

UNITED STATES DEPARTMENT OF INTERIOR
Bureau of Indian Affairs/Bureau of Indian Education
Assistant Secretary- Indian Affairs

I have been provided general information regarding Employees Responsibilities and Conduct and Ethics regulations. I have been advised of the name and location of my servicing personnel office and the Bureau Ethics Office. I understand that I may obtain the full regulatory document and/or discuss questions or concerns related to my responsibilities, conduct and financial interests with these individuals.

Employee's Name and Duty Station (Typed or printed)

Signature of Employee

Date

EOD (Entrance on duty):

Job Title:

Supervisory: Yes or No

OGE Filer: Yes or No

Privacy Act Notice

18 USC 437 and 5 USC 301 constitute the authority for requesting this certification. This certification must be signed. Failure to do so can be cause for denying appointment or for appropriate disciplinary action.

This certification will be used to officially record the fact that you have knowledge of, and are in compliance with, the restrictions pertinent to your employment. The information certified to will be considered confidential and will form a part of the records of the office where you file; as such the contents may be routinely disclosed to authorized Interior personnel, the Office of Personnel Management, the Department of Justice or to appropriate law enforcement agencies.

Note to Human Resources: After the employee has signed this form, please forward to the Bureau Ethics Office, 2021 4th Ave. North Billings, MT 59101.

Making Ethics a Part of the Workplace

The Department of the Interior's ethics program is administered by the Department's Ethics Office. The Office is the responsibility of the Designated Agency Ethics Official, the principal ethics official for the Department of the Interior. Working with the assistance of a network of bureau and office ethics personnel, the Departmental Ethics Office is able to implement the statutory and regulatory ethics requirements.

Individuals who have ethics questions are encouraged to contact an ethics counselor in their respective bureau or office. The Bureau of Indian Affairs, Bureau of Indian Education and Assistant Secretary-Indian Affairs Offices are serviced by

Michael D. Adams, Deputy Ethics Counselor
Bureau of Indian Affairs
2021 4th Ave. North Billings, MT 59101
Billings, MT 59101
Telephone: 406-247-1295
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Information relating to Ethics laws and regulations may be found at: www.doi.gov/ethics
Additional information can be found in 43 CFR Part 20 and 5 CFR Parts 2634 and 2635.

Executive Order 12674: The Foundation for Ethical Behavior

In an effort to ensure public confidence in the integrity of the Federal Government, Executive Order 12674 (as amended) laid the framework for the ethical behavior required and expected of all Federal employees. As a condition of public service, you are expected to adhere to the fundamental principles of ethical behavior as listed:

- Public service is a public trust, requiring you to place loyalty to the Constitution, the laws, and ethical principles above private gain.
- You shall not hold financial interests that conflict with the conscientious performance of duty.
- You shall not engage in financial transactions using non-public Government information or allow improper use of such information to further any private interest.
- You shall not, except pursuant to such reasonable exceptions as are provided by regulation, 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 your agency, or whose interests may be substantially affected by the performance or nonperformance of your duties.

- You shall make no unauthorized commitments or promises of any kind purported to bind the Government.
- You shall put forth honest effort in the performance of your duties.
- You shall not engage in outside employment or activities, including seeking or

negotiating for employment, that conflict with your official Government duties and responsibilities.

- You shall disclose waste, fraud, abuse, and corruption to appropriate authorities.
- You shall satisfy in good faith your obligations as citizens, including all just financial obligations, especially those such as Federal, State or local taxes that are imposed by law.
- You shall adhere to all laws and regulations that provide equal opportunities for all Americans regardless of race, color, religion, gender, sexual orientation, age or disability.
- You shall not use your public office for private gain.
- You shall act impartially and not give preferential treatment to any private organization or individual.
- You shall protect and conserve Federal property and shall not use it for other than authorized activity.
- You shall endeavor to avoid any actions creating the appearance that you are violating the law, or the ethical standards promulgated pursuant to the Government-wide ethics regulations, Department of Interior supplemental ethics regulations, or Executive Order 12674.

