Ethics Guide for Employees of the U.S. Department of the Interior

This publication is a practical guide to the ethics laws and regulations that apply to employees of the U.S. Department of the Interior (DOI). It is not meant to cover every ethics situation or all of the details of the ethics laws and regulations. Furthermore, this Guide is not intended to replace the advice of DOI ethics officials. Rather, it is intended to provide a basic ethics framework and help you identify everyday ethics questions. If you have an ethics question, please contact an appropriately designated ethics official before taking action, provide them with all the relevant facts, and consider and implement their advice as to the course of action to take.

The DOI ethics program is administered by the Departmental Ethics Office (DEO), which is managed by the Designated Agency Ethics Official (DAEO). The DAEO is the DOI employee responsible for directing the daily activities of the DEO and implementing the statutory and regulatory ethics requirements for the Department. Within the DEO, personnel are organized into teams of ethics officials to provide tailored advice and guidance to the employees of DOI's different Bureaus and Offices.

Employees who have ethics questions are encouraged to contact the DEO or a member of their assigned Bureau or Office Ethics Team.

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Washington, D.C. 20240
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Email: DOI_Ethics@sol.doi.gov

Contact information for specific DEO Bureau and Office Ethics Teams is available at:
www.doi.gov/ethics/bureau-office-contacts

Additional information regarding DOI's ethics program is available at: www.doi.gov/ethics



Basic Obligations of Public Service

Each employee has a responsibility to the U.S. Government and its citizens to place loyalty to the Constitution, laws, and ethical principles above private gain. The DOI encourages and calls on all employees to promote ethical decision-making in their work and activities.

Thomas Jefferson enunciated the basic principle of public service: "When a man assumes a public trust, he should consider himself as public property." This sentiment has been expressed by numerous others, over time becoming the familiar principle, "Public service is a public trust."

As a condition of public service, you are expected to adhere to the following fourteen general principles of ethical behavior:

Public service is a public trust, requiring you to place loyalty to the Constitution, the laws, and ethical principles above private gain.

- You shall not hold financial interests that conflict with the conscientious performance of duty.
- You shall not engage in financial transactions using non-public Government information or allow improper use of such information to further any private interest.
- You shall not, except pursuant to such reasonable exceptions as are provided by regulation, solicit or accept any gift or other item of monetary value from any person or entity seeking official action from, doing business with, or conducting activities regulated by your agency, or whose interests may be substantially affected by the performance or nonperformance of your duties.
- You shall make no unauthorized commitments or promise of any kind purported to bind the Government.
- You shall put forth honest effort in the performance of your duties.
- You shall not engage in outside employment or activities, including seeking or negotiating for employment, that conflict with your official Government duties and responsibilities.
- You shall disclose waste, fraud, abuse, and corruption to appropriate authorities.
- You shall satisfy in good faith your obligations as citizens, including all just financial obligations, especially those such as Federal, state, or local taxes that are imposed by law.
- You shall adhere to all laws and regulations that provide equal opportunities for all Americans regardless of, for example, race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), national origin, age, genetic information, or disability.
- You shall not use your public office for private gain.
- You shall act impartially and not give preferential treatment to any private organization or individual.
- You shall protect and conserve Federal property and shall not use it for other than authorized activity.
- You shall endeavor to avoid any actions creating the appearance that you are violating ethics laws and regulations, including the Standards of Ethical Conduct for Employees of the Executive Branch (5 C.F.R. part 2635), and the DOI supplemental ethics regulations (5 C.F.R. part 3501).

When a situation is not covered by the ethics laws and regulations, you should apply the general principles set forth above in determining whether your conduct is proper and preserves the public trust.

Government-Wide Ethics Laws

These laws (18 U.S.C. §§ 201-209) apply to all Federal employees and each carries criminal penalties for noncompliance. They also serve as a basis for the ethics regulations known as the Standards of Ethical Conduct for Employees of the Executive Branch, 5 C.F.R. part 2635.

Bribery of Public Officials Prohibition – 18 U.S.C. § 201
This statute prohibits a Federal employee from directly or indirectly receiving or soliciting anything of value in exchange for being influenced in the performance or non-performance of any official act, including giving testimony, or in exchange for committing fraud.

Restrictions on Compensated Representational Activities – 18 U.S.C. § 203
This statute prohibits a Federal employee, other than as provided by law for the proper discharge of official duties, from directly or indirectly seeking or accepting compensation for representational services (rendered either personally or by another) before a Federal court or Government agency in a particular matter in which the U.S. is a party or has a direct and substantial interest. Representational services include any communications on behalf of another party with the intent to influence the Government.

There are limited exceptions, such as for representing oneself or one's immediate family or a person or estate for which the employee acts as a fiduciary, but not where the employee has participated officially or has official responsibility.

Restrictions on Acting as an Agent or Attorney – 18 U.S.C. § 205

This statute prohibits a Government employee, other than in the proper discharge of their official duties, from acting as an agent or attorney for anyone before a Federal court or Government agency, whether compensated or not. There are limited exceptions, such as for representing other Federal employees in personnel matters; representing a not-for-profit organization in certain matters, if a majority of its members are current Federal employees or their spouses or dependent children; representing oneself or one's immediate family or a person or estate for which the employee acts as a fiduciary, but not where the employee has participated officially or has official responsibility; or acting as an agent or attorney, in certain matters, for a tribal organization or inter-tribal consortium to which the employee is assigned under the Intergovernmental Personnel Act or 25 U.S.C. § 48, after advising the Government, in writing, of any personal and substantial involvement the employee has had in connection with the matter.

We advise any employee who seeks to use a limited exception in the statute to first seek advice from an ethics official.



Post-Government Employment Restrictions – 18 U.S.C. § 207
This statute does not bar an individual, regardless of rank or position, from accepting employment with any private or public employer. However, it does impose restrictions on certain communications and appearances that a former employee may make as a representative of a third party back to the Federal Government. These restrictions are explained more fully in the "Restrictions on Post-Government Employment" section of this Guide.

Financial Conflicts of Interest Prohibition – 18 U.S.C. § 208
This statute prohibits a Federal employee from participating personally and substantially, on behalf of the Federal Government, in any particular matter in which they have a financial interest. In addition, the statute provides that the financial interests of certain other "persons" are treated as the employee's interests. These other persons include the employee's spouse; minor child; general partner; an organization in which they serve as an officer, trustee, partner, or employee; and any person or organization with whom the employee is negotiating or has an arrangement concerning future employment.

There are limited regulatory exemptions authorized by the Office of Government Ethics (OGE), an exception for financial interests arising from certain Native American birthright interests, and limited waiver authority.

