

**FISH AND WILDLIFE SERVICE  
GENERAL ADMINISTRATION AND ETHICS**

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## **Overview**

**1.1 What is the purpose of this chapter?** This chapter:

**A.** Provides general policy on the ethical conduct and responsibilities of U.S. Fish and Wildlife Service (Service) employees, and

**B.** Describes the duties and responsibilities of ethics officials.

**1.2 What is the scope of this chapter?** This chapter applies to all employees.

**1.3 What are the authorities for this chapter?**

**A.** Ethics in Government Act ([5 U.S.C. 101 et seq.](#)).

**B.** Executive Order 12674 ([E.O. 12674](#)), Principles of Ethical Conduct for Government Officers and Employees.

**C.** Standards of Ethical Conduct for Employees of the Executive Branch ([5 CFR 2635](#)).

**D.** Office of Government Ethics and Executive Agency Ethics Program Responsibilities ([5 CFR 2638](#)).

**E.** Supplemental Standards of Ethical Conduct for Employees of the Department of the Interior ([5 CFR 3501](#)).

**F.** Department of the Interior Employee Responsibilities and Conduct ([43 CFR 20](#)).

**G.** [Secretarial Order No. 3288](#), Enhancing and Promoting an Ethical Culture within the Department of the Interior, August 2009.

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**1.4 What is the Service policy on the ethical conduct and responsibilities of employees?**

**A.** It is our policy and expectation that all employees will maintain high standards of honesty, impartiality, character, and conduct to ensure the proper performance of Government business and the continual trust and confidence of the citizens of the United States.

**B.** The conduct of employees must reflect the qualities of:

**(1)** Courtesy, integrity, and loyalty to the United States;

**(2)** A deep sense of responsibility for the public trust;

**(3)** Promptness in working with and serving the public; and

**(4)** A standard of personal behavior that reflects positively on and will be a credit to both employees and the Service.

**C.** These principles apply to official conduct and to private conduct that affects, in any way, the ability of employees or the Service to accomplish its mission and the work of the Department of the Interior (Department).

## **Responsibilities**

**1.5 How is the ethics program organized, and what are the officials' responsibilities?**

**A. Departmental Ethics Office:** The Director of the Departmental Ethics Office is the Department's Designated Agency Ethics Official (DAEO), who is responsible for the management and oversight of the Department's ethics program. The Departmental Ethics Office is a division of the Solicitor's Office.

**B. Service's ethics program:** The ethics officials responsible for implementing the Service's ethics program include:

**(1)** The Service Director, who is required by Secretarial Order 3288 to serve as our most senior Ethics Counselor;

**(2)** Two full-time national Ethics Counselors (the Deputy Ethics Counselor and the Associate Ethics Counselor). The Deputy Ethics Counselor position also was established by Secretarial Order; and

