**Notification of Ethics Requirements for New Supervisors**

In accordance with 5 C.F.R. § 2638.304 and § 2638.306, new civilian supervisors must be provided certain ethics-related information and complete initial ethics training within the first 3-months of their appointment.

In your new role as a DISA supervisor, you have a heightened personal responsibility for advancing Government ethics.

**Government Ethics Responsibilities of Supervisors**.

Every supervisor in the Executive Branch has a heightened personal responsibility for advancing Government ethics. It is imperative that supervisors serve as models of ethical behavior for subordinates. Supervisors have a responsibility to help ensure that subordinates are aware of their ethical obligations under the Standards of Conduct and that subordinates know how to contact agency ethics officials.

Supervisors are also responsible for working with agency ethics officials to help resolve conflicts of interest and enforce Government ethics laws and regulations, including those requiring certain employees to file financial disclosure reports. In addition, supervisors are responsible, when requested, for assisting agency ethics officials in evaluating potential conflicts of interest and identifying positions subject to financial disclosure requirements. 5 C.F.R. § 2638.103.

The following information is provided to ensure that you, as a new supervisor, are able to become a contributing part of the Agency’s strong ethical culture.

**DISA General Ethics Policy**.

Ethics and values-based decision making are critical DoD, DISA, and JFHQ-DODIN priorities. To sustain an ethical culture that upholds and inspires public confidence, DISA supervisors are expected to go beyond their responsibilities to strictly follow the letter of Federal ethics laws and regulations and ensure that they faithfully fulfill financial, civic, and ethical duties. DISA considers proper ethical conduct essential by all levels of the organization. DISA supervisors are required to adhere to the highest standards of ethical conduct and ensure that no activity is carried out that will discredit or cast doubt on the integrity of the operations or mission of DISA, DoD, or the Federal Government.

The DoD Ethics program is covered under the Joint Ethics Regulation (JER) DoD 5500.7-R. The JER supplements regulations issued by the U.S. Office of Government Ethics (OGE), which can be found at 5 C.F.R. § 2635.

You are urged to review the complete text of the JER, including the Federal Standards of Conduct at <http://www.defenselink.mil/DoDgc/defense_ethics/index.html>.

You are also urged to review DoD’s supplement to the Standards of Conduct found at
5 C.F.R. § 3601 et. seq.

**Core Principles of Ethical Conduct for Employees of the Executive Branch.**5 C.F.R. § 2635.101(b).

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 by the Standards of Ethical Conduct, 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 nonperformance 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 the appropriate authorities.
12. Employees shall satisfy in good faith their obligations as citizens, including all 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 disability.
14. Employees shall endeavor to avoid any actions creating the appearance that they are violating the law or the ethical standards set forth in the Standards of Ethical Conduct. Whether particular circumstances 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.

**Criminal Ethics Laws Governing Federal Service**.

Failure to comply with these restrictions may result in criminal prosecution:

* Do not accept a bribe. 18 U.S.C. § 201.
* Do not represent or accept money for representing another’s interests before the U.S. Government. 18 U.S.C. § 203 and 205.
* Do not take official action that will affect your personal financial interests as well as those of your spouse, children, and/or prospective employer. 18 U.S.C. § 208.
* Do not accept payment from others for the performance of your Federal duties. 18 U.S.C. § 209.

**Common Ethics Rules.**

The following are some of the key rules from the JER that you, as a new supervisor should be aware. These rules apply to civilians, military officers, and enlisted personnel unless otherwise indicated.

Conflicts of interest. You may not participate in any Government matter if it would have a direct and predictable effect on any of your financial interests (such as stock holdings). The prohibition also applies to the financial interests of your spouse, minor children, general partners, or an organization in which you serve as an officer, director, trustee, general partner or employee, or any entity with which you are negotiating for employment or have an arrangement concerning prospective employment. 5 C.F.R.
§ 2635.402.

General rule against accepting gifts. DoD employees generally may not accept gifts offered because of their official position or which are given from a "prohibited source" (e.g. a DoD contractor). 5 C.F.R. § 2635.202(a). However, there are several exceptions.

For example, it is permissible to accept:

* Gifts of up to $20 in value per occasion (not cash), as long as the total value of the gifts from one source (e.g. one company) does not exceed $50 in a calendar year. 5 C.F.R. § 2635.204(a).
* Free attendance for you and your spouse/guest at a widely attended gathering if the Designated Agency Ethics Official (DAEO) determines your attendance will further DISA programs or operations, and the value is not more than $375.
5 C.F.R. § 2635.204(g).
* Modest items of food and drink that are not part of a meal (e.g. coffee, donuts, soft drinks, hors d'oeuvres). 5 C.F.R. § 2635.203(b)(1).
* Items with little intrinsic value that are intended solely for presentation (such as greeting cards, plaques, certificates, and trophies). 5 C.F.R. § 2635.203(b)(2).
* A travel payment (e.g. a plane ticket) from a non-Federal source, if you will attend a meeting or similar function in your official capacity and your travel-approving authority and the DAEO approves in advance. Payments over $250 must be reported to the DAEO. JER 4-101a.