Supplementation of Federal Salary Prohibition – 18 U.S.C. § 209
This statute prohibits a Federal employee from receiving any salary, any contribution to or supplementation of salary, or anything of value from an outside source as compensation for services they are expected to perform as a Government employee.



Government-Wide Ethics Regulation on Impartiality

Impartiality in Performing Official Duties Due to Personal or Business Relationships –
5 C.F.R. § 2635.502

You must take appropriate steps to avoid any appearance of loss of impartiality in the performance of your official duties at the DOI.

When you know that a particular matter involving specific parties (grants, contracts, licenses, permits, applications, litigation, etc.) is likely to have an effect on the financial interests of a member of your household, and you determine that the circumstances would cause a reasonable person with knowledge of the relevant facts to question your impartiality in the matter, you should not participate in the matter unless you have received an authorization to do so.

Also, when you know that a person with whom you have a "covered relationship" is or represents a party to a particular matter involving specific parties, and you determine that the circumstances would cause a reasonable person with knowledge of the relevant facts to question your impartiality in the matter, you should not participate in the matter unless you have received an authorization to do so.

You have a "covered relationship" with the following:

- Any person with whom you have or seek a business, contractual, or other financial relationship that involves other than a routine consumer transaction (Please also see the "Seeking Employment" section of this Guide);
- Any person who is a member of your household, or who is a relative with whom you have a close personal relationship;
- Any person for whom your spouse, parent, or child is, to your knowledge, serving or seeking to serve as an officer, director, trustee, general partner, agent, attorney, consultant, contractor, or employee;
- Any person for whom you have, within the last year, served as officer, director, trustee, general partner, agent, attorney, consultant, contractor, or employee; or
- An organization, other than a political party, in which you are an active participant.
    - Participation is active if, for example, it involves service as an official of the organization or in a capacity similar to that of a committee or subcommittee chairperson or spokesperson, or participation in directing the activities of the organization or coordinating fundraising efforts.
    - Payment of dues or the donation or solicitation of financial support does not, in itself, constitute active participation.

In considering whether any relationships or other facts or circumstances would cause a reasonable person to question your impartiality, you may seek the assistance of your supervisor, an ethics official, or the agency designee.

However, if you are concerned that circumstances other than those described above may raise questions regarding your impartiality in performing your official duties, please seek guidance from an ethics official to determine whether you should participate in a particular matter.

Ethics Prohibitions Unique to DOI Employees

A summary of DOI-specific and Bureau- or Office-specific restrictions are listed below. If you are not certain if you are covered by one or more of the restrictions below, please consult with an ethics official.

All DOI Employees – 5 C.F.R. § 3501.103(c)
This regulation prohibits, with limited exceptions, all DOI employees, their spouses, and their minor children from acquiring or retaining any claim, permit, lease, small tract entries, or other rights that are granted by the DOI in Federal lands. This prohibition does not restrict the recreational or other personal or noncommercial use of Federal lands by an employee, or the employee's spouse or minor children, on the same terms available to the general public.

Bureau of Ocean Energy Management, Bureau of Safety and Environmental Enforcement, Office of Natural Resources Revenue, and Certain Office of the Secretary and Other DOI Employees –
5 C.F.R. § 3501.103(b)
This regulation applies to all employees of the Bureau of Ocean Energy Management (BOEM), Bureau of Safety and Environmental Enforcement (BSEE), Office of Natural Resources Revenue (ONRR), and certain employees within the Office of the Secretary (OS) and other Departmental offices that report directly to a Secretarial officer who are in positions classified at GS-15 and above. Employees in these offices may not acquire or hold any direct or indirect financial interest in Federal lands or resources administered or controlled by the DOI. This generally includes stock or bond interests in most oil, gas, and mining companies that hold leases on Federal lands to conduct their operations.

Bureau of Land Management Employees – 43 U.S.C. § 11, 43 C.F.R. § 20.401(a), and 5 C.F.R. § 3501.103(a)(1)

Bureau of Land Management (BLM) employees are prohibited from voluntarily acquiring direct (owned by the BLM employee) or indirect (owned by the spouse or minor child of a BLM employee) financial interests in Federal lands. Prohibited interests include stocks, bonds, and sector mutual funds in oil, gas, geothermal, and mining companies that hold leases or other property rights on Federal lands. Prohibited interests also include companies that hold substantial Rights-of-Way on Federal lands. A BLM employee may not be a member or employee of a business that has interests in Federal lands, nor serve as a private sector real estate agent. Additionally, BLM employees may not occupy or use Federal lands (other than on the same terms as use of Federal lands is available to the general public), or take any benefits from Federal lands, based upon a contract, grant, lease, permit, easement, rental agreement, mineral rights, grazing rights, or other holdings that the BLM issues or regulates.



U.S. Geological Survey Employees – 43 U.S.C. § 31(a), 43 C.F.R. § 20.401(b), and 5 C.F.R. § 3501.103(a)(2) and 104(b)
U.S. Geological Survey (USGS) employees are prohibited from holding financial interests in entities that have DOI leases (above certain acreage thresholds) related to energy exploration, development, and production on public lands. USGS employees, their spouses, and minor children may hold only limited financial interests in entities engaged in private mining activities (i.e., energy exploration, development, and production) on private land in the U.S. USGS employees are also prohibited from being consultants (paid or unpaid) in their personal capacities in subject matter areas related to their USGS job duties or the USGS mission.

Office of Surface Mining Reclamation and Enforcement Employees and Certain Other Federal Employees – 30 U.S.C. § 1211(f), 5 C.F.R. § 3501.104(a), 30 C.F.R. parts 705 and 706, and 43 C.F.R. 20.402
This law prohibits all Office of Surface Mining Reclamation and Enforcement (OSMRE) employees and any other Federal employee who performs functions and duties under the Surface Mining Control and Reclamation Act of 1977 from having any financial interests in surface or underground coal mining operations. If you don't work for the OSMRE but have responsibilities connected with mining and reclamation operations, please consult with an ethics official for guidance on whether you are covered by this law.

Prohibited financial interests under this law include companies that are involved in developing, producing, preparing, or loading coal or reclaiming the areas upon which such activities occur.



Gifts

What Is a Gift? – 5 C.F.R. § 2635.203(b) and (c)
A gift is anything that has monetary value that you obtain for less than "market value." The gift might be tangible or intangible. A gift may include, but is not limited to, a gratuity, favor, discount, cash, gift certificate, gift card, entertainment, hospitality, loan, forbearance, or other item having monetary value. It also applies to services, training, transportation, travel, lodging, and meals.

