



ETHICS RULES FOR GOVERNMENT EMPLOYEES REGARDING FEDERAL CHILD CARE CENTERS

Contacting Federal Officials on Behalf of a Federal Child Care Center

- A Federal employee cannot communicate to an agency official on behalf of Federal child care center as its agent (including contacts made as a board member or officer of the center) 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 child care center is a party. (18 U.S.C. §§ 203 and 205)

- A Federal employee who serves on the board of a child care center may contact a Federal agency on behalf of the center regarding such matters as use of Government facilities by the center, administrative leave for center business, and security needs of the center. However, communications are not allowed regarding funding for the center.

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 a Federal child care center 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 a child care center 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 child care center is that a child of the employee is enrolled in the center. However, the restriction would apply if there was limited space available and the child was admitted at the discretion of the child care center.

Misuse of Government Resources

- A Federal employee may only hold a position with a Federal child care center 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 center activities, unless use of the resources has been specifically approved as part of an agreement between the agency and the child care center. A use of an employee's Government title in connection with child care activities is not permitted.

Outside Activities

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

*Prepared by the Ethics Law and Programs Division, Office of the General Counsel,
United States Department of Commerce – 202-482-5384 – ethicsdivision@doc.gov –
June 23, 2015*