

A Word About Ethics

SERVING WITH NON-FEDERAL ORGANIZATIONS

SERVICE IN A PERSONAL CAPACITY

MAY I HOLD A POSITION WITH OR BE ACTIVE IN A NON-FEDERAL ORGANIZATION, SUCH AS A PROFESSIONAL SOCIETY?

- Yes, under most circumstances. However, if you hold a position or are “actively involved”* with an organization in a private capacity, you may not work on anything before your agency in which that organization is a party (or represents a party), such as an agreement, contract, grant, license, or project (unless special authorization is given). If this limitation will prevent you from performing important duties, you may be barred from holding the position with the organization or being actively involved in it.

* “Actively involved” means that you are doing more than merely paying dues or attending meetings, such as serving on a committee, fundraising, or organizing projects.

WHEN IS APPROVAL OR AUTHORIZATION TO PARTICIPATE AVAILABLE?

- If you are active in an organization or hold a position other than as an officer or member of a governing board, approval to participate is available if the needs of the agency outweigh appearance concerns. Contact the Ethics Law and Programs Division to obtain such approval.

SERVICE IN AN OFFICIAL CAPACITY

CAN I SERVE WITH A NON-FEDERAL ORGANIZATION IN AN OFFICIAL CAPACITY AS PART OF MY GOVERNMENT DUTIES?

- Yes, but there are some limits. You may serve as part of your Government duties:
 - as a liaison to the organization,
 - on an advisory board or committee,
 - as a member of the governing board (a director or trustee) or as an officer of a
 - non-profit organization or
 - standards-setting organization (if the position includes standards-setting responsibilities), or
 - in a position that is specifically authorized by statute.

WHAT FACTORS SHOULD BE CONSIDERED BEFORE AUTHORIZING AN EMPLOYEE’S SERVICE ON BEHALF OF AN AGENCY AS AN OFFICER OR MEMBER OF A GOVERNING BOARD?

- Guidelines are available from the Ethics Law and Programs Division identifying factors to consider before authorizing such service, limitations that will apply (such as a bar on fund-raising), and the applications of various laws regarding such service (such as the Freedom of Information Act).

ETHICS LAW AND PROGRAMS DIVISION – OFFICE OF THE GENERAL COUNSEL – UNITED STATES
DEPARTMENT OF COMMERCE

202-482-5384 – ETHICSDIVISION@DOC.GOV – WWW.COMMERCE.GOV/ETHICS

JANUARY 11, 2017