Introduction of the Test Data Scenario

After viewing a short scenario involving a government employee and a contractor employee, you will use available resources to analyze a critical and complex situation, then formulate an ethical response.

**Government Employee:**
Gloria, Program Manager (GS-15) F-2000 Fighter Attack Procurement

Government Technician F-2000 Fighter Attack Procurement

**Contractor Employee:**
Cliff, Project Manager Acme Aircraft Company

**Scene:**
Meeting in Gloria's Office
Test Data Scenario

Highlights

- Government employee receives unfavorable data on tests that previously passed with flying colors

- Contractor employee reports that the accuracy of the original test data is debatable

- Congress is ready to fund the project

- Contractor employee assures that the project will be successful despite the data

- Government employee must decide what to do next

*Click the play button on the video to play the scenario.*

*Click here to view video script text.*
**Test Data Scenario Script**

**Gloria:** Yes, come in...

**Cliff:** Hi Gloria, I just got some of the back-up data from the tests for the F-2000 that we passed last month. You know the one that we passed with flying colors.

**Gloria:** Yeah...

**Cliff:** Well, we may not have done as well as we thought.

**Gloria:** Explain.

**Cliff:** It looks like some of the sensors weren't calibrated before the test. So the accuracy and the readings for the F-2000 performance is debatable.

**Government Technician:** Well, that doesn't mean that the readings are necessarily wrong. I mean, they could have accurately recorded the test performance.

**Cliff:** ...Or they might not have. We just don't know.

**Gloria:** Well, this is really bad timing. The Admiral just testified before the House Armed Services Subcommittee and touted the performance of the F-2000's in these tests. Congress is on the verge of authorizing us funding for the initial production run.

**Gloria:** Repeating those tests could take months, and that would probably push Congressional approval until the next Fiscal Year.

**Cliff:** At least!

**Government Technician:** Well, you do realize that is not a very good career enhancing move to tell the Admiral that our test data is flawed.

**Gloria:** Well yea...and with the budget deficit, I’m concerned that any delay at all would prompt Congress to completely eliminate it!

**Cliff:** Look, as a retired military aviator, I can assure without question that the F-2000 will perform as advertised. The war-fighter NEEDS this weapon. The national defense needs the capabilities of the F-2000. It is our patriotic duty to not let some glitch in our testing data derail this critical defense program. The future of military aviation depends on a successful F-2000!

**Gloria:** Well, maybe I better talk to my boss about what to do next!
Decision Time

You witnessed a scenario which calls for Gloria, a government employee, to make a decision regarding unfavorable test data reported by a contractor employee.

If you were Gloria, what would you do?

Click on each image to learn more to assist you in making your decision.
Consult with Peers

Choose from the following persons to consult regarding how Gloria should report the unfavorable data.

Co-worker  Supervisor  Mr. Know-it-all  Spouse

When you are done consulting with your peers, select NEXT to return to the decision time menu.
Co-worker

Gloria's Co-Worker Says ... "I do not know any of these Acme people, but you want to be sure they are not pulling a fast one. I think you should write this up just as it happened. And maybe you should find out where and with whom the ball dropped on the original tests."

Supervisor

Gloria's Supervisor Says ..."What? The test data is bad? Heads will roll, possibly ours. You realize that if this program is cut that it will not help either of our careers.

Well, I suppose we have to tell the Admiral, but let us not put too dismal a spin on this. In fact, let us bury it in our next monthly report. See if you can characterize this problem as a minor data anomaly that should be — no, WILL BE — resolved in future F-2000 flight testing."

Mr. Know-it-all

Gloria's Colleague Mr. Know-it-all Says ..."Well, you know where I stand on this. This kind of thing happens. Just because the sensors were not calibrated does not mean the F-2000 cannot perform. I am sure the next set of tests will show we were right."

Spouse

Gloria's Spouse Says ..."Gee, that is tough. We have been friends with Cliff forever. Do you think he could lose his job with Acme over this?"
Ethics Resources

Choose the following resource to research regulations regarding how to report unfavorable data.

5 CFR 2635

When you have completed your research select **NEXT** to return to the decision time menu.
Make your decision now

Choose the number of the "best" action for Gloria regarding the data:

**Action 1.** Do not report the test-data problem up the chain of command; deal with it locally.

**Action 2.** Report the problem, but in such a way to downplay its significance. Why attract unnecessary attention from people up the chain of command?

**Action 3.** Report up the chain of command that the data which the Admiral used in his testimony before Congress, may be flawed.

**Action 4.** Report the problem to the DOD Inspector General (IG) Fraud, Waste & Abuse hotline, citing the Admiral for prematurely touting the F-2000's performance in those tests. You may make your decision now or you may choose BACK to return to the Decision Time menu to consult with peers, conduct research and/or replay the scenario.
The DAEO says

Before you settle on this decision, it is a good idea to get some expert advice from the Designated Agency Ethics Officer (DAEO).

The DAEO says...

"Hey, all this sounds familiar! Did you work on the Navy A-12 and Marine Corp V-22 programs?

If you fail to inform the government chain of command, are you fulfilling your duty as a public servant?

Now that you have more information select NEXT to make your final decision."
The DAEO says

Before you settle on this decision, it is a good idea to get some expert advice from the Designated Agency Ethics Officer (DAEO).

The DAEO says...

"Ah, yes, clever. And now you call into this office for me to give you legal blessing for this subterfuge. Do you think you have a duty as a public servant to give the senior decision makers the straight story?"

Now that you have more information select NEXT to make your final decision.
The DAEO says

Before you settle on this decision, it is a good idea to get some expert advice from the Designated Agency Ethics Officer (DAEO).

