ETHICS & PUBLIC SERVICE

A Supplement To Annual Ethics Training

FMCSA
Federal Motor Carrier Safety Administration

GENERAL PRINCIPLES OF ETHICAL CONDUCT

We begin with a set of General Principles of Ethical Conduct. These Principles broadly require us to respect the rule of law, not to misuse our public positions for our own or others' private gain, and to be responsible in the use of our time and resources. In other words, they require loyalty to law, selfless service, and responsible stewardship.

Loyalty to Law

We each have taken a solemn oath—to support and defend the Constitution. In all things, we uphold the Constitution and the oath we take. We fulfill this oath by respecting the rule of law—by adhering to all legal authorities in the work we perform and as citizens.

We also ensure that others follow the law—by disclosing waste, fraud, abuse or corruption when we see it, and by supporting disclosures by others. We hold each other and ourselves accountable, knowing that transparency and honesty are the surest ways to avoid conflicts and imbue public confidence.

Applicable Principles of Ethical Conduct

Public service is a public trust, requiring employees to place loyalty to the Constitution, the laws and ethical principles above private gain. As an executive branch employee, you are required to:

- satisfy in good faith your obligations as citizens, including all just financial obligations (such as paying taxes).
- adhere to all laws and regulations that provide equal opportunity for all Americans regardless of race, color, religion, sex, national origin, age, or handicap.
- avoid any actions creating the appearance that you are violating the law or the ethical standards.

Further,you shall not make any unauthorized commitments or promises purporting to bind the Government.

Selfless Service

Public service is a profession—for some, a calling—that involves a duty to something larger than ourselves. We must always act, and appear to act, with our nation's interests before our own. We not only put forth an honest effort in our work, but we do not seek personal advantage for ourselves or others. We hold ourselves to the highest standards, knowing that even the question of impropriety is sometimes enough to undermine good work.

Applicable Principles of Ethical Conduct

As an executive branch employee, you are required to act impartially and not give preferential treatment. Further, you shall not:

- hold financial interests that conflict with the conscientious performance of your Government duties.
- engage in financial transactions using nonpublic Government information or allow the improper use of such information.
- solicit or accept anything of value from anyone seeking official action from, doing business with, or conducting activities regulated by your agency, or who may be affected by the performance or nonperformance of your duties.

Responsible Stewardship

Monies, property, information and other governmental resources are entrusted to us. They do not belong to us personally. We honor our commitment to the American public by using these resources wisely and only to accomplish the work of the United States Government.

Applicable Principles of Ethical Conduct

As an executive branch employee, you are required to:

- put forth honest effort in the performance of your Government duties.
- protect and conserve Government property and not use it for other than authorized activities.
- disclose waste, fraud, abuse, and corruption to appropriate authorities.

THE STANDARDS OF ETHICAL CONDUCT

The General Principles provide a foundation for ethical conduct. However, to ensure consistency and fairness in the way we deal with similar ethical issues across the executive branch, there are several specific and enforceable standards that we all must abide by. These Standards of Ethical Conduct, which are introduced below, contain specific requirements in areas where executive branch employees are likely to encounter ethical dilemmas.

Standards of Ethical Conduct

Use of Government Position. *As an employee, you cannot use your position with the Government for your own personal gain or for the benefit of others.*

Conflicting Financial Interests. *You are prohibited from working on Government matters in which you, your spouse or minor child, or certain others have a financial interest.*

Impartiality. *In general, you should not act on a Government matter if a reasonable person who knew the circumstances of the situation could legitimately question your impartiality.*

Seeking Other Employment. *If you are seeking other employment – either a future position or part-time work performed in your off-duty hours – you may not work on particular matters that would affect the prospective employer's financial interest.*

Outside Activities. *You may not engage in outside employment or other activity if it conflicts with your official duties or violates a law or regulation.*

Gifts from Outside Sources. *Generally, you may not accept gifts that are given because of your official position or that come from certain "prohibited" sources.*

Gifts Between Employees. *Generally, you cannot give a gift to your official superior. Also, you generally cannot accept a gift from another employee who earns less pay.*

CRIMINAL CONFLICT OF INTEREST LAWS

The conduct of executive branch employees is governed not only by the Standards of Ethical Conduct, but also by various other laws and legal authorities. The criminal conflict of interest laws, which are introduced below, prohibit specific types of conduct. It is particularly important to be aware of these laws because a violation could subject you to criminal penalties, including jail time.

Criminal Conflict of Interest

Conflicting Financial Interests (18 U.S.C 208). *You are prohibited from working on Government matters in which you, your spouse or minor child, or certain others have a financial interest. (Note: This prohibition is also discussed in the Standards of Ethical Conduct.)*

Supplementation of Salary (18 U.S.C 209). *You may not be paid by someone other than the United States for doing your Government duties.*

Bribery (18 U.S.C 201). *You are prohibited from accepting gratuities or bribes to influence your Government actions.*

Compensation in Matters Affecting the Government (18 U.S.C 203). *You are prohibited from receiving compensation for representational activities involving certain matters in which the United States is a party or has a direct and substantial interest.*

Activities in Claims and Other Matters Affecting the Government (18 U.S.C 205). *You are generally prohibited from certain involvement in claims against the United States, or from representing another before the Government in matters in which the United States is a party or has a direct and substantial interest.*

Restrictions on Former Employees (18 U.S.C 207). *After you leave Government service (or leave certain high-level positions), you may encounter limitations on certain proposed activities.*