**(3)** Collateral duty Assistant Ethics Counselors at Headquarters and in each Regional office.

**C. Specific responsibilities:** See Table 1-1.

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<b>Table 1-1: Responsibilities of the Service's ethics officials</b>	
<b>These employees...</b>	<b>Are responsible for...</b>
<b>(1) The Director (the Service Ethics Counselor)</b>	<p><b>(a)</b> The effectiveness of the Service's overall ethics program;</p> <p><b>(b)</b> Administering the statutes, regulations, policies, and procedures governing the ethical conduct and responsibilities of Service employees;</p> <p><b>(c)</b> Employing a full-time Deputy Ethics Counselor and providing adequate staff and the financial and technical resources to implement the ethics program;</p> <p><b>(d)</b> Ensuring that employees have access to ethics officials, resources, guidelines, and training;</p> <p><b>(e)</b> Requiring supervisors and managers to work with their Ethics Counselors to put appropriate controls in place, including recusals, to avoid conflicts of interest;</p> <p><b>(f)</b> Ensuring the Service has a procedure for soliciting employee concerns and feedback on personal or programmatic ethics matters;</p> <p><b>(g)</b> Cooperating fully with all requests from the DAEO and the Deputy Ethics Counselor;</p> <p><b>(h)</b> Reviewing and approving employee requests to serve, in their official capacity, as an officer or board member for a non-Federal organization (see <a href="#">212 FW 4</a>); and</p> <p><b>(i)</b> Ordering remedial action when employees violate ethics statutes or regulations.</p>
<b>(2) The Deputy Ethics Counselor</b>	<p><b>(a)</b> Developing, implementing, and disseminating policy and procedures on employee standards of ethical conduct;</p> <p><b>(b)</b> Administering the financial disclosure program;</p> <p><b>(c)</b> Developing, managing, and implementing an ethics training program;</p> <p><b>(d)</b> Counseling and advising Service employees on ethics matters;</p> <p><b>(e)</b> Advising the Regional and Headquarters offices on ethics policy matters and sensitive, difficult, and controversial issues;</p> <p><b>(f)</b> Coordinating with the Inspector General's Office on the investigation of ethics violations; and</p> <p><b>(g)</b> Serving as a liaison with the Departmental Ethics Office.</p>

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<b>Table 1-1: Responsibilities of the Service's ethics officials</b>	
<b>These employees...</b>	<b>Are responsible for...</b>
<b>(3) The Associate Ethics Counselor</b>	Assisting the Deputy Ethics Counselor with accomplishing the responsibilities listed above.
<b>(4) The Regional and Headquarters Assistant Ethics Counselors</b>	<p><b>(a)</b> Responding to employee ethics questions;</p> <p><b>(b)</b> Resolving conflict of interest situations unless or until the Service Ethics Counselor or Deputy Service Ethics Counselor takes remedial action;</p> <p><b>(c)</b> Ensuring that new employees receive a minimum of 1 hour of official duty time, within 90 days from beginning employment, to review key ethics laws, regulations, and guidance (see <a href="#">5 CFR 2638.703</a>), including the Executive Order, regulations, and Departmental policies described in section 1.3;</p> <p><b>(d)</b> Conducting the annual Confidential Financial Disclosure Report (<a href="#">OGE-450</a>) filing cycle, which includes collecting, reviewing, and certifying reports from employees whose positions require them to file. (see <a href="#">212 FW 2</a>);</p> <p><b>(e)</b> Providing resources for completing the annual ethics training requirement to employees who are required to file Confidential Financial Disclosure Reports (see <a href="#">212 FW 2</a>);</p> <p><b>(f)</b> Providing permission, advice, or guidance regarding potential ethics issues as required by Service manual chapters; and</p> <p><b>(g)</b> Ordering remedial action when employees violate the statutes or regulations regarding the standards of ethical conduct.</p>

**1.6 What are the responsibilities of supervisors and employees? See Table 1-2.**

<b>Table 1-2: Responsibilities of supervisors and employees</b>	
<b>These employees...</b>	<b>Are responsible for...</b>
<b>A. Supervisors</b>	<p><b>(1)</b> Providing new employees with a minimum of 1 hour of official duty time, within 90 days from beginning employment, to review key ethics laws, regulations, and guidance (see <a href="#">5 CFR 2638.703</a>), including the Executive Order, regulations, and Departmental policies described in section 1.3;</p> <p><b>(2)</b> Providing permission, advice, or guidance regarding potential ethics issues as required by Service manual chapters;</p> <p><b>(3)</b> Providing employees with contact information for Ethics Counselors who can advise them on ethics matters;</p> <p><b>(4)</b> Requesting assistance, when needed, from appropriate Ethics</p>

