

2015 SUMMARY OF ETHICS RULES



ECONOMIC DEVELOPMENT ADMINISTRATION

ETHICS LAW AND PROGRAMS DIVISION
OFFICE OF THE ASSISTANT GENERAL COUNSEL FOR ADMINISTRATION
UNITED STATES DEPARTMENT OF COMMERCE
202-482-5384 – ethicsdivision@doc.gov – www.commerce.gov/ethics

Ethics



PUBLIC SERVICE IS A PUBLIC TRUST

As an employee of the Economic Development Administration (EDA), you have been placed in a position of trust and are held to a high standard of ethical conduct. You not only have an obligation to perform your duties to the best of your abilities but also to familiarize yourself with Government ethics rules and policies and to comply with applicable restrictions, both when performing your Government duties and, in some cases, when engaging in personal activities when off duty and after leaving Federal service.

This contains a summary of ethics rules based on Federal conflict of interest statutes, regulations set forth in the Standards of Ethical Conduct for Employees of the Executive Branch, and other ethics laws and Department of Commerce policies. Additional information is available from the website of the Ethics Law and Programs Division at www.commerce.gov/ethics. However, it is always best to seek specific advice from an ethics official about the rules or their application to a specific situation.

Ethics Law and Programs Division: To obtain advice about ethics laws, you can contact a Commerce ethics official at: ethicsdivision@doc.gov or **202-482-5384**.

Designated Agency Ethics Official for the U.S. Department of Commerce:
Barbara S. Fredericks – Assistant General Counsel for Administration

Alternate Designated Agency Ethics Official:
David Maggi – Chief of the Ethics Law and Programs Division

Office of the Assistant General Counsel for Administration: In addition to information about ethics laws and policies, information on employment and labor law and general law issues is available on the website of the Office of the Assistant General Counsel for Administration:

<http://www.commerce.gov/os/ogc/office-assistant-general-counsel-administration>.

Employment and Labor Law Division: To obtain advice about employment and labor law issues, you can contact an employment law attorney at **202-482-5017**.

General Law Division: To obtain advice about appropriations laws, Federal advisory committees, joint projects, preservation and release of documents, and other general administrative law issues, you can contact a general law attorney at **202-482-5391**.

Office of Inspector General – The Ethics Law and Programs Division provides advice but does not investigate allegations of violations of law. To report fraud, waste, abuse, or other violations of law, or to request an investigation, contact the Office of Inspector General Hotline at 800-424-5197 or 202-482-2495 or hotline@oig.doc.gov.

GENERAL ETHICAL PRINCIPLES

- 1. Public service is a public trust, requiring employees to place loyalty to the Constitution, the laws and ethical principles above private gain.*
- 2. Employees shall not hold financial interests that conflict with the conscientious performance of duty.*
- 3. Employees shall not engage in financial transactions using nonpublic Government information or allow the improper use of such information to further any private interest.*
- 4. An employee shall not, except as permitted in ethics regulations, solicit or accept any gift or other item of monetary value from any person or entity seeking official action from, doing business with, or conducting activities regulated by the employee's agency, or whose interests may be substantially affected by the performance or non-performance of the employee's duties.*
- 5. Employees shall put forth honest effort in the performance of their duties.*
- 6. Employees shall not knowingly make unauthorized commitments or promises of any kind purporting to bind the Government.*
- 7. Employees shall not use public office for private gain.*
- 8. Employees shall act impartially and not give preferential treatment to any private organization or individual.*
- 9. Employees shall protect and conserve Federal property and shall not use it for other than authorized activities.*
- 10. Employees shall not engage in outside employment or activities, including seeking or negotiating for employment, that conflict with official Government duties and responsibilities.*
- 11. Employees shall disclose waste, fraud, abuse, and corruption to appropriate authorities.*
- 12. Employees shall satisfy in good faith their obligations as citizens, including all just financial obligations, especially those—such as Federal, State, or local taxes—that are imposed by law.*
- 13. Employees shall adhere to all laws and regulations that provide equal opportunity for all Americans regardless of race, color, religion, sex, national origin, age, or handicap.*
- 14. Employees shall endeavor to avoid any actions creating the appearance that they are violating the law or the ethical standards set forth in ethics regulations. Whether particular situations create an appearance that the law or these standards have been violated shall be determined from the perspective of a reasonable person with knowledge of the relevant facts.*