Additional Government-wide Ethics Laws and Prohibitions

18 USC 201 – Bribery Prohibitions-Prohibits employees from receiving or soliciting anything of value in exchange for being influenced in the performance or non-performance of any official act, including giving testimony, or in exchange for committing fraud.

18 USC 203,205 – Compensation for Representational Activities-Prohibits government employees from providing representation services, with or without compensation, rendered before a court or Government Agency in connection with a particular matter in which the United States is a party or has an interest.

18 USC 207 – Post Employment Restrictions-Imposes restrictions on certain communications that employees may make as a representative of a third party back before the Government.

18 USC 208 – Conflict of Interest-Prohibits government employees from participating personally and substantially in a particular matter on behalf of the Government in which they have a financial interest.

18 USC 209 – Restriction on Dual Compensation-Prohibits a government employee from receiving any salary, or any contribution to or supplementation of salary, or anything of value from an outside source as compensation for services he/she is expected to perform as an employee in the Executive Branch of the U. S. government.

Gift Acceptance Authority-As a general rule, you may not, directly or indirectly, solicit or accept a gift from a prohibited source of if the gift is given because of your official position. The gift rules apply whether you are on or off duty. There are exceptions to this rule. You may accept a gift valued at \$20 or less, per occasion from a single prohibited source not to exceed \$50 in any given calendar year. If you are given a gift over \$20 and you think it may be insulting to the individual/business giving the gift if

you turn it down, then accept it and turn it in to your supervisor and contact your Ethics Office for advice.

Gifts Between Employees-As a general rule, you can't give a gift to your supervisor. You can't solicit donations to buy your supervisor a birthday present or a holiday gift. You can't accept a gift from an employee that receives less pay than yourself. There are exceptions to this rule. Please call your Ethics Officer for advice should you have questions.

Outside Work and Activities-Outside work or activities are permitted to the extent that they are not prohibited by statute, regulation or bureau policy. Generally, leave without pay will not be granted for outside work/activities. The outside work/activity must not present a conflict between your private interests and your official responsibilities. Prior approval is needed to take part in outside work/activities, with the exception of religious activities. Should you need to submit a request, please contact your Ethics Officer.

Fundraising-Fundraising in an official capacity may be permitted only if the charitable organization is approved by the Office of Personnel Management. The only charitable effort sanctioned by OPM is the Combined Federal Campaign. You may engage in non-political fundraising activities as a private citizen, provided that you do not use your official title or position to further the fundraising event. You may not solicit funds or other support from subordinates or from prohibited sources.

Gambling-All forms of gambling activities are prohibited at all times in Government owned or leased buildings. Prohibited gambling activities include, but are not limited to, raffles, lotteries, number games, sports pools, etc.

Political Activities-With few exceptions, all employees, career and non-career, are subject to the political activity restrictions contained in the Hatch Act. These restrictions apply whether the employee is on or off duty. The Hatch Act prohibits a federal employee from using their official authority or influence for the purpose of affecting or interfering with the results of a partisan election; or taking an active role in the management of a partisan political campaign. An election or campaign is partisan if any candidate is running as a representative of a political party that had a presidential candidate who received electoral votes in the last presidential election.

Use of Your Public Office-You may not use your public office for your own private gain, or for the private gain of friends, relatives, business associates or any other entity, no matter how worthy. You may not use or permit the use of your Government position or title or any authority associated with your public office in a manner that is intended to coerce or induce another to provide any benefit, financial or otherwise, to yourself or to friends, relatives, or persons with whom you are affiliated in a non-governmental capacity.

Nepotism-Showing favoritism on the basis of family relationships is prohibited.