"Market value" is the retail price that you, the recipient of the gift, would have to pay to purchase it. If you cannot readily determine the retail value of a gift, you may estimate its value by reference to the retail cost of items of similar quality. If a ticket entitles you to food, refreshments, entertainment, or any other benefit, the market value is the face value printed on the ticket.

Gifts from Outside Sources – 5 C.F.R. § 2635.202
As a general rule, you may not, directly or indirectly, solicit or accept a gift: (1) From a prohibited source; or (2) Given because of your official position. A prohibited source is any person, company, or organization that has business with your agency, is seeking to do business with your agency, conducts operations that are regulated by your agency, or has interests that might be affected by the performance or nonperformance of your official duties; or is an organization, a majority of whose members are described above.

Exclusions: Some Things Are Not Gifts – 5 C.F.R. § 2635.203(b)(1)-(10)
Some items are excluded from the definition of gift, and you may accept them pursuant to certain specific regulatory exclusions.

- Modest items of food and non-alcoholic refreshments such as soft drinks, coffee, and donuts, not offered as part of a meal.
- Greeting cards and items of little intrinsic value such as plaques, certificates, or trophies, which are intended primarily for presentation.
- Prizes in contests open to the general public.
- Commercial discounts or free attendance available to the general public or to all Government employees.
- Commercial loans, pensions, and similar benefits on terms available to the general public.
- Anything for which you pay fair market value.
- Anything that is paid for by the Government.
- Free attendance provided by the sponsor of an event to which you have been assigned to present information on behalf of the agency.

If you are assigned to participate as a speaker or panel participant or otherwise to present information on behalf of DOI or your Bureau/Office at a conference or other event, you may accept free attendance at the event on the day of your presentation if it is provided by the sponsor of the event. This is not considered a gift to the employee or the agency. For speaking engagements, free attendance has the same meaning as for widely attended gatherings. As with a widely attended gathering, you must receive approval prior to the event.

If the event is longer than one day, and you are offered free attendance for any day(s) on which you are not assigned to present information on behalf of DOI or your Bureau/Office, free attendance for those nonspeaking days may be acceptable under the widely attended gathering exception to the gift rules. You still must seek approval from an ethics official.

Pursuant to DOI Supplemental Regulations, the DOI is broken down into separate "agencies" for purposes of identifying "prohibited sources." Please see 5 C.F.R. part 3501 for a list of the current designation of separate agency components.

For example, a company that is only involved with the DOI and its employees through activities regulated by BLM would only constitute a prohibited source for BLM employees – not the employees of any other listed "agency."

For employees not employed by a specific "designated agency component" (e.g., Office of the Solicitor or Office of Inspector General), all prohibited sources of any "agency" of the DOI will constitute a prohibited source.

A gift is solicited or accepted because of "an employee's official position" if it would not have been solicited, offered, or given had the employee not held the status, authority, or duties associated with their Federal position.

Considerations in Declining an Otherwise Permissible Gift

You should consider declining an otherwise permissible gift if you believe that a reasonable person would question your impartiality or integrity as a result of accepting the gift.

Factors to consider:

- Does the gift have a high market value?
- Does the timing of the gift create an appearance that the donor is attempting to influence an official action?
- Is the donor someone whose interests may be affected by the performance of your duties?
- Will acceptance of the gift provide the donor with disproportionate access to the employee or the agency?
- Remember, it is never inappropriate, and frequently prudent, to decline a gift.



Exceptions to the Gift Prohibition

5 C.F.R. § 2635.204
There are some limited circumstances when you can accept gifts given because of your official position or from prohibited sources. Even where a gift exception is applicable, you should always consider whether it is appropriate to decline the gift.

- Gifts valued at $20 or less (retail market value), per occasion from a single source. You may accept unsolicited gifts that do not exceed $20 per occasion, up to $50 aggregated from a single source in any given calendar year. You may not accept cash or checks made out to you under any circumstance. Gift cards valued at $20 or less for specific vendors/restaurants are permissible. If the gift is valued over $20, you may not pay the difference in order to accept the gift. If the aggregate value of gifts from the same source on a given occasion exceeds $20, you may decline any distinct and separate item in order to accept those items aggregating $20 or less.

- Widely attended gatherings. Acceptance of free attendance from the sponsor of a widely attended gathering is permissible if employees submit a form DI-1958 and receive written approval prior to the event. An event is widely attended if it is expected that a large number of persons will attend and that persons with a diversity of views or interests will be present, and there will be an opportunity to exchange ideas and views amongst those invited. Attendance at such an event will be in the employee's personal capacity, i.e., on the employee's own time, or if authorized by the agency, on excused absence.



  - If someone other than the sponsor of the event invited you and is paying for your attendance (such as if a corporation or friend group invited you to sit at their table), you may accept free attendance only if more than 100 persons are expected to attend, the gift of your attendance has a market value of $480 or less (as of January 2023, but this amount is revised every three years) and your attendance is approved as being in the interest of DOI or your Bureau/Office. This dollar figure may change periodically. Please verify the current allowance with your ethics official.

  - Free attendance may include waiver of all or part of a conference or other fee or the provision of food, refreshments, entertainment, instruction, and materials furnished to all attendees as an integral part of the event. It does not include travel expenses, lodging, entertainment collateral to the event, or meals taken other than in a group setting with all other attendees. (Under certain circumstances, DOI or your Bureau/Office may be able to accept travel expenses from outside sources to attend these events as described in the "Travel" section of this Guide.)

- Discounts and similar benefits that are offered to the public, other groups that you belong to, or to all Government employees. This exception includes favorable rates offered to all Federal employees even when you are off duty. It also includes favorable rates and commercial discounts offered to members of a group or class in which membership is unrelated to Federal employment.

- Gifts based on outside business or employment relationships. This exception permits you to accept gifts that result from your outside affiliations, outside work, or other relationships and those of your spouse, or customarily provided in connection with bona fide employment discussions, provided the gift is not offered or enhanced due to your official position. Lastly, you may accept gifts provided by a former employer to attend a reception or similar event when other former employees have been invited to attend, the invitation is based on the former employment relationship, and such benefits have not been offered or enhanced because of your official position.

- Awards and honorary degrees. You may accept awards with an aggregate value of $200 or less given as a bona fide award for meritorious public service by a person or organization who does not have interests affected by the performance or nonperformance of your official duties. Awards valued at more than $200, or that include cash or an investment interest of any amount, require prior written approval from an ethics official. You may also accept honorary degrees upon written approval from an ethics official.



- Gifts from a political organization. You may accept certain gifts given by a political organization in connection with personal capacity active participation in political management or campaigns permitted by the Hatch Act, as amended, 5 U.S.C. §§ 7321-7326.