The DAEO says...

"Yes, this is serious business! When you execute your duty as a public servant, you should be acting in the public's interest. You should be loyal to your office, program and supervisor. But, it is misplaced loyalty if you, as a public servant, fail to be less than fully honest in order to protect the immediate program engaged in."

Now that you have more information select NEXT to make your final decision.
The DAEO says

Before you settle on this decision, it is a good idea to get some expert advice from the Designated Agency Ethics Officer (DAEO).

The DAEO says...

"Are you certain the Admiral is aware of the concerns with the data? Besides, if you write up a report fully disclosing the test data problem and give the Admiral the chance to see how severe the problems are with the data, he just might forward the report up the chain of command.

Does this help you?"

Now that you have more information select NEXT to make your final decision.
Make your final decision now

Now that you have browsed the available resources and received expert advice from the DAEO, choose the number of the "best" action for Gloria regarding how to report unfavorable test data.

**Action 1.** Do not report the test-data problem up the chain of command; deal with it locally.

**Action 2.** Report the problem, but in such a way to downplay its significance. Why attract unnecessary attention from people up the chain of command?

**Action 3.** Report up the chain of command that the data which the Admiral used in his testimony before Congress, may be flawed.

**Action 4.** Report the problem to the DOD Inspector General (IG) Fraud, Waste & Abuse hotline, citing the Admiral for prematurely touting the F-2000's performance in those tests.
Outcome of your decision

You decided that Gloria, the government employee, should not report the test-data problem up the chain of command; but rather deal with it locally.

This decision violates ethical principles.

Employees bear an ethical duty to "put forth honest effort in the performance of their duties." When preparing a report that will be sent up the chain of command, your duty is to prepare an accurate report — not knowingly suppress critical information that senior decision-makers should be advised of.

Select NEXT for another opportunity to choose the "best" ethical action.
Outcome of your decision

You decided that Gloria, the government employee, should report the problem, but in such a way to downplay its significance. Why attract unnecessary attention from people up the chain of command?

This decision violates ethical principles.

The original test results are unreliable and new tests are necessary. Failure to report the results is to fall short in personal integrity and in loyalty to both the Department and the public.

Select NEXT for another opportunity to choose the "best" ethical action.
Outcome of your decision

You decided that Gloria, the government employee, should report up the chain of command that the data which the Admiral used in his testimony before Congress, may be flawed.

This decision is in compliance with ethical principles.

By explaining the situation clearly up the government’s chain of command, you are carrying out your responsibilities in an ethical way.

Other decisions in this scenario may also be in compliance with ethical principles. You may choose to select BACK to explore other decisions or select NEXT to proceed to the summary.
You decided that Gloria, the government employee, should report the problem to the DOD IG Fraud, Waste and Abuse hotline, citing the Admiral for prematurely touting the F-2000’s performance in those tests.

This decision violates ethical principles, unless......

you have evidence that the Admiral was informed and fully intended to suppress the test data. You should make sure that he is aware of the new data and help him see the impact.

Select NEXT for another opportunity to choose the "best" ethical action.
**Government employee reporting factual data from a contractor employee**

Thoughts to keep in mind when faced with a decision about reporting unreliable test data:

- The general ethical principles that apply to all Executive Branch employees require you to perform your assignment in an ethical way. Management needs to hear the bad news as well as the good news. Further, not reporting a problem could be seen as a failure to "protect and conserve Federal property" as well as a failure to "put forth honest effort" on the job. Details: [Executive Order 12674](#), Principles of Ethical Conduct for Government Officers and Employees (Also reprinted in OGE Regulation 5 CFR 2635.101)

- Federal law makes it a crime to falsify, conceal, or cover up a material fact. Details: [18 USC 1001](#)

- Most importantly, though, is that your department, the government, and the taxpayer all depend on you to perform your duties with integrity. Minimizing or ignoring facts does not make them go away; it plants the seed of further difficulty.

You may select **BACK** to restart the scenario.
Executive Order 12674

From Executive Order 12674

Principles of Ethical Conduct for Government Officers and Employees

...Public service is a public trust, requiring employees to place loyalty to the Constitution, the laws and ethical principles above private gain.

- Employees shall not hold financial interests that conflict with the conscientious performance of duty.
- Employees shall not engage in financial transactions using nonpublic Government information or allow the improper use of such information to further any private interest.
- An employee shall not, except as permitted by subpart B of this part, 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.
- Employees shall put forth honest effort in the performance of their duties.
- Employees shall not knowingly make unauthorized commitments or promises of any kind purporting to bind the Government.
- Employees shall not use public office for private gain.
- Employees shall act impartially and not give preferential treatment to any private organization or individual.
- Employees shall protect and conserve Federal property and shall not use it for other than authorized activities.
- Employees shall not engage in outside employment or activities, including seeking or negotiating for employment, that conflict with official Government duties and responsibilities.
- Employees shall disclose waste, fraud, abuse, and corruption to appropriate authorities.
- 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.
- 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.

- Employees shall endeavor to avoid any actions creating the appearance that they are violating the law or the ethical standards set forth in this part. 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.

**TITLE 18, UNITED STATES CODE, Section 1001**

Section 1001 - Statements or entries generally

(a) Except as otherwise provided in this section, whoever, in any matter within the jurisdiction of the executive, legislative, or judicial branch of the Government of the United States, knowingly and willfully -

- falsified, conceals, or covers up by any trick, scheme, or device a material face;
- makes any materially false, fictitious, or fraudulent statement or representation; or
- makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry;

Shall be fined under this title or imprisoned not more than 5 years, or both.
You have completed the content for this lesson.

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