Using Government Property, Time and Information-It is your responsibility as an employee to protect and conserve Government owned or leased property and vehicles and to use such property and vehicles only for authorized purposes. You may NOT use government purchasing authority for personal acquisitions. You may not remove government property or files from your office when leaving government service. You may not make copies of files to take with you if you leave. You are prohibited from engaging in any financial transaction using "insider" or non-public information, or allowing the improper use of information, which is not available to the public to further

your own private interest or that of another. A Departmental limited use policy is available and applies only to the personal use of computers, telephones, fax and photocopiers that are owned, leased or provided for by the Department. The limited use policy does not apply to the use of Government or leased motor vehicles, or to the use of Government charge cards.

Financial Disclosures-All employees of the Department of Interior are subject to conflict of interest restrictions and may be required to file either a public or confidential financial disclosure report. These reports are among the primary tools to determine whether employees are in compliance with the ethics and conduct provisions covering a particular position. Confidential financial disclosure reports are not available for review by the public; however, the Public financial disclosure report may be accessed and reviewed by any member of the general public. The reports may be reviewed by Federal, State or local law enforcement personnel. They can also be used in a court or Federal administrative proceeding if the government is a party. They may also be made available to members of Congress.

Employee Responsibilities and Conduct – 43 CFR Part 20

Employees of the Department are expected to maintain especially high standards of honesty, integrity, impartiality, and conduct to ensure proper performance of Government business and the continual trust and confidence of citizens in their Government. Employees are expected to become familiar with and comply with all Federal statutes, Executive Orders, Office of Government Ethics and Office of Personnel Management regulations, and Departmental regulations that govern their conduct. The conduct of employees should reflect the qualities of courtesy, consideration, loyalty to the United States, a deep sense of responsibility for the public trust, promptness in dealing with and serving the public, and a standard of personal behavior which will be a credit to the individual and the Department. These principles apply to official conduct and to private conduct, which affects in any way the ability of the employee or the Department to effectively accomplish the work of the Department.

Employees are expected to consult with their supervisors, ethics counselors or servicing personnel offices on questions they may have regarding the applicability of the provisions. It is also the employee's responsibility to report any violations of laws or regulations by employees, contractors, sub-contractors, grantees, sub-grantees, lessees, licensees or other persons having official business with the Department.

The following are shortened excerpts from 43 CFR Part 20 and Ethics regulations and policy to make you aware of your responsibilities as a federal employee. Please keep in mind that these are only brief overviews. The full documents may be obtained by contacting your Ethics or Human Resources Offices.

Acceptance and Payment of Travel and Related Expenses

Except as specifically authorized by law, when an employee is on official duty (no leave status), all travel and accommodations shall be at government expense and his/her acceptance of outside reimbursement for travel expenses or services in kind from private sources, either in his/her behalf or in behalf of the Government is not allowed.

Exclusions: Where employee travel is for attendance at a meeting or similar function, the Department may accept payment for the employee and/or the employee's spouse's travel from a non-federal source when proper consideration is given to the conditions and a written authorization to accept payment is issued in advance of the travel. Such travel expenses paid for by a non-federal source may be accepted by the Department only if all of the following conditions are met: (1) The travel relates to the employees official duties; (2) The travel/subsistence/related expenses are with respect to the attendance of an employee at a meeting or similar function away from the employees official duty station and is sponsored/co-sponsored by a non-Federal source, (3) The non-Federal source is not disqualified because of a real or apparent conflict of interest; (4) The travel event is not required to carry out the Department's statutory or regulatory functions; and (5) The acceptance of payment is approved by the Bureau's Ethics official prior to the travel.

Conformance with policy and subordination to authority

Employees are required to carry out the policies and programs of the Department and to obey proper requests and directions or supervisors. While policies related to one's work are under consideration employees may, and are expected to, express their professional opinions and points of view. Once a decision has been rendered by those in authority, each employee is expected to comply with the decision and work to ensure the success of programs or issues affected by the decision. An employee is subject to appropriate disciplinary action, including removal, if he/she fails to: (1) Comply with any lawful regulations, orders or policies; (2) Obey the proper requests of supervisors having responsibility for his/her responsibility.