MISUSE OF GOVERNMENT RESOURCES

Basic Principle: Do Not Steal



As an EDA employee you have access to equipment, services, supplies, and other resources that are paid for by the Government to promote public programs. Even the authority of your position, nonpublic information, and your EDA title are considered public property. You must be careful to use such resources only for Government purposes or, in a few cases, personal purposes that are specifically authorized, as listed below.

PERMITTED USES

You can use:

- access to the Internet and a personal email account for personal research or to send a personal email;*
- Government printers and copiers for personal purposes* if such use does not consume excessive resources;
- your Government title for personal purposes if not likely to appear as acting in an official capacity, as part of general biographical information (such as a biographical sketch in a book or on Facebook[®]), or when writing for a scientific or technical publication (if the publication includes a disclaimer that the views are your own and not the Department's); and
- frequent flier miles or other travel benefits earned from Government travel for personal purposes, including vacation travel.

** unless it is for a business purpose, a political purpose, a lobbying activity, will result in additional charges to the Government, is discriminatory, concerns sexually explicit materials, would violate a law, or would bring discredit to the Government*

PROHIBITED USES

You cannot use:

- a Government credit card for personal purchases (except those specifically authorized);
- access to the internet or an email account from a Government computer or mobile device:
 - to view sexually explicit material;
 - for for-profit activities or to run a business;
 - for political purposes, including by sending email to support or oppose a candidate or political party;
 - for prohibited discriminatory conduct;
 - for lobbying activities;
 - for any unlawful purpose or any activity that would bring discredit on the Department.
- nonpublic information for any personal purpose, such as to make investments;
- your Government title for personal purposes (except in connection with a publication in a scientific or technical journal (with a disclaimer) or as part of a general biographical description);
- Government time for personal activities; or
- your Government authority to help yourself or others on personal matters.

GIFTS AND BRIBES

Basic Principle: Avoid Undue Influence



There are three types of gifts you may encounter as a Government employee: personal gifts offered to you from someone outside the Government, personal gifts offered to you from another Federal employee, and a gift or donation offered to you for use by EDA for agency programs or operations, including for your official travel. Each of these types of gifts is covered by different rules. In addition, criminal statutes bar you from accepting a bribe, which is an offer of anything of value to take action (or fail to take action) as a Government employee, or a “salary supplementation,” which is a payment by anyone other than the U.S. Government to do your job.

PERSONAL GIFTS FROM NON-GOVERNMENT SOURCES

PERMITTED GIFTS

You can accept an unsolicited gift or invitation if it is:

- offered by someone with no business before Commerce and not offered because of your Government position;*
- from a relative or friend;
- \$20 or less in value (and you received \$50 or less in gifts from the same source during the year);*
- an invitation to a widely-attended gathering and your supervisor has approved your attendance;*
- a meal at which you are speaking in an official capacity;
- a discount available to the public as a whole or to all Federal employees;
- offered because of your spouse’s employment;
- a card, plaque, or other item of little intrinsic value;
- an award for which you received approval from an ethics official;*
- a business meal overseas with non-U.S. citizens present if the cost is less than the local *per diem*;*
- a meal, lodging, or travel related to an outside business relationship;* or
- from a foreign government and valued at \$375 or less.

PROHIBITED GIFTS

You cannot accept a gift or invitation if it is:

- offered by someone that is regulated by Commerce, has or seeks business with Commerce, or can be affected by performance of your Government duties (unless it is listed as permitted in the column on the left);
- offered because of your Government position (unless it is listed as permitted in the column on the left); or
- specifically to take action (or fail to take action) as a Government employee.

** This provision does not apply if you are a political appointee and the donor of the gift or the host of the event is a registered lobbying organization (unless it is a 501(c)(3) organization or a media company) or if the invitation was extended by a registered lobbyist.*

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