

Ethics in the News

### THE PERMANENT SPECIAL COUNSEL

The recent appointment of a Special Counsel provides an opportunity to highlight the lesser-known role of the permanent Special Counsel in the Office of Special Counsel (OSC), an independent federal agency housed within the Department of Justice.

As longtime Federal employees (and new employees ics training) know, in order to help bolster public confidence in the impartiality of the Federal Government, regardless limitations are placed on the

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who paid attention during eth-political activities of Federal of the Hatch Act and taking employees under a law called the Hatch Act. This law bars employees from engaging in responsible for protecting the political activities during duty which party is in power, some hours and on Government employees who report wrongpremises or by using Government resources; it even limits

gating allegations of violations cial Counsel.

disciplinary actions when appropriate. Similarly, OSC is Form 278 Filers must of rights whistleblowersdoing by other employeesand enforcing rules against some conduct when off-duty. Prohibited Personnel Practices. Form 278 Filers must file To ensure that these laws Federal employees, including are applied impartially, the all Department of Commerce Special Counsel that heads employees, are under the juris-OSC is responsible for investi- diction of the permanent Spe-

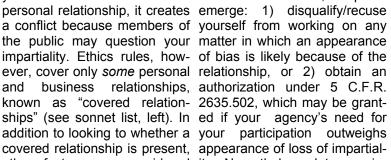
### JUNE **REMINDERS**

- FEB. 15 was the deadline to file a Form 450 Confidential Financial Disclosure Report; if you have not filed your report, please do so immediately!
- New employees have 3 months to complete ethics training
- file transaction reports within 30 DAYS of the sale or purchase of securities
- written notice within 3 DAYS of beginning non-Federal employment negotiations

### An Ethics Sonnet

Shall I list thine personal relationships? Thine bonds art quite varied and disparate. Omitting thine acquaintance and friendships. Only these "covered" recusal shall merit: Household members around thy door peeking, Close relations not dwelling in thine house, Those with whom employment thine is seeking. Employers of thine parents, children, spouse: Groups with whom thine art person'ly involved, For these bonds, thine recusal thou ow'st. With whom thine employment hast since dissolved, Whilst performing one's work thine anxiety grow'st: Thou hast conflicts with associations or kin,

Yet thine struggles art cured by authorization.



When you are assigned to a tion would be perceived by the task focused on a particular public as affecting your imparperson or organization in which tiality in carrying out your Govyou have a close business or ernment duties. If so, two paths other factors are considered ity. Nevertheless, let your inwhen determining whether an stincts guide you—if you think actual personal conflict exists, you may have a conflict, conthat is, whether your participa- tact the Ethics office.

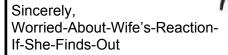


### **Ethics Spotlight:** PERSONAL CONFLICTS

### Ask Ethicina

Dear Ethicina,

I have been assigned to write evaluations of two grant applications, one of which is from my brother-in-law on behalf of the sketchy non-profit he works for. Is it ethical to pass on my low opinion of him and his organization? (I'll write a glowing report about the other applicant—a university I worked for until last month; it's a great place and deserves the grant.)



You'll be happy to learn that ethics rules will solve your dilemma. Ethics rules bar you from working (including by giving advice) on any matter in which one of the parties is-or is represented by-someone with whom you have a "covered relationship." This includes, among others, close relatives (and, yes, in-laws count) and recent former employers. So let your boss know you can't write an evaluation of either grant application.

(Incidentally, the rule exists to avoid employee bias, although the assumption was that the bias would be in favor of a relative.)

### **Critic's Corner:**

## House of Cards

The online series "House of Cards" is filled with instances of Federal employees in both the Executive and Legislative branches engaging in dubious behavior. Season 3 finds former hacker Gavin Orsay workto avoid prosecution for his illegal cyber activities. Gavin also reluctantly agreed to have ing his ability to travel outside

the United States. Former Chief of Staff Doug Stamper enlists Gavin to use the powerful tools available to him at the FBI to track down a character that Doug had previous interactions with. In return, Doug offers to use his connections to lift the restrictions on Gavin's passport. Gavin accepts and, in a substantial breach of ethics regulations and anti-bribery laws, uses FBI tools to track down Doug's target in exing for the FBI as part of a deal change for his passport being reinstated. Because the antibribery laws apply to both the giver and the recipient of the his passport cancelled, restrict- bribe, Doug was also guilty of violating the anti-bribery laws.

#### **OFFICE OF THE MONTH:**

### **REAL PROPERTY AND ENVIRONMENTAL LAW DIVISION**

Space (in buildings or on land) that we occupy to perform our jobs in offices, facilities, laboratories, hangars, piers, and warehouses, and to host the supercomputers and technical and scientific equipment critical to the successes of our missions, has become increasingly important as the Government takes actions to reduce its footprint and costs. Lynn Flanagan and staff of the Real Property and Environmental Law Division (RPELD), part of OGC/ADTRAX, provide advice to Departmental offices and operating units on real property policies and transactions to ensure that the Department's transactions comply with applicable laws, regulations and policies and make good business sense. RPELD also provides assistance in matters related to safety, security, sustainability, environmental compliance, resiliency, and energy.

#### **Ethics questions?**

**Contact the Ethics Attorney of the Day:** EthicsDivision@doc.gov or 202-482-5384



Blue & Zeke now realize that they have a "covered relationship" as part of the same litter.

Pets of the Month

# **ETHICAL** ANIMALS\*

These diligently ethical animals live with Josephine Arnold, Chief Counsel for the Minority Business Development Agency (MBDA).

We want to see your pets! Please submit photos of your pet's adorably good or bad behavior by emailing us here.



Josephine gave Blue & Zeke this food, but because it is a gift based on their personal relationship, they may accept.