

## **ETHICS RULES FOR GOVERNMENT EMPLOYEES REGARDING FEDERAL EMPLOYEE AFFINITY GROUPS**



### **CONTACTING FEDERAL OFFICIALS ON BEHALF OF AN AFFINITY GROUP**

- A Federal employee cannot communicate to an agency official on behalf of an affinity group as its agent (including contacts made as a board member or officer of the group) if the communication concerns:
  - a grant, contract, or other agreement (including a request for a grant, contract, or agreement) providing for the disbursement of Federal funds to the organization or group;
  - a claim against the United States Government; or
  - an administrative (or judicial) proceeding in which the affinity group is a party. (18 U.S.C. §§ 203 and 205)
- A Federal employee who serves as an officer or on the board of an affinity group (or otherwise) may contact a Federal agency on behalf of the affinity group regarding such matters as use of Government facilities by the group and use of administrative leave for affinity group business. However, communications are not allowed regarding funding for the affinity group or other financial support from the Federal Government.

### **FINANCIAL CONFLICTS OF INTEREST**

- A Federal employee cannot work on a matter as part of his or her agency duties that will affect the financial interests of an affinity group on which the employee serves as a board member or officer. (18 U.S.C. § 208)

### **NON-FINANCIAL CONFLICTS OF INTEREST**

- A Federal employee cannot work on a matter as part of his or her agency duties concerning an affinity group in which the employee is active, unless the employee first receives written authorization as provided under ethics regulations. (An employee should contact an ethics official to obtain such authorization.) (5 C.F.R. § 2635.502(a) and (b)(v))
- This restriction does not apply if the only relationship the employee has with the affinity group is as a regular, dues-paying member and the extent of the employee's participation is attending regular meetings and events.

## **MISUSE OF GOVERNMENT RESOURCES**

- A Federal employee may only hold a position with an affinity group in a personal capacity, not in an official capacity as part of the employee's Government duties. Therefore, the employee cannot use Government resources for an affinity group, unless use of the resources has been specifically approved as part of an agreement between the employee's agency and the affinity group. Use of an employee's Government title in connection with affinity group activities is not permitted if it will create the appearance that the employee is serving with the group in an official capacity.

## **OUTSIDE ACTIVITIES**

- A Federal employee whose Government duties entail working on matters affecting an affinity group cannot serve as a board member or an officer of that affinity group, unless those duties can be reassigned without disrupting office operations.

## **GIFTS**

- Generally, gifts and invitations offered by affinity groups to Federal employees are considered gifts between employees. Ethics regulations prohibit employees from receiving a gift from a subordinate or a group of subordinates. (5 C.F.R. 2635.302(b)). There are some exceptions to these restrictions, such as if the gift is given on an occasional basis and if the value of the gift is \$10 or less. (5 C.F.R. § 2636.304(a)(1)). However, due to the unique nature of affinity groups, and because different gift rules may apply in certain circumstances, we recommend that a Federal employee in a supervisory position who has been offered a gift from an affinity group contact an ethics official to obtain further guidance.