

ethics COMPASS



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

INAUGURAL EDITION: WELCOME NEW EMPLOYEES!

Ethics in the News

THE PRESIDENT AND ETHICS AND YOU

There have been a number of news reports recently about the President not being subject to conflict of interest laws, which may have made you wonder “Is that true?” “How could that be possible?”

The basic Federal conflict of interest law, which addresses financial interests, is Section 208 of Title 18 of the United States Code (18 U.S.C. § 208), which provides that “whoever being an officer or employee of the executive branch of the United States Government” may not participate in a matter affecting the employee’s or officer’s personal financial interests or those of certain

others (such as the employee’s or officer’s spouse or minor child) unless an exemption applies or a waiver to the law is issued. This law applies to everyone in the U.S. Department of Commerce, whether competitive service, excepted service, foreign service, or uniformed service (and everyone in other Federal agencies). However, this law does not apply to the President or Vice President of the United States because they are elected officials and neither is an “officer or employee” of the U.S. Government.

Now you know why you (along with all other Federal employees) are covered

by the financial conflict of interest statute, while the President and Vice President (and Members of Congress) are not. However, the President and Members of Congress are subject to other ethics statutes, including the one against bribery, which applies to anyone who is a “public official”—which includes elected officials.

Poetry Corner— An Ethics Haiku

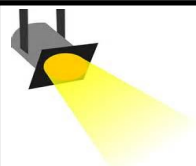
cold weather hitting
Washington blossoms long gone
time for 450s

THIS MONTH: ANNOUNCEMENTS, DEADLINES, AND REMINDERS

- **FEB. 15:** Deadline to file a Form 450 Confidential Financial Disclosure Report
- New employees have **3 months** to complete ethics training
- Form 278 Filers must file transaction reports within **30 DAYS** of the sale or purchase of securities
- Form 278 Filers must file written notice within **3 DAYS** of beginning non-Federal employment negotiations

Ethics Critic: “No Way Out” (1987 film)

Kevin Costner stars as Cmdr. Tom Farrell, investigating the murder of his lover in a conspiracy that reaches the highest levels of the Pentagon. ***Warning—spoiler alert!*** While being chased by his own Government as a spy, Cmdr. Farrell uses the ethics rules to bring the real killer to justice, linking him to his lover via a registry of gifts given to Federal employees from foreign governments.



Ethics Spotlight: FINANCIAL DISCLOSURE REPORTS

Approximately 10,000 Commerce employees are required to file confidential financial disclosure reports on February 15th every year. You may wonder what happens to these reports after they are filed with the Ethics office. Each report is reviewed by an ethics official to determine if the entries indicate an actual or potential conflict of interest—such as stock in a company that could be affected by the filer’s duties. This analysis is used to advise the filer about potential conflicts and actions to avoid such conflicts, which may include selling the stock. Similar reviews are conducted for positions the filer holds outside the Government and whether such work is compatible with the filer’s position. The role of the ethics official is to advise and educate. This serves as a protection for the filer and for the Government, and helps ensure that the public has the utmost confidence in the integrity of the Government and its employees.

Ask Ethicina

Dear Ethicina,
I've been invited to my boss's 25th wedding anniversary and my wife says the gift should be silver, but I think the gift should be gold—who's right?
Respectfully, Self-Assured



Dear Child,
First of all, you might want to memorize this little mantra: "My wife is always right"—it will help you get to your 25th anniversary. Second, the 25th anniversary is Silver. And third, it doesn't matter because you can't give your boss a gift greater than \$10 so that pretty much leaves out anything that is silver. An anniversary (or birthday or holiday) is a regularly recurring event, rather than a major life event—regardless of the number—so the regular gift rules apply, meaning gifts to your supervisor cannot be greater than \$10 for any anniversary, even the 25th. - E



"Let us raise a standard to which the wise and honest can repair..."

George Washington

- As inscribed on the Herbert C. Hoover Building, Washington, DC (Commerce headquarters)

OFFICE OF THE MONTH: ADTRAX

What is ADTRAX? No, it's not something a duck quacks in an insurance commercial. It's a legal office in Commerce, specifically, the Office of the Assistant General Counsel for Administration and Transactions. In Commerce each bureau has its own legal office that advises employees on laws related to that bureau's programs. However, for laws of general applicability throughout the Department, legal services are centralized in Commerce's Office of General Counsel; ADTRAX, headed by Michelle O. McClelland, is one of those centralized offices.

Commerce employees (except in USPTO*) get advice from ADTRAX on issues relating to appropriations, budget, conflicts of interest, contracts, donations and gifts to an agency, ethics, financial assistance, grants, inter-agency agreements, joint projects, leases, logos, Memoranda of Understanding, procurements, real estate, sponsorships, travel, and other matters concerning administrative rules and transactions. (*And even USPTO regarding ethics matters).

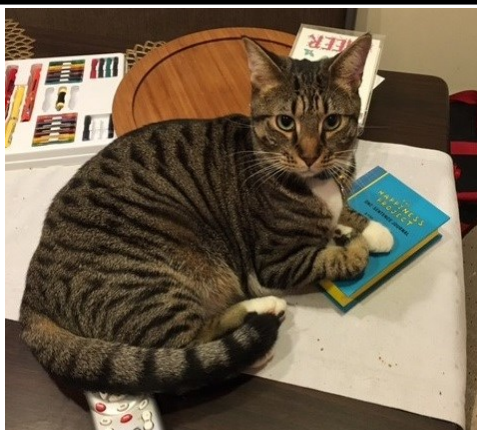
An officer-of-the-day system means that a lawyer is available when needed on any of these issues by calling 202-482-5384. More information is available at the [ADTRAX](http://adtrax.doc.gov) website.

Employees have an obligation to report waste, fraud, abuse, or other violations of the law. You may contact the Office of Inspector General Hotline at **800-424-5197** or **202-482-2495** or email hotline@oig.doc.gov to report waste, fraud, abuse, or other violations of law, or to request an investigation.

Ethics questions?

Contact the Ethics Attorney of the Day:

EthicsDivision@doc.gov or 202-482-5384



Jumbo is misusing his position to prevent anyone from reading or watching TV until he gets fed.

Pets of the Month UNETHICAL ANIMALS

These unethical animals live with **Eric Johnson, Attorney Advisor in the Ethics Law and Programs Division.**

Submit photos of your pets' adorably bad behavior by emailing us [here](mailto:ethics@doc.gov).



Pickles only looks this guilty when she gets caught stealing the catnip.