- Gifts based on a personal relationship. You may accept a gift given under circumstances that make it clear that the gift is motivated by a family relationship or personal friendship rather than your official position. If the gift is given for business reasons or is not personally paid for by the family member or friend, it is not covered under this exception.

- Social Invitations. You may accept a gift of food, refreshments, and entertainment (not including travel or lodgings) at a social event attended by several persons where no fee is charged to anyone in attendance and the invitation is not from a prohibited source. A written determination from the agency designee is required if either the sponsor of the event or the person extending the invitation is not an individual.

- Gifts of informational materials. You may accept unsolicited gifts of informational materials, provided that the aggregate market value of all informational materials received from any one person does not exceed $100 in a calendar year (if the value exceeds this amount, seek guidance from your ethics official). Informational materials are writings, recordings, documents, records, or other items that are educational or instructive in nature; not primarily created for entertainment, display, or decoration; and contain information that relates in whole or in part to the following categories:
    - The employee's official duties or position, profession, or field of study;
    - A general subject matter area, industry, or economic sector affected by or involved in the programs or operations of the agency; or
    - Another topic of interest to the agency or its mission.

Disposition of a Prohibited Gift
You must promptly return the gift or pay the donor for its market value. If the gift is a tangible item valued at $100 or less, you may destroy the item. If the gift is perishable, such as food or flowers, it may be shared within your office, donated to charity, or destroyed, as long as an ethics official or your supervisor grants approval.

If you receive a gift that doesn't fall within an exclusion or exception in the gift regulations, then it may be possible for the gift to be accepted by the DOI or a Bureau/Office pursuant to specific statutory gift acceptance authority. Employees should consult with the Office of the Solicitor and their ethics official in such cases, particularly if refusal to accept the gift would impact the ability to achieve mission goals.

Gifts from Foreign Governments
In accordance with the Emoluments Clause of the U.S. Constitution, you may not accept anything of value from a foreign government, unless specifically authorized by Congress. This rule applies whether you are on or off duty. Any unit of a foreign government, whether it is national, state, local, or municipal level is covered. It also applies to gifts from international or multinational organizations composed of government representatives. It also may apply to gifts of honoraria, travel, salary, or per diem from foreign universities, which are often considered as part of the foreign government. Spouses and dependent children of Federal employees are also banned from accepting gifts from foreign governments.

The following gifts from foreign governments are authorized under the Foreign Gifts and Decorations Act, 5 U.S.C. § 7342:

- Gifts of minimal value ($480 or less as of January 2023, but this amount is revised every three years)
- Travel expenses (including transportation, food, and lodging) for travel taking place entirely outside the U.S. that exceeds minimal value
- Educational scholarships
- Medical treatment

If the value of a gift exceeds minimal value and where refusal of a gift would cause embarrassment either to the U.S. or the foreign government offering the gift, the gift may be accepted on behalf of the U.S. Government. You should consult with an ethics official regarding such gifts. These statutory foreign gift restrictions also apply to the spouses and dependent children of Federal employees.

Gifts Between Employees

5 C.F.R. §§ 2635.301-305

General Rules: Generally, you can't give a gift to a person above you in your supervisory chain and your official superior may not knowingly accept such a gift. You can't solicit contributions to buy a gift for a superior. You can't accept a gift from an employee that receives less pay than yourself. However, there are some exceptions. Gifts are permissible if:

- There is a personal relationship between you and the other employee that would justify the gift and the employee receiving the gift is not the official superior of the person giving the gift.
- A personal hospitality gift provided at a residence, which is of a type and value you customarily provide to personal friends.
- A gift given in connection with the receipt of personal hospitality if of a type and value customarily given on such occasions (e.g., bottle of wine, bouquet of flowers).
- A gift (other than cash) that has an aggregate market value of $10 or less per occasion.
- A gift of leave transferred under an approved agency leave sharing plan (but not to your immediate supervisor).
- Items such as food and refreshments to be shared in the office among several employees.
- There is a special and infrequently occurring occasion, such as marriage, illness, bereavement, the birth or adoption of a child, or an occasion that terminates a subordinate-official superior relationship. On such occasions, an employee may give an appropriate gift over the $10 limit and may request contributions from other employees to help pay for the gift. Contributions must be entirely voluntary. Employees must be free to contribute a suggested amount, a lesser amount, or nothing at all.



Travel

Traveling on Official Business
Generally, your official travel must be paid for with appropriated funds. Under certain circumstances, however, the DOI or your Bureau/Office may accept in-kind travel benefits from a non-Federal source on your behalf, DOI, or your Bureau/Office may be reimbursed for your travel expenses by a non-Federal source.

Travel Expense Acceptance Pursuant to 31 U.S.C. § 1353 and 41 C.F.R. Chapter 304
This law allows Executive Branch agencies to accept reimbursement or in-kind donations from non-Federal sources for an employee's transportation expenses (including food, lodging, incidental expenses, and registration costs) to certain functions related to the employee's official duties.

Acceptance of travel expenses from non-Federal sources is only permitted when the employee's travel is for attendance at a conference, meeting, seminar, training course, speaking engagement, or similar event that takes place away from the employee's official duty station (the employee must be in a travel status). Travel under this authority may not be used for events required to carry out DOI's statutory and regulatory functions such as investigations, inspections, audits, or site visits, or to attend vendor promotional training.

In addition to an approved travel authorization, the employee must also have an approved ethics form DI-2000 in advance of travel.

Approval for accepting travel expenses is also subject to conflict of interest considerations. Acceptance of travel expenses from non-Federal sources will not be approved if it would cause a reasonable person with knowledge of all the relevant facts to question the integrity of the programs or operations of the DOI, its Bureaus, or Offices.

It is not permissible for an employee to personally accept reimbursement from an outside source. All checks must be made out to DOI or to the employee's Bureau/Office. With prior approval, employees may accept "in kind" items such as airline tickets, meals, or hotel accommodations. In addition to accepting travel expenses for an employee, DOI may accept travel expenses for a spouse to accompany the employee to the same event where the spouse's presence is determined to be in the interest of DOI or the employee's Bureau/Office.

Frequent Flyer Benefits – 41 C.F.R. § 301-53
Federal employees may retain for personal use promotional items, including frequent flyer miles, earned on official travel.

Airline Bumping Benefits
An employee may voluntarily give up their seat on an oversold flight as long as it does not interfere with their official duties and there is no increase in costs to the Government. If this situation applies, the employee may keep any gift or compensation under the following conditions. The employee may not claim additional travel expenses, including per diem, as a result of giving up their seat. The employee must take annual leave if their travel is delayed during duty hours and pay any expenses accrued while on leave. Any benefits resulting from an employee being involuntarily bumped from an oversold flight belong to the Government.