Soliciting gifts. DoD employees may not solicit gifts in their official capacity from DoD contractors or other non-Federal organizations (such as local businesses).
5 C.F.R. § 2635.203(a)(1) & (c)(2)

Gifts to superiors. You may give a gift to a superior, on an occasional basis, including traditional gift-giving occasions, such as birthdays and holidays, so long as the gift is no more than $10 in value per occasion (not cash), can be characterized as hospitality at your home, or is a customary gift when receiving hospitality at your superior's home.

On a special, infrequent occasion (e.g., retirement, permanent change in duty station, marriage, illness, or birth), an individual may give an "appropriate" gift to a superior. However, a gift on a special, infrequent occasion from a group containing one or more subordinates may not exceed $300 in value, and each group member may be asked to contribute no more than $10 to that gift. 5 C.F.R. § 2635.304 and JER 2-203.

Support of non-Federal organizations. You may not use your title, position, or authority to endorse any product, service, or enterprise. 5 C.F.R. § 2635.702(c). But, unless precluded by public affairs regulations, you may use official channels to notify other DoD employees of non-Federal organization events of common interest. JER 3-208.

You may not officially endorse (or appear to endorse) membership drives or fundraising events for any non-Federal organization (with certain exceptions, such as the Combined Federal Campaign). JER 3-210.

Commanders may, under certain conditions, allow the use of DoD facilities, equipment, and personnel in support of an event by a non-Federal organization. JER 3-211.

Generally, employees may not participate in their official capacity in the management of a non-Federal organization (e.g., as an officer, director, or trustee) without approval by the DOD General Counsel. JER 3-202. However, there is some allowance for the operations of standards-setting organizations. Senior military officers (O-7 and above) cannot accept compensation from non-Federal organizations for service as an officer or member of a board of directors. See DEPSECDEF Memo, 23 Jul 96. You may serve in your official capacity as a "DoD Liaison" to a non-Federal organization with the written approval of your commander. JER 3-201a.

Representation. Officers (including officers on terminal leave) and civilians may not represent anyone (other than the U.S.) before any Federal agency. However, this rule does not apply to enlisted personnel. 18 U.S.C. § 205. There are also post-employment representational bans for employees, including a permanent ban on representational activity, depending on the depth of an employee's involvement in a particular matter.

18 U.S.C. § 207(a).

Resources. Government resources may only be used for official and authorized purposes. Authorized purposes include limited personal communications most reasonably made at work so long as those communications:

(1) do not adversely affect the performance of official duties;

(2) are reasonably short and infrequent;

(3) are made on personal time whenever possible;

(4) do not reflect adversely on the Federal Government or DoD (e.g., as in the case of unofficial advertising); and

(5) do not create a burden or significant additional cost to the Government.

Non-communication uses of other Federal resources (such as office supplies, copiers, and fax machines) are allowed under the same general criteria as above except that those non-official uses must be approved by the supervisor. JER 2-301.

Off-duty employment. DISA civilian personnel who are required to file a financial disclosure form (SF-278 or OGE Form 450) must obtain prior written approval for off-duty employment (including self- employment) where the business activity or compensated outside income is from a prohibited source. JER 2-206. Military personnel should consult the outside employment rules of their Service.

Ethics training. Contracting Officers and those who file a financial disclosure form
(SF-278 or OGE Form 450) must receive ethics training each year. JER 11-302.

DISA primarily uses web-based interactive ethics training to meet this requirement, however, some locations may use live presentations or other interactive means to deliver this training.

**For More Information, Visit Any of the Following**:

DISA General Counsel’s website at <http://www.disa.mil/About/Our-Organization-Structure/GC/Government-Ethics>.

DoD Standards of Conduct Office at [http://www.dod.mil/dodgc/defense ethics/](http://www.dod.mil/dodgc/defense%20ethics/).

OGE at <https://www2.oge.gov/>.

**DISA Points-of-Contact.**

Pursuant to DISA Instruction 100-50-6, Mr. William E. Brazis, General Counsel is DISA’s DAEO, responsible for oversight of the Agency’s Ethics Program.
Ms. Lia Neil Wentworth, Associate General Counsel for Administrative Law and Ethics is the Alternate DAEO and Chief of the Agency’s Ethics Program.

All DISA Office of the General Counsel (OGC) attorneys are designated Ethics Counselors and can be consulted on any ethics question.

Employees in the National Capital Region should direct their questions to OGC Ethics Counselors at Headquarters:

Office of the General Counsel

Command Building, Room C4A24

Ft Meade, Maryland

Telephone: (301) 225-6100

OGC Ethics Counselors are also located at Scott Air Force Base and typically service employees outside the Washington D.C. metropolitan area.

Office of the General Counsel

DITCO Legal Counsel, Scott AFB

Telephone (618) 229-9143

Ethics questions can also be sent to the Headquarters Administrative Law and Ethics Team via email at disa.meade.gc.mbx.disa-gencounsel-ethics@mail.mil