

Office of the Special Trustee for American Indians
DIRECTIVES SYSTEM MANUAL

Part 241
Chapter 1

OST Ethics Office
Ethics – Conduct And Compliance

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- 1.1 Purpose.** This policy establishes the framework for OST’s Ethics Office to enhance and promote an ethical culture throughout OST. The ethics program includes supporting OST’s mission, vision, and values and incorporates the Standards of Ethical Conduct for Employees of the Executive Branch and all other applicable Federal and Departmental institutional requirements’ documents related to ethical conduct.
- 1.2 Scope.** This policy applies to all OST employees.
- 1.3 Policy.** OST is committed to operating in accordance with the highest standards of ethical conduct and in compliance with its core values of quality service to our beneficiaries, integrity in our actions, excellence in our work, and mutual respect and teamwork in our interactions. OST will review any reported allegations of noncompliance with the standards and regulations pertaining to ethical conduct and will work with Human Resources and management’s chain of command to ensure that appropriate action is taken against employees who violate ethical conduct standards and regulations.
- 1.4 Authority.**
- A. Statutes.**
- 1) Title 5 App. – Ethics in Government Act of 1978
 - 2) 18 USC 201 – Bribery of public officials and witnesses
 - 3) 18 USC 203 – Compensation to members of congress, officer, and others in matters affecting the Government
 - 4) 18 USC 205 – Activities of officers and employees in claims against and other matters affecting the Government
 - 5) 18 USC 207 – Restriction on former officers, employees, and elected officials of the executive and legislative branches
 - 6) 18 USC 208 – Acts affecting a personal financial interest
 - 7) 18 USC 209 – Salary of Government officials and employees payable only by the United States
- B. Regulations.**
- 1) 5 CFR Part 2635 – Standards of Ethical Conduct for Employees of the Executive Branch
 - 2) 5 CFR Part 3501 – Supplemental Standards of Ethical Conduct for Employees of the Department of the Interior
 - 3) 5 CFR Part 735 – Employee Responsibilities and Conduct
 - 4) 5 CFR Part 2634 – Executive Branch Financial Disclosure, Qualified Trusts, and Certificates of Divestiture

- 5) 43 CFR Part 20 – Employee Responsibilities and Conduct

C. Guidance.

- 1) Secretarial Order No. 3288, dated August 31, 2009, entitled “Enhancing and Promoting an Ethical Culture within the Department of the Interior”
<http://www.doi.gov/ethics/bem.cfm>
- 2) OST Ethics Office Charter
<https://sharepoint.ost.doi.net/EthicsOffice/Shared%20Documents/Ethics%20Documents/Ethics%20Office%20Charter%20final.pdf>
- 3) Ethics Guide for Department of the Interior Employees
<http://www.doi.gov/ethics/index.cfm>

1.5 Standards and Requirements.

A. OST must demonstrate to its stakeholders and the public that it is accountable for its actions and that it conducts business in a trustworthy manner. Since there may not always be regulations or standards to guide every situation, employees must apply a high personal sense of ethics, beyond minimum compliance, in day-to-day performance of OST operations. Some guiding principles for employees to follow include, but are not limited to:

- 1) Adhere to OST’s core values and the Standards of Ethical Conduct for Employees of the Executive Branch in order to safeguard OST’s resources and reputation.
- 2) Understand that honesty is an integral part of ethical behavior, and trustworthiness is essential for lasting productive relationships.
- 3) Ensure that any action taken in the course of day-to-day activities as an OST employee and in relationships with beneficiaries, contractors, suppliers, coworkers, and others is fully justifiable and reflects OST’s core values.
- 4) Avoid both unethical actions and any actions that may appear unethical to others.
- 5) Understand that these guiding principles apply to conduct both on and off the job.
- 6) Cooperate fully with reviews of alleged unethical behavior. Never hinder or impede another employee’s cooperation in an inquiry or audit.
- 7) Comply with Federal and Departmental laws, rules, and regulations and OST policies and procedures.

1.6 Responsibilities.

A. OST Employees.

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- 1) Be familiar with Federal and Departmental laws, rules, and regulations pertaining to ethics, including but not limited to: criminal statutes at 18 United States Code, Standards of Ethical Conduct for Employees of the Executive Branch, 14 General Principles of Ethical Conduct, and the Ethics Guide for Department of the Interior Employees.
- 2) Be sensitive to situations that could lead or appear to lead towards conduct that violates ethics laws, rules, and regulations.
- 3) Be responsible for reporting ethical breaches that adversely affect the quality and integrity of OST operations.

B. OST Managers.

- 1) Be knowledgeable about Federal and Departmental ethics laws, rules, and regulations applicable to OST activities and the resources available to resolve ethical questions and concerns.
- 2) Champion the ethics program and create a work environment and culture that promote a high standard of ethical conduct.
- 3) Provide staff within the immediate reporting line of authority with clear guidance relating to ethics issues.
- 4) Communicate clearly that OST does not condone behavior that violates the ethics laws, rules, and regulations.
- 5) Take appropriate corrective and/or disciplinary action, in collaboration with Human Resources, for violations of ethics laws, rules, and regulations.
- 6) Inform employees of the resources that may help them in addressing ethical concerns.
- 7) Create an open atmosphere in which ethical concerns may be brought forward by employees and resolved without fear of retaliation.
- 8) Protect the confidentiality of employee reports, to the extent practical and advise employees of the outcome of such reports, as appropriate.
- 9) Be mindful in word and conduct to avoid placing, or seeming to place, pressure on employees that could cause them to deviate from acceptable standards of conduct.
- 10) Seek guidance from the Deputy Ethics Counselor on any ethics issues requiring clarification.

C. Deputy Ethics Counselor.

- 1) Serve as the OST employee who has been delegated the day-to-day responsibilities and duties of the OST ethics program on behalf of the Ethics Counselor.
- 2) Communicate ethics standards and guidelines to managers and employees.
- 3) Monitor compliance with ethics standards and guidelines and report program results to the Principal Deputy Special Trustee.
- 4) Respond to questions from managers or employees who are unsure of any aspect of the ethics program.
- 5) Maintain an ethics log of activity for use in developing annual metrics and understanding the ethical culture of OST.

D. Principal Deputy Special Trustee

- 1) Assist the Deputy Ethics Counselor with encouraging managers to champion the ethics program and create a work environment and culture that promote a high standard of ethical conduct.
- 2) Receive ethics program updates and recalibrate, as necessary, the ethical culture within OST.
- 3) Provide supervision of, and take management responsibility for the performance of the Deputy Ethics Counselor.

E. Special Trustee

- 1) As the head of the agency, the Special Trustee serves as the Ethics Counselor for OST.

1.7 Administration. The Deputy Ethics Counselor is responsible for the administration, revision, interpretation and application of this policy. The policy will be reviewed and revised, as necessary.