Outside Work and Activities

Outside work and activities are permitted unless they are prohibited by statute or regulation, or would require the employee's recusal from matters central or critical to the performance of their official duties.

Engaging in Employment with a Prohibited Source
DOI's supplemental ethics regulation 5 C.F.R. § 3501.105 requires all DOI employees to seek prior written approval from an ethics official before engaging in employment with a prohibited source. The ethics form DI-7010 is used to obtain approval from an ethics official. For this purpose, the definition of prohibited source is any person, company, or organization that is seeking official action by your agency, does business with your agency, is seeking to do business with your agency, conducts operations that are regulated by your agency, or has interests that might be affected by the performance or nonperformance of your official duties; or is an organization, a majority of whose members are prohibited sources as defined above.

The separate agency components within the DOI are the same as for "Gifts from Domestic and Private Sources." 5 C.F.R. § 3501.102. Check with an ethics official for any Office-specific or Bureau-specific procedures or restrictions that may apply to you. For instance, U.S. Geological Survey (USGS) employees must obtain prior written approval from an ethics official through an ethics form DI-7010 for all outside work or activities (paid or unpaid) that are related to their USGS job duties or the USGS mission.

Definition of Employment
Employment means any form of non-Federal business relationship involving the provision of personal services by the employee, with or without compensation. It includes but is not limited to personal services as an officer, director, employee, agent, attorney, consultant, contractor, general partner, trustee, teacher, or speaker. It includes writing done under an arrangement with another person for production or publication of the written product. It does not, however, include participation in the activities of a nonprofit charitable, religious, professional, social, fraternal, educational, recreational, public service, or civic organization, unless the participation involves the provision of professional services or advice for compensation other than reimbursement for actual expenses.

PAS Employees: Presidentially Appointed, Senate-Confirmed (PAS) employees may pursue certain outside activities but may not receive outside earned income for engaging in any such activity and must generally seek additional approval for any such activities.

SES Employees: Non-career Senior Executive Service (SES) employees may not, in any calendar year, receive outside earned income that exceeds 15% of the annual rate of basic pay for level II of the Executive Schedule. These non-career employees have additional outside earned income and employment and affiliation restrictions and should consult with the Departmental Ethics Office (DEO) before engaging in any outside activity.

All outside work must take place outside official duty hours or while employees are on authorized leave. Employees may not use or permit the use of their official titles, positions, or Government resources in their outside work or activities.

Serving as an Expert Witness – 5 C.F.R. § 2635.805
You may not serve, with or without compensation, as an expert witness in your private capacity in any proceeding before a court or agency of the U.S. in which the U.S. is a party or has a direct or substantial interest, without prior approval from the Designated Agency Ethics Official (DAEO).

If you are subpoenaed to testify as an expert in any such matter, you must notify your supervisor and the DAEO immediately and request approval to proceed. If you receive approval, you must still comply with all applicable outside work and activities requirements. For instance, all DOI employees must obtain prior approval to work (paid or unpaid) for a prohibited source, and all USGS employees must obtain prior approval for any outside work or activity that is related to their USGS duties or the USGS mission.

Teaching, Speaking, and Writing – 5 C.F.R. § 2635.807
Generally, you may not receive compensation, other than travel expenses, for outside teaching, speaking, or writing that relates to your official duties.

For purposes of this regulation, a teaching, speaking, or writing activity relates to your official duties if:

- The activity is undertaken as part of your official duties;
- The circumstances indicate that the invitation to engage in the activity was extended to you primarily because of your official position rather than your expertise on the particular subject matter;
- The invitation to engage in the activity or the offer of compensation for the activity was extended to you by a person who has interests that may be substantially affected by the performance or nonperformance of your official duties;
- The information conveyed through the activity draws substantially on nonpublic information; or
- The subject of the activity deals in significant part with:
- A matter to which you are presently assigned or to which you have been assigned during the previous year; or
- Any ongoing announced policy, program, or operation of the DOI or your Bureau/Office.
- Exception for Teaching Certain Courses – Even if the subject matter deals with your official duties, you may generally accept compensation for teaching a course requiring multiple presentations offered as part of the regularly established curriculum of an accredited institution of higher education, a secondary school, an elementary school, or a program of education sponsored and funded by the U.S. Government or by a state or local government. This exception is limited to teaching undertaken in your personal capacity. You may only receive compensation from the U.S. Government for teaching carried out as part of your official duties. If you will be teaching for a prohibited source, prior approval is required.

Reference to Official Position – If you are engaged in outside teaching, speaking, or writing, you may not use or permit the use of your official title or position except:

- You may include your title or position as one of several biographical details, provided that it is not more prominent than other significant biographical details;
- You may use your title or position in connection with an article published in a scientific or professional journal, provided that it is accompanied by a disclaimer that the views expressed do not necessarily represent the views of DOI or the U.S. Government; and
- If you can be addressed using a general term of address, such as “The Honorable,” or a military or ambassadorial rank, then you may use that term of address or rank.

Prior Approval Requirements – Before engaging in outside teaching, speaking, or writing for compensation, make sure that you comply with any prior approval requirements for outside work and activities.

Fundraising

5 C.F.R. § 2635.808
Unless permitted by law, regulation, or special authority, DOI employees may not engage in any form of fundraising in the workplace. This includes, but is not limited to, conducting raffles, lotteries, bake sales, carnivals, athletic events, etc., for charitable organizations.

In your official capacity – An employee may participate in fundraising in an official capacity only as authorized by statute, Executive Order, or regulation. When authorized to participate in fundraising in an official capacity, an employee may use their official title, position, and authority.

The Combined Federal Campaign (CFC), special disaster relief solicitations approved by the Office of Personnel Management, and in-kind food or clothing drives are generally the only authorized solicitation of employees for charitable fundraising in the Federal workplace. The rules governing acceptable fundraising activities by Federal employees are described in 5 C.F.R. part 950.

Employees and other persons are prohibited from selling or soliciting for personal gain within any building or on any lands occupied or used by DOI. There are exceptions for DOI-authorized operations including, but not limited to, the Interior Department Recreation Association, the Indian Arts and Crafts store, and for cafeteria, newsstand, snack bar, and vending machine operations that are authorized by DOI for the benefit of employees or the public (43 C.F.R. § 20.504).

