

# ethics COMPASS



Ethics Announcements • Hot Topics • Trainings • Updates • Tidbits, Tips & More

## Ethics in the News

# ETHICS DURING A GOVERNMENT SHUTDOWN

When the Government stops working, ethics rules keep going. Every now and then there is a lapse of

funds to keep the U.S. Government running, which leads to a Government "shutdown" and the furlough of many Federal employees, including most Commerce employees.

But those Federal workers remain subject to the same ethics laws they had to follow when they were reporting for duty every day. This means, for example, that during a shut-

down Federal employees still cannot accept most gifts from contractors and grantees or disclose nonpublic information.

With more time on their hands, Federal workers who

candidate, represent anyone before a Federal agency (one still functioning, presumably), or engage in teaching or writing that focuses on agency programs or operations. Further-

more, although an ethics official will remain on duty during a shutdown, ethics advice will not be available



want to keep busy must keep in mind that the ethics rules on outside activities still apply. For example, during a shutdown, Commerce employees cannot work for a foreign government, fundraise for a political party or

to furloughed employees.

Therefore, Commerce employees should print the handout on Ethics [During a Shutdown](#) from the Commerce ethics page ([www.commerce.gov/ethics](http://www.commerce.gov/ethics)) as part of shutdown procedures.

## SPRING REMINDERS

- If you are required to fill out a **Form 450** Confidential Financial Disclosure Report, please turn it in **immediately!**
- Form 278 filers must file transaction reports within **30 DAYS** of a sale or purchase of securities.
- Form 278 Filers must file written notice within **3 DAYS** of beginning non-Federal employment negotiations.
- New employees have **3 months** to complete ethics training.



## Ethics Mix & Match

Match the donor of a gift with the maximum dollar value of the gift that an employee can accept from the donor (in most cases).

\$10	grantee (gift of book)
\$20	contractor
\$100	friend
\$390	foreign government
anything goes	subordinate

(see page 2 for solution)



A MAN WITHOUT ETHICS IS A  
WILD BEAST LOOSED UPON  
THIS WORLD. *ALBERT CAMUS*

## Did you know...

# ABOUT ETHICS AND HURRICANES?

**Did you know** that there is an ethics rule specifically related to hurricanes? One financial vehicle available to investors is "hurricane futures" – derivatives that are designed to hedge against hurricane-related financial losses sustained by businesses. Hurricane futures contracts are based on predictions about hurricanes—either specific storms or storms in a specific geographic area in a certain time period. Investments in these hurricane futures presents a conflict of interest for those Federal

officials—primarily in the National Weather Service—with responsibility for weather forecasting and issuing warnings. Public confidence in the accuracy of storm predictions is a matter of public safety; a belief that forecasts are influenced by the investments of forecasters could lead to the loss of life as people may ignore warnings. To ensure public confidence in warnings, Federal employees with responsibility for forecasting hurricanes or issuing warnings are barred from investing in hurricane futures. Although there are no tornado futures, there are more general weather-related futures, to which the same prohibition applies.

## Critic's Corner:

# The Post



One of the top movies of 2017—a contender for the Oscar's Best Picture award—deals directly with what would appear to be a violation of a Federal ethics law—but is not. *The Post* tells the story of the publication of what would become known as "The Pentagon Papers"—classified documents on military operations in Vietnam. These documents were highly critical of the U.S. Government's war efforts and, more importantly, the belief by senior Government officials who continued to order men

into combat that the war was hopeless. The document was leaked by military analyst Daniel Ellsberg to *The New York Times*, which was ordered by Federal courts to stop publishing the papers. But the movie is *The Post*, not *The Times*, because *The Washington Post*, led by its new publisher, Katherine Graham, finds out about the Pentagon Papers and goes ahead and publishes them. The leak of the documents by Ellsberg would be a violation of ethics regulations if he had been a Federal employee, but he was not—he worked for a contractor, the RAND Corporation. (Of course, the leak is a criminal violation so his status as a contractor's employee does not solve his legal problems.)

## Ask Ethicina

Dear Ethicina,

I recently finished working on a program audit with a contractor and one of my fellow auditors (a contractor employee) on the team just texted me with an offer to take me out to dinner and a movie. I'd really like to accept, but I wanted to ask your opinion first — is this ethical?

Hopefully,  
Devoted

Ah, spring weather and young love. Even a cold fussbudget like me sees a place for romance in the world. Ethics rules generally bar employees from accepting gifts from contractors (and employees of contractors) but there is an exception for gifts based on a personal relationship, provided that the relationship predates Government employment — a situation that does not apply here. But wait! There is one caveat; when applying this rule gifts between people who are dating is allowed, even when one of them is a contractor. So go ahead and enjoy the show! — E



## Ethics Mix & Match ANSWERS

Match the donor of a gift with the maximum dollar value of the gift that an employee can accept from the donor (in most cases).

**\$10** → **grantee (gift of book)**  
**\$20** → **contractor**  
**\$100** → **friend**  
**\$390** → **foreign government**  
**anything goes** → **subordinate**



## Ethics questions?

Contact the Ethics Attorney of the Day:  
[EthicsDivision@doc.gov](mailto:EthicsDivision@doc.gov) or 202-482-5384

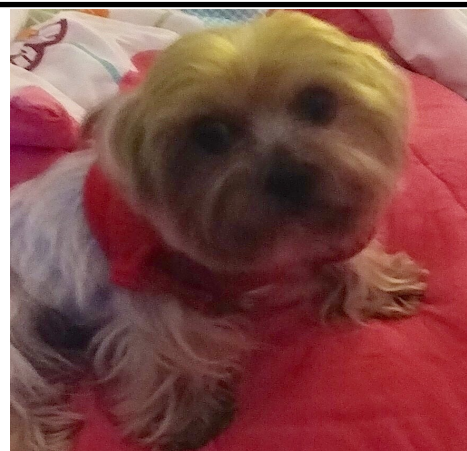


Kai spends his stormy spring days cuddled up in bed and catching up on Oscar-nominated films.

## ETHICAL ANIMALS

Kai, a diligently ethical Yorkshire Terrier, lives with Gaye Williams, Deputy Chief of the Ethics Law and Programs Division.

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



He feels that Star Wars was snubbed, which he attributes to the absence of ewoks in the latest installment.