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<b>Table 1-2: Responsibilities of supervisors and employees</b>	
<b>These employees...</b>	<b>Are responsible for...</b>
	<p>Counselors to help employees with ethics and conduct issues;</p> <p><b>(5)</b> Reporting any potential conflict of interest situations to the appropriate Service Ethics Counselor for resolution;</p> <p><b>(6)</b> Identifying those employees whose responsibilities require them to file an annual Confidential Financial Disclosure Report, and ensuring that they file the reports (see <a href="#">212 FW 2</a>); and</p> <p><b>(7)</b> Ensuring that employees who are required to file Confidential Financial Disclosure Reports receive at least 1 hour of annual ethics training (see <a href="#">212 FW 2</a>);</p>
<b>B. Employees</b>	<p><b>(1)</b> Complying with the Department's <i>Ethics Guide</i>, including learning and understanding the ethics laws, regulations, guidelines, and the fourteen general principles of ethical conduct in <a href="#">E.O. 12674</a>;</p> <p><b>(2)</b> Maintaining high standards of honesty, integrity, impartiality, and conduct to ensure the proper performance of Government business and the continual trust and confidence of the citizens of the United States;</p> <p><b>(3)</b> Refraining from engaging in any conduct, while on or off duty, that may adversely impact the reputation of the Service;</p> <p><b>(4)</b> Seeking guidance from their servicing Assistant Ethics Counselor, the Service Deputy Ethics Counselor, Service Associate Ethics Counselor, or the Department's Ethics Office when ethics questions arise;</p> <p><b>(5)</b> Requesting permission, advice, or guidance regarding potential ethics issues as required by Service manual chapters; and</p> <p><b>(6)</b> Reporting both personal and programmatic ethics concerns in a timely manner to their supervisor, Assistant Ethics Counselor, Service Deputy Ethics Counselor, Service Associate Ethics Counselor, the Departmental Ethics Office, or the Office of Inspector General (as necessary).</p>

## Principles of Ethical Conduct

### 1.7 What are the principles of ethical conduct?

**A.** It is important for every citizen to have complete confidence in the integrity of the Federal Government.

**B.** To ensure that confidence, all Federal employees must respect and adhere to the "Fourteen Principles of Ethical Conduct" below (see [E.O. 12674](#)):

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**General Administration and Ethics**

**Part 212 Ethics**

**Chapter 1 Standards of Conduct**

**212 FW 1**

- (1) Public service is a public trust, requiring you to place loyalty to the Constitution, the laws, and ethical principles above private gain.
- (2) You must not hold financial interests that conflict with the conscientious performance of duty.
- (3) You must not engage in financial transactions using nonpublic Government information or allow the improper use of such information to further any private interest.
- (4) You must not, except when there are reasonable exceptions allowed 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 the Service, or whose interests may be substantially affected by the performance or nonperformance of your duties.
- (5) You must put forth an honest effort when performing your duties.
- (6) You must not make unauthorized commitments or promises of any kind claiming to bind the Government.
- (7) You must not use public office for private gain.
- (8) You must act impartially and not give preferential treatment to any private organization or individual.
- (9) You must protect and conserve Federal property and not use it for other than authorized activities.
- (10) You must not engage in outside employment or activities, including seeking or negotiating for employment, that conflict with official Government duties and responsibilities.
- (11) You must disclose waste, fraud, abuse, and corruption to appropriate authorities.
- (12) You must satisfy in good faith your obligations as a citizen, including just financial obligations, especially those such as Federal, State, or local taxes that are imposed by law.
- (13) You must adhere to all laws and regulations that provide equal opportunity for all Americans, regardless of race, color, religion, gender, national origin, age, handicap, sexual orientation, or disability.
- (14) You must try to avoid any actions creating the appearance that you are violating the law, the Standards of Ethical Conduct for Employees of the Executive Branch ([5 CFR 2635](#)), [E.O. 12674](#), Supplemental Standards of Ethical Conduct for Employees of the Department of the Interior ([5 CFR 3501](#), [43 CFR 20](#)), and Service policy.

## **Penalties for Violations**

**1.8 What are the penalties for violations?** You may be subject to disciplinary or adverse action, including removal from Federal service, if you fail to comply with the conflict of interest laws, regulations, orders, or policies, or if you do not follow the proper requests of supervisors responsible for employee performance. In addition, some ethics laws are criminal statutes and may involve criminal sanctions.

/sgd/ James W. Kurth  
DEPUTY DIRECTOR

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