In your personal capacity – An employee may generally engage in fundraising in a personal capacity outside the workplace provided they do not:



- Personally solicit funds or other support from a subordinate or from any person the employee knows is a prohibited source (please flip to the "Gifts" section of this Guide for a definition of prohibited source);
- Use or permit the use of their official title, position, or any authority associated with their public office to further the fundraising effort; or
- Engage in any action that would otherwise violate the ethics laws or regulations.

Serving as an Officer or Member of a Board of Directors of an Outside Organization
In order for an employee to serve as an officer or board member of a non-Federal organization as part of their official duties, they must receive prior approval prior to engaging in such official service. To start the process of requesting any such approval or authorization, contact an ethics official. Prior approval from an ethics official will also be required if an employee is interested in serving in their personal capacity as an officer or board member of a non-Federal organization that is also a prohibited source. Please flip to the "Outside Work and Activities" section of this Guide for a definition of prohibited source.

Political Activity: DOs and DON'Ts

Consult the Office of Special Counsel (OSC) website for additional information and guidance on political activity at: https://osc.gov

The Hatch Act, 5 U.S.C. §§ 7321-7326, restricts involvement by Federal employees in partisan political activity. Partisan political activity is any activity directed toward the success or failure of a partisan candidate, political party, or partisan political group. Violation of the Hatch Act may result in disciplinary action, to include removal from Federal employment. Employees should consult with an ethics official before engaging in any partisan political activity.

There are three different classes of employees under the Hatch Act:

- Career Senior Executive Service (SES), Administrative Law Judges (ALJs), Administrative Appeals Judges (AAJs), Contract Appeals Board Members (CABMs), and employees of certain intelligence or enforcement agencies or offices (except Presidentially Appointed, Senate-Confirmed [PAS] employees) are the most restricted group.
- Most other employees are in the lesser restricted group. This group may participate in certain partisan political activity but only in a purely personal (not official) capacity.
- PAS employees are subject to special Hatch Act rules. They are less constrained in terms of where and when they can engage in political activity because of their 24-hour duty status. They too, however, may only participate in partisan political activity in a purely personal (not official) capacity.

Hatch Act Rules

No Use of Official Authority

A Federal employee may not use their official authority or influence for the purpose of interfering with or affecting the result of an election. Prohibited activities include, but are not limited to, using their official title while participating in political activity; using their authority to coerce any employee to participate in political activity; knowingly soliciting or discouraging the participation in any political activity of any person with matters pending before DOI; or soliciting, accepting, or receiving uncompensated individual volunteer services from a subordinate for any political purpose.

No Fundraising

A Federal employee may not solicit, accept, or receive political contributions at any time. Examples include asking for donations, e.g., by mail, email, or social media; working a phone bank (if asking for contributions); hosting a fundraiser; inviting others to a fundraiser; or sharing or liking fundraising posts on social media.

No Partisan Political Activity at Work* – A Federal employee may not engage in partisan political activity while:

- On duty (including when teleworking or on official time for union duties).
- In a Government room or building (including break rooms, conference rooms, and union offices, if inside a Federal building) or any room or building occupied in the discharge of official duties.
- Wearing a Government uniform, badge, or insignia.
- Using a Government-owned or -leased vehicle.

* This prohibition does not apply to PAS officials. However, a PAS official may not conduct any of these activities while acting in an official capacity. For example, a PAS official may not wear a political button or display a screensaver, poster, or candidate photograph in their office while actually performing the duties of their office. PAS officials should contact the DEO before engaging in any partisan political activity.

The restrictions on engaging in partisan political activity at work apply even if you are:

- Using a personal device or email account.
- Sharing or forwarding content authored by others.
- Sharing or forwarding to friends or like-minded coworkers.
- The restrictions even apply to union email if it meets the definition of partisan political activity.

Use of Privately Owned Vehicles – You may display a partisan political bumper sticker on your privately owned vehicle and park it in a Federal parking lot. Employees must be cautioned, though, against displaying other partisan political materials, or even bumper stickers, in such a way that makes the vehicle appear to be a campaign mobile. If you use your private vehicle for official purposes, you must cover the bumper sticker(s) while the vehicle is being used for official duties.

Candidacy for Public Office – The Hatch Act and other Government policies may restrict an employee's ability to run for public office. If you
are considering running for public office, contact an ethics official for guidance.



Use of Your Public Office

Use of Public Office for Private Gain – 5 C.F.R. § 2635.702
As a DOI employee, you may not use your public office for your own private gain or for the private gain of persons with whom you are affiliated in a nongovernmental capacity, including nonprofit organizations of which you are an officer or member, and persons with whom you have or seek employment or business relations.

Inducement or Coercion of Benefits – 5 C.F.R. § 2635.702(a)
You may not use or permit the use of your Government position or title or any authority associated with your public office in a manner that is intended to coerce or induce another person, including a subordinate, to provide any benefit, financial or otherwise, to yourself or to friends, relatives, or persons with whom you are affiliated in a nongovernmental capacity.

Appearance of Governmental Sanction – 5 C.F.R. § 2635.702(b)
You may not use or permit the use of your Government position, title, or any authority associated with your public office in a manner that could reasonably be construed to imply that your agency or the Government sanctions or endorses your personal activities or those of another.

Verbal or Written Recommendation – You may only provide a verbal or written recommendation using your official title in response to a request for an employment recommendation or character reference based upon personal knowledge of the ability or character of a person with whom you have dealt in the course of Federal employment or whom you are recommending for Federal employment.

Endorsements – 5 C.F.R. § 2635.702(c)
You may not use or permit the use of your Government position or title or any authority associated with your public office to endorse any product, service, or enterprise except:

- In furtherance of statutory authority to promote products, services, or enterprises;
- As a result of documentation of compliance with agency requirements or standards; or
- Under an agency program in recognition for accomplishment in support of DOI's mission.
- You may provide endorsements in your private capacity; however, any such endorsement may not make reference to your official title or position within DOI or your Bureau/Office.

Giving Preferential Treatment to Relatives
Nepotism, or showing favoritism on the basis of family relationships, is prohibited. The DOI's policy on nepotism is based directly on the nepotism law in 5 U.S.C. § 3110.

A public official may not appoint, employ, promote, advance, or advocate for the appointment, employment, promotion, or advancement of a relative in or to any civilian position in the agency in which the public official serves, or over which they exercise jurisdiction or control. This restriction encompasses all of DOI (in addition to all Bureaus and Offices in the DOI). An individual appointed, employed, promoted, or advanced in violation of the nepotism law is not entitled to pay.

Exceptions to the Nepotism Policy
When necessary to meet urgent needs resulting from an emergency posing an immediate threat to life or property, or a national emergency as defined in 5 C.F.R. § 230.402(a)(1), a public official may employ relatives to meet those needs without regard to the restrictions in 5 U.S.C. § 3110. Such appointments are temporary and may not exceed 30 days, but the agency may extend such an appointment for one additional 30-day period if the emergency need still exists at the time of the extension.

