conscientious performance of duty**
- **Employees shall not engage in financial transactions using nonpublic Government information**

## ***Executive Order 12674***

- **An employee shall not solicit or accept any gift from a prohibited source**
- **Employees shall put forth honest effort in the performance of their duties**
- **Employees shall not knowingly make unauthorized commitments or promises of any kind purporting to bind the Government**

## ***Executive Order 12674***

- **Employees shall not engage in outside employment or activities that conflict with their official Government duties and responsibilities**
- **Employees shall disclose waste, fraud, abuse, and corruption to appropriate authorities**

## ***Executive Order 12674***

- **Employees shall satisfy in good faith their obligation as citizens, including all just financial obligations, especially those – such as Federal, State, or local taxes – that are imposed by law**
- **Employees shall adhere to all laws and regulations that provide equal opportunity for all Americans**

## ***Executive Order 12674***

- **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.**

# ***Representation 18 U.S.C. § 203***

## **Prohibited Uncompensated Representational Activities:**

- **assisting in the prosecution of claims against the Government**
- **acting as agent or attorney before any agency, or federal court**

# **Post Employment 18 U.S.C. § 207**

- **Bans of varying durations**
- **Lifetime ban – specific party matters in which employee was involved**
- **Two year ban – matters pending under employee's official responsibility during final year of government service**
- **One year cooling off period – PAS, SES employees, anyone paid \$135,800 or more.**

# ***Conflicting Financial Interests***

## ***18 USC § 208***

**You are prohibited by a Federal Criminal statute from participating in “particular matters” that will affect certain financial interests**

- **Your own**
- **Your spouse’s**
- **Your minor child’s**
- **Your general partner’s**
- **An organization you serve as officer, director, trustee, general partner, or employee**
- **A person with whom you are negotiating or have an arrangement regarding future employment**

# ***Covered Relationships***

- **A business partner**
- **A member of your household**
- **A close personal relation**
- **Your child's employer**
- **Your former employer**
- **An organization in which you are an active participant**

# **Supplementation of Salary 18**

## **U.S.C. § 209**

- **You may not be paid by someone other than the U.S. for doing your government job**

# ***Fund-Raising***

- **Fund-raising that takes place on Government time and property must be approved by OPM**
- **The only fund-raising that OPM has approved is the CFC**
- **OPM has NOT approved fund-raising for people affected by Hurricane Katrina**

## ***Fund-Raising***

- **Employees may make donations to relief efforts on their own time or through the CFC**
- **Employees may fund-raise on non duty time as long as it is not on Government property**
- **Employee's may not use Government computers or E-mail to announce their fund-raising activities**

# ***Fund-Raising and Gifts***

- **Employees may solicit contributions for fellow employees on certain extra-ordinary infrequent occasions**
- **In these cases cash can be collected and pooled for the employees gift however all contributions must be voluntary**
- **Cash may be given as a gift in these cases**
- **Supervisors should not be the person requesting or collecting the donations**

# ***Fund-Raising and Gift Giving***

**We remind employees that even approved fund-raising and gift giving activities (such as the collection and pooling of funds) have the potential for abuse and mismanagement. A limited number of people should be in charge of collecting and distributing donations and all transactions should be in writing**

# *Gifts Between Employees*

**Employees may not make a gift to a boss or accept a gift from a person who makes less pay except:**

- Gifts other than cash of no more than TEN dollars (no pooling!), on an occasional basis when gifts are traditionally given or exchanged (I.e. birthdays, Christmas.)**
- On certain infrequent occasions a gift may be given appropriate to the occasion**

# ***Gifts from Outside Sources***

- **Executive Branch employees are subject to restrictions on gifts they may accept from outside sources**
- **May not accept gifts given because of your official position**
- **May not accept gifts from “prohibited sources”**
  - **Seeking action by agency**
  - **Doing or seeking business before agency**
  - **Having interests affected by performance of duties**

## ***Gift Acceptance***

**The Department may receive unsolicited offers from prohibited sources for things such as office space, volunteers, materials and other goods. Absent specific gift acceptance authority, the Department may not accept these offers.**

# *Exceptions to Gift Rules*

## **Exceptions:**

- **Snacks**
- **Greeting cards, plaques, items of little intrinsic value**
- **Rewards and prizes open to the general public**
- **Paid for by agency**
- **Accepted under agency gift statute**
- **Travel expenses for meetings (DI-2000)**

## *Questions or Comments*

- **If you have any further questions please contact your servicing Ethics Counselor or the Departmental Ethics Office**

**[www.doi.gov/ethics](http://www.doi.gov/ethics)**

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## *Site Coordinators*

- **Please fax your sign-in sheets to the appropriate Ethics Counselor**

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