Scope of authority

Employees shall not engage in any conduct or activity, which is in excess of his/her authority, or is otherwise contrary to any law or announced Departmental policy.

Selling or soliciting

Employees and other persons are prohibited from selling or soliciting for personal gain within any building or on any lands occupied or used by the Department. Exception is granted for Department authorized operations, including, but not limited to, the Interior Department Recreation Association, the Indian Arts and Crafts store, and for cafeteria, newsstand, snack bar and vending machine operations, which are authorized by the Department for the benefit of employees or the public.

Habitual use of Intoxicants

An employee who habitually uses intoxicants to excess may be subject to removal.

Appropriations, legislation and lobbying

Unless expressly authorized by Congress, employees are prohibited from using any part of the money appropriated by any enactment of Congress to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner, a Member of Congress, to favor or oppose, by vote or otherwise, any legislation or appropriation by Congress, whether before or after the introduction of any bill or resolution proposing such legislation or appropriation; this prohibition does not prevent any employee from communicating to Members of Congress on the request of any Member or through proper official channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the public business

When acting in their official capacity, employees are required to refrain from promoting or opposing legislation relating to programs of the Department without the official sanction of the proper Departmental authority.

The rights of employees, individually or collectively, to otherwise petition Congress, or to a Committee or Member thereof, shall not be interfered with or denied.

Unlawful Organizations

An employee may not advocate the violent overthrow of our constitutional form of government nor may an employee be a member of an organization that he/she knows advocates the violent overthrow of our constitutional form of government.

Notary

An employee is prohibited from charging fees for performance of any notarial act for any employee of the Federal Government who is acting in his/her official capacity, or for any person during the hours of such notary's service to the Government.

Penalty mail and official stationary

An employee is prohibited from using any official envelope, label, or endorsement authorized by law, to avoid the payment of postage or registry fee on his/her private letter, packet, or other matter in the mail.

Official government envelopes and official letterhead stationary are Government property that may only be used for authorized purposes. Employees' use of Government envelopes to mail their own personal job applications is not authorized.

Fraudulent or false statements in a Government matter

An employee, shall not, in any matter within the jurisdiction of any department or agency of the United States, knowingly or willfully falsify, conceal or cover up by any trick, scheme, or device a material fact, or make any false, fictitious, fraudulent statements or representations, or make or use any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry. Special attention is required in the certification of time and attendance, applications for employment, request for travel reimbursement and purchase orders and receiving forms.

Carrying of firearms

Employees, except those specifically designated to perform enforcement, police or other official duties require the use of firearms, are prohibited from carrying or having in their possession firearms or property under the control of the Secretary. Employees who are officially stationed in parks, refuges, Indian reservations, other Tribal lands or other wilderness areas which are known to be inhabited by wild animals, are permitted, when on those lands, to carry and use firearms for personal protections as permitted by existing policy or as authorized by the park, refuge or area supervisor. Employees who are not on official duty may carry firearms on Departmental lands under the same conditions and in accordance with procedures and authorizations established for members of the general public.

Labor practices

Employees are prohibited from striking against the Government of the United States.

Disciplinary and Remedial Actions

This subpart of 43 CFR Part 20 deals with disciplinary actions and remedial actions for violations, or potential violations, of conflict of interest laws or of the regulations in this part or in 5 CFR Part 2635 or 5 CFR Part 3501. Disciplinary action may include oral or written warning or admonishment, reprimand, suspension, reduction in grade or pay, removal from position or removal from office. Such action shall be taken in accordance with Departmental policies and procedures, applicable statutes, Executive Orders, regulations, and any applicable collective bargaining agreement provisions. This subpart includes remedial action, and appealing an order for remedial action.