Questions regarding nepotism should be referred to your servicing Human Resources Office.

Procurement Integrity Act – 41 U.S.C. §§ 2101-2107 and 48 C.F.R. §§ 3-104.1-9
You may not disclose "contractor bid or proposal information" or "source selection information" other than as provided for by law.

If you participate in a procurement in excess of the simplified acquisition threshold (currently $250,000), you must report to your supervisor and an ethics official any contacts regarding potential employment from any contractor that submits an offer on the procurement. You must also reject the possibility of employment by that contractor or recuse yourself from further participation in DOI matters involving the procurement, unless you obtain approval to participate from an ethics official.

If you are serving in one of seven specified positions (procuring contracting officer, program manager, source selection authority, etc.) or make one of seven specified types of decisions (award a contract, establish overhead rates, approve issuance of a payment, etc.), on a contract over $10 million, you may not accept compensation (as an employee, consultant, officer, or director) from the contractor for one year. Please consult an ethics official for additional information on the Procurement Integrity Act.



Use of Government Property, Time, & Information

5 C.F.R. §§ 2635.703-705

Government Property
It is your responsibility as an employee to protect and conserve Government property and you are prohibited from using Government property, or allowing its use, for other than authorized purposes.

Government property includes, but is not limited to, office buildings, workspaces, vehicles, equipment, office supplies, computers, telephones, records, and other property, good, or service paid for using Government funds. Authorized purposes are those purposes for which Government property is made available to members of the public or those purposes authorized by law.

Government Time
You must use official time, both your own and that of your subordinates, in an honest effort to perform official duties.

Non-Public Information
You are prohibited from engaging in any financial transaction using "insider" or nonpublic information, or allowing the improper use of nonpublic information to further your own private interest or that of another. Nonpublic information is information that you gain through your official position and know (or reasonably should know) has not been made available to the general public. If you work on procurement matters, please review the information on the requirements of the Procurement Integrity Act.

Use of Government Property and Equipment - DOs and DON'Ts

- Do not use Government purchasing authority or a Government charge card for personal purchases, even if you reimburse the Government.
- Do not use a Government vehicle for your personal benefit as opposed to using it for the benefit of the Government.
- When leaving Government service, do not remove Government property or files or use Government copiers to make copies of files to take with you.
- Do not use official Government envelopes (with or without applied postage) or official letterhead stationery for personal business. Violation of the prohibition against using franked (postage paid) envelopes may result in a fine (18 U.S.C. § 1719).
- Do not, without proper authorization, remove Government supplies or equipment from the office for home or personal use.
- Do follow the DOI's limited personal use policy (410 DM 2) for any personal use of Government computers (and Internet service), telephones, fax machines, and copiers.



DOI Limited Personal Use Policy
You may use Government computers (and Internet service) for personal use on your personal time (before and after work, during lunch and other breaks) provided there is no additional cost to the Government and the use complies with 410 DM 2.

The following activities are prohibited on Government computers (and Internet service) at any time:

- Gambling
- Visiting pornographic websites and/or downloading pornographic material
- Improperly lobbying Congress or any Government agency
- Campaigning or other partisan political activity
- Online stock trading or real estate activities
- Online activities related to outside work or commercial activity
- Endorsements of any products, services, or organizations
- Fundraising for external organizations or purposes (except as authorized as part of your official duties)
- Any type of continuous streaming from commercial, private, news, or financial organizations

Use of DOI Email
You may send personal emails provided that the use does not cause delay or disruption of service; messages are not mass mailings; and messages do not contain partisan political messages. Remember that you have no right to privacy for emails sent on Government equipment as DOI is often required to release emails as records pursuant to the Freedom of Information Act or Inspector General, court, or Congressional orders.

Use of DOI Telephones
You may use DOI telephones for personal calls when they are necessary, provide a benefit to DOI, and do not result in any additional cost. Such calls should not adversely affect the performance of official duties and should be limited to reasonable duration and frequency.

Use of Government Transportation Subsidy Program Benefits
Benefits may only be used for qualifying transportation expenses, such as mass transit (subway, rail, and bus) or other similar public transportation mode, and are only available for days you commute to work. Benefits are not transferable, and you are required to return any unused benefits when you leave DOI. Additional information, including answers to frequently asked questions, is available at: www.doi.gov/ofas/support_services/transportation_subsidy.cfm

Use of Government Travel Cards While in Official Travel Status
Travel Cards may only be used for official travel and may not be used for any personal purchases. Government charge card training is available at: https://doitalent.ibc.doi.gov

Gambling, Raffles, and Betting Pools – 5 C.F.R. § 735.201 and 41 C.F.R. § 102-74.395
Unless authorized by statute or regulation, all forms of gambling activities are prohibited at all times in facilities owned or leased by the Government. Federal employees may not engage in gambling activities while on duty. Prohibited gambling activities include, but are not limited to, raffles, lotteries, numbers (games), football pools, etc.

Seeking and Negotiating Non-Federal Employment

18 U.S.C. § 208, 5 C.F.R. § 2635.402, and 5 C.F.R. §§ 2635.601-607
You are not prohibited from, or even discouraged by, the Federal ethics rules and regulations from seeking future employment outside the DOI and negotiating with potential future employers.

Seeking Employment
If you decide to seek employment with a non-Federal entity, you may not participate personally and substantially in a particular matter at the DOI that, to your knowledge, has a direct and predictable effect on the financial interest of an individual or entity with whom you are seeking employment.

You are considered to be seeking employment with a potential employer when you (or a recruiter) communicate, respond, or negotiate about possible employment, regardless of who initiates the contact and the method of the contact. Furthermore, the Office of Government Ethics (OGE) interprets most forms of communication regarding prospective employment with a non-Federal entity (other than requesting a job application) to be seeking employment.

You are no longer seeking employment when either you or the prospective employer rejects the possibility of employment and all discussions regarding possible employment have terminated. You are also no longer seeking employment if two months pass after you send an unsolicited résumé or employment proposal and you receive no indication of interest. Any response to a prospective employer that defers discussions until the foreseeable future does not terminate employment discussions.

Negotiating for Employment/Arrangement for Future Employment
Once you move from seeking employment and begin either negotiating employment or enter into an arrangement for future employment, a criminal ethics statute, 18 U.S.C. § 208(a), requires your disqualification from any particular matter that has a direct and predictable effect on the financial interests of the non-Federal individual or organization with whom you are either negotiating or have entered into an arrangement for future employment.

