Security Training Videos:
“The Right Thing: Doing Business Legally and Ethically”

by M. E. Kabay, PhD, CISSP

This series of short reviews is intended to help security-awareness officers evaluate training videos for their training programs.

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The Honorable Dick Thornburgh, Former Attorney General of the United States and an attorney with Kirkpatrick & Lockhart LLP <http://tinyurl.com/4pbbl> is the main speaker throughout the video. He speaks clearly and well and lends considerable credibility to the training program.

All of the topics are worth discussing in any organization:

* Retaining documents: Destroying or concealing records in an attempt to circumvent subpoenas is a terrible idea that can lead not only to ruining an organization’s defense posture but also criminal liability for the employees involved.

* Accounting and reporting: Accurate and reliable financial accounting is an absolute requirement of ethical and legally-acceptable business. Falsifying records by changing dates, modifying quantities or costs and any other breaches of data integrity may result in penalties for publicly-traded companies, criminal liability for officers and staff involved in the malfeasance, and loss of public reputation and competitive position.

* Antitrust compliance: It is illegal in the United States for competitors to agree on or even to discuss any measures to reduce competition. Limiting price breaks, pressuring competitors to toe the line on minimum costs, spreading contracts around by taking turns in the bidding process – all of these practices are violations of antitrust laws that can result in huge fines and jail terms for perpetrators.

* Insider information: It is illegal to pass on internal news that allows privileged decisions about stock trades, whether good or bad. It’s also illegal to make stock trades based on such privileged information.

* Procurement standards: Both buyers and bidders have to comply with the highest ethical standards. Gifts, entertainments, favors – all of these are out of order. Participation in such activities may result in removal from bidders’ lists and possibly criminal prosecution.

* Government contracting: Defrauding the government is a serious mistake. Misrepresenting goods and services constitutes fraud; sending fraudulent bid information by mail or through phone and fax may constitute violations of US postal and wire fraud statutes and thus constitute
felonies (i.e., crimes with possible jail terms). Soliciting employees at a government agency for future positions in a company bidding for contract may violate regulations forbidding revolving-door relations between agencies and contractors.

* Intellectual property: Stealing other organization’s proprietary data is a serious violation of intellectual property laws. Don’t hire candidate who offer to violate their current employer’s trust by bringing you secret data; agreeing to such a proposal could make the interviewer liable to prosecution for receiving stolen intellectual property and trade secrets. Depending on the original employer, it could also violate the Computer Fraud and Abuse Act of 1986 (18 USC §1030)

* Foreign corrupt practices: Bribery and misleading bookkeeping for purposes of acquiring contracts in foreign countries are barred by US laws that make kickbacks to foreign officials illegal. For example, “investing” in a land development project in order to gain a contract would constitute bribery.

* Environmental protection: Some organizations fail to take environmental-protection laws seriously. For example, mercury-containing computer parts such as circuit boards must not be thrown into ordinary trash but must be handled as toxic waste. Violating such regulations may lead to serious financial penalties and even total shutdown of operations.

* Harassment: Workers are entitled to freedom from discrimination in their workplace. Suggestive remarks, innuendoes, jokes, demeaning remarks, and offensive materials such as pornography, racist jokes, and religious or political bigotry can lead to embarrassment, emotional pain, decreased productivity, lawsuits, and terrible publicity. If you see or are the subject of harassment, report it at once to your human relations department or government labor agencies.

* Information systems: Unauthorized copying of programs or other copyrighted information and use of corporate systems to access confidential personal data about coworkers or clients can break laws as well as corporate policies.

Some general principles offered in the video:

1. Know the laws and your company policies.
2. Be alert to questionable, unethical, illegal practices and report them at once.
3. Do the right thing yourself: perform your job legally and ethically.

The film ends with some sobering comments about law enforcement’s attitudes towards white-collar criminals and dramatic representations of interviews with actors representing prisoners who challenge the myth of the country-club prison.

As always, this Commonwealth Film training video is a valuable contribution to corporate security awareness programs. Congratulations to writer and director Webster Lithgow, producer Jennifer Wry and veteran executive producer Thomas P. McCann.

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[Note: The author has no financial interest whatsoever in Commonwealth Films. However,
these nice people allow me to show their previews to my students in class and I am grateful to their Director of Customer Relations, David J. Burke, for his consistent kindness over many years.]

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A Master’s degree in the management of information assurance in 18 months of online study from Norwich University – see <http://www3.norwich.edu/msia> for details.

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