

ethics

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Ethics in the News

CELEBRATING THE 4TH OF JULY AROUND THE WORLD

Not only do individual Americans celebrate Independence Day with cook-outs and parties, U.S. Embassies around the world do, too. What does this have to do with ethics? When the Embassies hold these celebrations they also invite the participation of U.S. businesses to fund and contribute to the galas and parties, which raises questions on what is appropriate to avoid any perception of

impropriety. Department of Commerce Ethics officials have developed guidelines to ensure that contributions by private companies to U.S. Government events will not raise any ethical issues. For example, there can be no coercion to participate or contribute, contributors cannot insist on exclusivity (by denying participation to competitors), contractors and grantees cannot donate support, and sponsorships must be consistent with the purposes of the occasion and the Department's mission (to promote U.S. products and services). These guide-



lines have been successful and consequently extended to cover other Commerce-held events in which the private sector contributes. As such, the 4th of July is celebrated—ethically—in U.S. Embassies around the world with help from Commerce and the American private sector.



JULY/AUGUST 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
- 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



An Ethics Poem

Rose are red
summer heat mounts
save on hotels
with Fed discounts.

(Using Federal rates for personal vacation stays is allowed under ethics rules.)

TRUTH IS STRANGER THAN FICTION: True Tales of Ethics Fails

An attorney in the Department of Justice found himself on the receiving end of the **judicial process** after the U.S. Office of Special Counsel accused the attorney of violating the Hatch Act. The attorney admitted to co-hosting a political fundraiser for seven invitees, unaware that this was in conflict with the Hatch Act—the law that limits the political activities of all Federal employees. By co-hosting the political fundraiser, he violated the provision prohibiting employees from knowingly soliciting, accepting, or receiving political contributions. **The consequences:** a 30-day suspension. Federal

employees need to be cautious when engaging in anything political, because working for the U.S. Government means some limits on personal activities

What do Paris, Las Vegas, and jail have in common? A Federal employee. The star of this story is a consular officer, who as a result of a business acquaintance received free trips with free airfare for her and her family to Las Vegas (rooms at MGM Grand and Caesar's Palace) and to Paris. But the trips were not necessarily free—there was a *quid pro quo*—in this case the approval of 23 visas that did not meet the Embassy's criteria. **The consequences:** The employee avoided jail through a plea bargain that resulted in probation, a fine, and the presumptive end to a promising diplomatic career.

Critic's Corner:



Hamilton

The Broadway musical *Hamilton*, which tells the story of a formerly-lesser-known Founding Father, addresses several instances of actual or apparent misconduct by Government employees. In the Second Act, Thomas Jefferson, James Madison, and Aaron Burr confront Hamilton—then Secretary of the Treasury—over allegations that he has been secretly embezzling money from the Treasury. Hamilton had actually been paying his own money, not Government funds, to Maria and James Reynolds in

order to keep them from going public about Hamilton's affair with Mrs. Reynolds. Hamilton successfully defends himself from the allegation of ethical misconduct, but in doing so chooses to admit publicly to the affair in the hopes of saving his reputation for professional, if not personal, integrity. Burr, of course, later commits a much more serious violation when, as sitting Vice President of the United States, he shoots and kills Hamilton in a duel. Burr was twice indicted for murder but never tried or convicted, and he served the remainder of his term as Vice President. As you may imagine, Federal law prohibits all Government employees, including Vice Presidents and Cabinet officials, from embezzling Government funds and killing each other.

OFFICE OF THE MONTH:

CONTRACT LAW DIVISION

The [Contract Law Division \(CLD\)](#), within the Office of the Assistant General Counsel for Administration and Transactions ([ADTRAX](#)), provides advice to the Department's senior leadership and contracting and program officials in all of the Department's bureaus, excluding the Patent and Trademark Office (PTO), regarding the acquisition of goods and services to support the Department's mission. CLD's expertise is government procurement and its attorneys provide guidance at all stages of the contracting process. As part of its responsibilities, CLD represents the Department in all contract-related litigation, counsels the Department's Office of Acquisition Management, which is responsible for establishing Department-wide acquisition policies and procedures, and serves as the legal advisor to the Department's Suspension and Debarment Official.

Ethicus Asks: What should you know?



When invited to a dinner or a reception, what 3 facts are needed to determine if it is a "widely-attended gathering"? (Invitations to most such events can be accepted with a supervisor's approval.)

Answer:

An event is a "widely-attended gathering" if:

1. a large number of people are in attendance (usually at least 40);
2. those attending share a common interest;
3. those attending have a diversity of views (are not from the same company or organization).

Pro tip: make it easy on yourself and utilize an [invitation questionnaire](#): an easy one-page form you can fill out and send to an ethics official to get speedy guidance on whether your event is a widely-attended gathering, or if it fits some other exception to the gift rules.

Ethics questions?

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



Ringo the West Highland White Terrier was particularly ambitious with his "outside activities" this 4th of July.

Pet of the Month

ETHICAL ANIMALS

This diligently ethical animal lives with **David Brodian, Attorney Advisor in 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](#).



But Ringo's favorite outside activity of all time is still relaxing in the shade on some cool grass.