The financial interests of any entity with which you are negotiating or have an arrangement concerning future employment are deemed to be the same as your own for purposes of the criminal conflict of interest rules. There may be criminal or administrative penalties if you participate in any DOI matters that affect the financial interests of a prospective employer. Employees who become aware of the need to recuse due to negotiating for employment must take whatever steps are necessary to ensure that they do not participate in such matters. As a reminder, you must receive a written authorization or waiver before you participate in any particular matter at DOI that affects the financial interests of a prospective employer. Such authorizations or waivers are only granted in limited circumstances.

Notification Requirement
Additionally, the Representative Louise McIntosh Slaughter Stop Trading on Congressional Knowledge Act (STOCK Act) and 5 C.F.R. § 2635.207 requires public financial disclosure report (OGE Form 278e) filers to file a statement notifying their ethics official of any negotiation for, or agreement of, future employment or compensation with a non-Federal entity within three (3) business days after commencement of the negotiation or agreement.

Restrictions on Post-Government Employment
(After You Leave Federal Service)

5 C.F.R. part 2641

After you leave Government employment, there are a series of post-employment ethics restrictions that will be applicable to your activities as well as to the work that you may do for a future employer. These restrictions do not bar you from accepting employment with any private or public employer. They do, however, impose certain limitations on potential appearances and communications that you may make as a representative of a third party back to the Federal Government, certain limitations on other types of assistance that you may provide to third parties, and other limitations. The purpose behind these restrictions is to prevent you from "switching sides" on a matter in which you were involved when you worked for DOI.

Lifetime Restriction – 18 U.S.C. § 207(a)(1)

If you participated personally and substantially in any particular matter involving specific parties (grants, contracts, licenses, permits, applications, litigation, etc.), you may never appear or communicate on behalf of another to any Federal department, agency, or court (any Federal agency, not just your Bureau/Office or the DOI) regarding that same particular matter.

Two-Year Restriction – 18 U.S.C. § 207(a)(2)

For particular matters involving specific parties pending under your official responsibility during your last year of Government service, you are restricted for two years after you leave Government service from appearing or communicating on behalf of another to any Federal department, agency, or court regarding those same particular matters.

One-Year Restriction on Aiding and Advising – 18 U.S.C. § 207(b)

For one year after your Government service terminates, you may not aid or advise any entity (other than the U.S.) concerning any ongoing trade or treaty negotiation in which you participated personally and substantially during your last year of Government service.

Exceptions to Restrictions in 18 U.S.C. § 207

There are limited exceptions to the post-government restrictions in 18 U.S.C. § 207, including for certain work for state governments and institutions of higher education. Additionally, former employees who are carrying out official duties as an employee or as an elected or appointed official of a tribal organization or inter-tribal consortium are not subject to 18 U.S.C. § 207 restrictions if they advise the Government, in writing, of any personal and substantial involvement they had as a Government employee in connection with the matter (25 U.S.C. § 450i(j)). Please consult with an ethics official before attempting to rely on any exceptions.

Outer Continental Shelf Lands Act Restrictions – 43 U.S.C. § 1355

DOI employees may be subject to additional post-government restrictions if, at any time during the 12 months preceding the termination of their employment, they directly or indirectly discharged duties or responsibilities under the Outer Continental Shelf Lands Act.

Procurement Integrity Act Restrictions – 41 U.S.C. § 2104 and 48 C.F.R. §§ 3.104-3(d)

DOI employees who participated in significant procurement work (valued in excess of $10 million) are subject to additional post-government restrictions. Please consult an ethics official about these restrictions as needed.

ADDITIONAL LAWS THAT APPLY TO FORMER SENIOR EMPLOYEES
(Levels II through V of the Executive Schedule), and those paid equal to or greater than 86.5% of the rate for level II of the Executive Schedule, AND FORMER VERY SENIOR EMPLOYEES (Level I of the Executive Schedule)

One-Year Restriction on Communication with One's Former Agency – 18 U.S.C. § 207(c)
For one year after leaving senior service, no former senior employee may make, with the intent to influence, any communication to or appearance before the department or agency in which they served in the one year period prior to termination from senior service. Please consult with an ethics official about certain limited exceptions to this prohibition.

One-Year Restriction Relating to Foreign Entities – 18 U.S.C. § 207(f)
For one year after leaving Government service, a former senior employee may not knowingly aid, advise, or represent a foreign entity, with the intent to influence the official actions of any employee of any U.S. agency or department.

Two-Year Restriction for Very Senior Employees – 18 U.S.C. § 207(d)
For two years after service in a very senior position, former Executive Level I employees and certain very senior employees in the Executive Office of the President are prohibited from making, with the intent to influence, any communication to or appearance before:

- Any individual appointed to an Executive Level position; or
- Any employee of a department or agency in which the former very senior employee served during their last year of Government service.



Disclosure of Financial Interests

5 C.F.R. part 2634

All DOI employees, including Special Government Employees (SGEs) and Intergovernmental Personnel Act (IPA) detailees, must comply with conflict of interest restrictions and may be required to file either a public (OGE Form 278e) or confidential (OGE Form 450) financial disclosure report. These reports are among the primary tools used by ethics officials to determine whether employees are in compliance with the ethics laws and regulations.

The OGE Form 278e must be filed by Presidentially Appointed, Senate-Confirmed (PAS) employees, non-career Senior Executive Service (SES) employees, career SES employees, Senior Level (SL) employees, Professional (ST) employees, Schedule C employees, certain SGEs, and certain IPA detailees.

The OGE Form 450 must be filed by employees whose positions are designated as requiring the filing of a confidential financial disclosure report using the criteria in 5 C.F.R. § 2634.904, as well as by SGEs and IPA employees who are not required to file OGE Form 278e.

Compliance with financial disclosure requirements is a condition of employment. Employees who are required to file and fail to do so in a timely manner may be subject to disciplinary action up to and including removal from Government service. Any employee who willfully falsifies the information on their report, willfully omits information, or willfully fails to file their report may be subject to civil penalties and/or criminal prosecution by the U.S. Department of Justice.

The STOCK Act requires all employees who file public financial disclosure reports (OGE Form 278e) to file Periodic Transaction Reports (OGE Form 278T) for transactions over $1,000 in stock, bonds, and securities by the filer, spouse, or dependent child no later than 30 days after receiving notification of the transaction but in no case later than 45 days after the transaction.

If an employee who is required to file an OGE Form 278e or a Periodic Transaction Report required by the STOCK Act files more than 30 days after the statutory deadline (and any extension periods), they are subject to a $200 late filing fee.

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