

# DISQUALIFICATIONS AND RECUSALS

2021

A WORD ABOUT ETHICS

2021

## **What is disqualification or recusal?**

- Disqualification or recusal is when you are barred from working on a matter as a Government employee because of a conflict of interest.

## **When do I need to disqualify myself from working on a matter?**

- Disqualification is necessary whenever you have (or someone close to you has) a financial interest that can be affected by an agency action on a matter to which you are assigned or when one of the parties in a matter before your agency is someone (or is represented by someone) with whom you have a close personal or business relationship.

## **What financial interests require disqualification?**

- You may not work on any matter affecting your personal financial interests or those of your spouse or minor children, a household member, a general partner, or an organization in which you are employed or are an officer or board member or seek employment (unless the financial interest is in a broadly-diversified mutual fund or is a stock or bond holding of \$15,000 or less traded on a U.S. exchange).

## **What personal relationships or prior activities require disqualification?**

- You may not work on a matter if one of the parties is (or is represented by):
  - someone with whom you have or seek a financial or business relationship;
  - a close relative;
  - a household member;
  - an employer (or prospective employer) or client of a parent, spouse, or dependent child or an organization in which any of them serves as an officer or director;
  - a former employer or client of yours for a period of one year after you left employment or two years if you are a political appointee or if you received an extraordinary severance payment; or
  - an organization in which you are an active participantor, for two years, if you are a political appointee who was a lobbyist or foreign agent, on a matter on which you lobbied or worked as a foreign agent 2 years before appointment.
- However, if in the agency's interest, special authorization to participate may be available through the Ethics Law and Programs Division.

## **Must a disqualification be written?**

- No, unless it concerns a prospective employer and
  - you are an employee required to file a public financial disclosure report,
  - you have received a travel payment to attend an interview, or
  - it is a bidder on a procurement of \$150,000 or more.