

THE SECRETARY OF THE INTERIOR WASHINGTON

JUN 27 2007

Memorandum

From: Secretary /s/
To: All Employees
Subject: Promoting Ethics, the Public Interest, and Respectful Behavior

As we perform our duties in our commitment to public service and the great mission of the Department, it is essential to assure that we are ever vigilant in adhering to appropriate standards of conduct and behavior. In addition to complying with the rules and laws governing ethical conduct, we also must strive to serve and protect the interests of the United States above private interests.

These ideals include:

#61623 Compliance with all Departmental regulations on Employee Responsibilities and Conduct, as well as applicable provisions in Chapter 370 of the Departmental Manual governing employee behavior and conduct

#61623 Compliance with the Standards of Ethical Conduct for Employees of the Executive Branch

#61623 Compliance with applicable laws, policies and procedures regarding the development and disclosure of science

#61623 Compliance with the 14 General Principles for the Standards of Ethical Conduct (copy attached)

#61623 Protecting non-public information from inappropriate disclosure

We also must treat each other, and the public whom we serve, with dignity and respect. The Department's policy in this area is set forth at 43 CFR § 20.501:

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.

I ask each of you to endeavor to uphold these ideals, and I expect all managers and supervisors to provide exemplary leadership in this regard. In all our work, please

remember and apply our core values... Stewardship for America with Integrity and Excellence.

Principles of Ethical Conduct

Principles of Ethical Conduct. To ensure that every citizen can have complete confidence in the integrity of the Federal Government, each Federal employee shall respect and adhere to the fundamental principles of ethical service as implemented in regulations promulgated under sections 201 and 301 of this order:

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.
2. Employees shall not hold financial interests that conflict with the conscientious performance of duty.
3. Employees shall not engage in financial transactions using non-public Government information or allow the improper use of such information to further any private interest.
4. An employee 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 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 make no 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 appropriate authorities.
 12. Employees shall satisfy in good faith their obligations as citizens, including all just 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 handicap.
 14. Employees shall endeavor to avoid any actions creating the appearance that they are violating the law or the ethical standards promulgated pursuant to this order.
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Secretary Kempthorne's 10-Point Plan To Make the Department of the Interior A Model of an Ethical Workplace

Secretary Kempthorne is committed to maintaining an ethical culture at the Department of the Interior. He set that tone both on the first day he was nominated and the day he took office by making ethics briefings his first priority. His first written message to Interior employees and at his first all employees meeting he emphasized ethics compliance.

Since taking office, he has developed and implemented a 10-point plan to make The Department of the Interior a model of an ethical workplace. This plan includes:

Appointed New, Experienced Ethics Officer And Expanded Ethics Staff. Interior recruited and hired an experienced ethics lawyer, Melinda Loftin, to be its Designated Agency Ethics Officer. Before coming to Interior, Ms. Loftin worked at the Department of the Air Force as an Associate General Counsel, and Director of the Ethics Office. On her first day at Interior, Secretary Kempthorne talked with Ms. Loftin and empowered her to have a strong ethics office and to promote an ethical culture at Interior. The Solicitor approved the hiring of two additional trained ethics lawyers to Ms. Loftin's staff. These three lawyers have 40 years of ethics compliance experience. Ms. Loftin meets weekly with the Secretary's chief of staff and has access to the Secretary upon request.

Implementing Best Ethics Practices At Interior. At Secretary Kempthorne's request,

the Office of Government Ethics (OGE) compiled a list of the best ethical practices used by all government agencies. Secretary Kempthorne reviewed that list with Mr. Rick Cusick, Director of the Office of Government Ethics and Ms. Loftin. Secretary Kempthorne directed Ms. Loftin to determine which practices have been implemented at Interior, and which ones have not. Ms. Loftin was directed to use her professional judgment to determine which practices should be implemented and according to what timetable. In response, Ms. Loftin reported to Secretary Kempthorne that Interior had already implemented 60 of the 80 best ethics practices compiled by the Office of Government Ethics. Ms. Loftin developed an action plan to implement the remaining 20 practices and also to enhance existing practices. Secretary Kempthorne has met with Mr. Cusick and Ms. Loftin to review the implementation schedule. Both Mr. Cusick and Ms. Loftin say they are on track to fully implement the best practices.

Created New Interior Conduct Accountability Board. Secretary Kempthorne signed a Secretarial order creating a new Conduct Accountability Board at the Department of the Interior. This board will be led by Assistant Secretary for Water and Science Mark Limbaugh, a Certified Professional Accountant and a person of impeccable integrity. Two other career members of the Senior Executive Service, Willie Taylor and Glenda Owens, have been appointed to this board. The board will be responsible for ensuring consistency and fairness in the management of conduct and discipline cases.

FY 2007 Senior Executive Service Performance Standards Include A Mandatory Measure For Effective Management of Ethics.

Secretary Kempthorne issued a directive that, in FY 2007, performance standards for the Senior Executive Service and general workforce supervisors must include a measure for effective management of ethics, as well as how they address conduct and discipline issues when they arise.

Enforcing Appropriate Government Use Of Computers and Equipment. Effective immediately, Secretary Kempthorne directed that conformance with ethics standards, including appropriate use of the Internet and government computers, will be a determinative factor in making decisions concerning awards and bonuses.

Strengthened Conduct And Discipline Procedures And Penalties. Secretary Kempthorne ordered a review of conduct and discipline penalties. As a result of this review, the Department revised its penalties for improper use of the Internet for prohibited purposes. The Department's policy now clearly states that the penalty for such acts may include removal on the first offense if warranted.

Conducting Review Of Policies and Procedures Governing Contacts With Lobbyists and Policy Advocates. Many Interior decisions involve sensitive or controversial matters. Secretary Kempthorne directed Ms. Loftin to review policies and procedures that should guide departmental officials in their contacts with lobbyists and policy advocates to ensure that policy decisions conform to ethical requirements.

Five New Presidential Appointees Emphasize Ethics Compliance. New appointees confirmed by the Senate since Secretary Kempthorne has taken office have completed full ethics briefings. In addition, those with bureau responsibilities have sent employees messages about the importance they place in adhering to an ethic rules and regulations. All Presidential appointees have had annual ethics training.

Enhanced Ethics Communications With Employees.

Every new employee receives a message from Secretary Kempthorne about maintaining the highest ethical standards. Interior's ethics website is being updated to provide employees an easy-to-navigate information tool to get information about complying with ethics rules and regulations.

Deputy Secretary Lynn Scarlett is working with Department leaders to develop a statement of the Department's core values to be printed on each employee's badge as a constant reminder of their responsibility to the public trust and to be used in relevant communications documents, as appropriate.

Supports Ending Indian Lobbying Loophole. Nearly all senior federal officials, who leave government service have at least a one-year "cooling off" period before they can lobby those where they once worked. There is an exception to this rule. Any person who leaves government service to lobby for any Indian tribe is exempt from this rule. Secretary Kempthorne supports legislation proposed by Senator John McCain that would reform this lobbying loophole.