

Chapter 7

Ethics

REE ethics guidance includes:

- Acceptance of Awards from Non-Federal Sources
- Acceptance of Travel Funds from Non-Federal Sources
- Bribery
- Ethics Training - Orientation and Annual
- Financial Disclosure - Public and Confidential
- Foreign Gifts and Decorations
- Foreign Employment
- Gift Acceptance - Internal and External
- Hatch Act/Political Activity
- Honoraria
- Lobbying
- Outside Employment/Activities
- Letter-Prior Approval for Outside Employment and Activities
- Participation in Non-USDA Publications
- Post Employment and Seeking Other Employment
- Subpoenas/Witness Testimony - Factual and Expert

Abbreviations: See Chapter 22 for commonly used acronyms and abbreviations.

References:

Federal
Title 18 USC, Sections 201-219 (Criminal Statutes)
Title 18 USC, Section 1913 - Anti-Lobbying Act
Title 5, Subchapter II - Employees' Right to Petition Congress
P&P 341.2 - Acceptance of Travel Funds from Non-Federal Sources
P&P 411.7 - Releasing Information about REE Employees
P&P 461.5 - Misconduct, Discipline and Adverse Actions
P&P 461.6 - Witnesses in Judicial Proceedings, Process in Suits
Against the U.S.
P&P 468.4 - Foreign Gifts and Decorations
P&P 468.5 - Non-Federal Awards and Recognition
Standards of Ethical Conduct for Employees of the Executive Branch

Office of Government Ethics:

Brief Wrap on Ethics
Do It Right
Take the High Road
Government Ethics Newsgram

Rules for the Road
Gifts of Travel and Other Benefits
Conflicts of Interest and Government Employment
OGE Form 450 - Review Guide (Confidential Financial
Disclosure)
Public Financial Disclosure: A Reviewer's Guide

USDA

Bulletin 735-1 - Employee Responsibilities and Conduct
USDA Secretary's Announcement: Acceptance of Travel
Expenses from Non-Federal Sources (Bulletin 00-305)
Ethics Issuance 99-1 - Delegations of Authority and Responsibility
Ethics Issuance 99-2 - Acceptance of Travel Expenses from Non-
Federal Sources
Supplemental Standards of Conduct for Employees of USDA
Ethics Rules at a Glance
Criteria for Official Service on Non-Federal Boards
Criteria for Confidential Financial Disclosure
USDA Interim Revision - "Post-Employment Restrictions"
7 CFR Part I - Appearance of USDA Employees as Witnesses in
Judicial or Administrative Proceedings
Delegations of Authority and Responsibility

REE

Ethics Supplement for Research Personnel
Ethics Desk Reference
Special Government Employee Guide for Collaborators, Experts, and
Panel Members
Memorandum - "Outside Employment/Activity and Bulletin 735-1"
Memorandum - "Financial Disclosure Collaborators"
List of REE Ethics Advisors and Ethics Assistants (attached)

Private

"The Ethics of Excellence"
"Practical Ethics for the Federal Employee: Staking out the High
Ground"

Other

Numerous Videotapes Available through the Ethics Office, the Area
DAEA, and the SMART Center
The OGE Ethics Bulletin Board System (TEBBS)
The OGE Ethics Information System (IEC)
REE Ethics Handouts

REE Ethics Website: www.ars.usda.gov/afm/hrd/hrdhomepage/ethics/ethics.htm
www.ars.usda.gov/afm/hrd/hrdhomepage/ethics/orient.htm

USDA Ethics Website:
www.usda.gov/ethics

Approval and Report of Travel Funds Received from Non-Federal
Sources and Conflict of Interest Analyses

Forms

SF-278 - Public Financial Disclosure Report
OGE Form 450 - Confidential Financial Disclosure Report
Form OGE Optional Form 450-A - Confidential Certificate of No New
Interests (Executive Branch) in Lieu of Annual OGE Form 450
Form ARS-101a - Application for Approval to Engage in Non-
Federal Employment or Activity
Request for Approval to Accept an Award from an Outside Source
ADODR/COR/COTR Certification
Employee Disqualification Notification

Points of Contact:

Ms. Louise Dalton
Secretary to the Assistant and Associate Area Directors/Ethics Assistant
USDA-ARS-NPA
1201 Oakridge Drive, Suite 150
Fort Collins, CO 80525-5562
Telephone: (970) 229-5558
Fax: (970) 229-5565
E-Mail: daltonl@npa.ars.usda.gov

Dr. Eric Roos
Assistant Area Director/Ethics Advisor
USDA-ARS-NPA
1201 Oakridge Drive, Suite 150
Fort Collins, CO 80525-5562
Telephone: (970) 229-5595
Fax: (970) 229-5565
E-Mail: roose@npa.ars.usda.gov

Ms. Sandra Herring
Employee Relations Specialist
USDA, ARS, Human Resources Division
Employee Relations Branch, Ethics Office
5601 Sunnyside Avenue
Beltsville, MD 20705-5102
Telephone: (301) 504-1442
Fax: (301) 504-1496
E-Mail: sherring@ars.usda.gov

FOR HONORARIUM PAYMENT REQUEST

When preparing your AD-700 request for payment of Honorarium, please follow these instructions:

1. If the check is to be presented to the honoree (see Exhibit 1).

Block 10 - TO: (Seller)

- Name of Honoree and Social Security Number
- Name and address of the presenter

Block 14 - Description (Title and Date of Seminar)

- Amount of Seminar
- Certification
- Name and telephone number of someone to contact, if necessary
- Net total of seminar
- Accounting Classification
- Name and address of honoree
- Title and signature of Authorized Representative

2. If check is to be mailed to honoree (see Exhibit 2).

Block 10 - TO: (Seller)

- Name, complete address and Social Security Number of Honoree

Block 14 - Same instructions as Exhibit #1

If the honoree is a non-US citizen, please indicate on the AD-700.

Point of Contact: Dr. Eric Roos (Ethics Questions)
Assistant Area Director
USDA-ARS-NPA
1201 Oakridge Drive, Suite 150
Fort Collins, CO 80525-5562
Telephone: (970) 229-5595
Fax: (970) 229-5565
E-Mail: roose@npa.ars.usda.gov

For questions regarding the AD-700, contact your Location Purchasing Agent or Administrative Officer.

RESEARCH, EDUCATION, AND ECONOMICS

APPROVAL AND REPORT OF TRAVEL FUNDS RECEIVED FROM NON-FEDERAL SOURCES

This form must be completed in its entirety or it will be returned. 31 U.S.C. 1353, subsequently printed in Chapter 304, Part 1, of the Federal Travel Regulations, and governs the acceptance of payment for travel, subsistence, and related expenses from a non-Federal source, but not from a prohibited source, in connection with the attendance of an employee and/or accompanying spouse when applicable, at certain meetings and similar functions. Agencies are also required to submit semiannual reports of payments which total more than \$250 per event, and which have been accepted under this authority. The report is based on when payment is received rather than when travel is performed. All offices must submit their Approval and Report of Travel Funds Received From Non-Federal Sources for each event that totaled more than \$250 to: USDA, ARS, Financial Management Division (FMD), Travel & Relocation Services Branch (TRSB), Room 3-2176A, 5601 Sunnyside Ave., Beltsville, Maryland 20705-5114. For the period October 1 through March 31 - submit reports by April 15 and for the period April 1 through September 30 - submit reports by October 15. Each Approval and Report of Travel Funds Received From Non-Federal Sources must have a copy of the Letter of Offer, Conflict of Interest Analysis, and Letter of Acceptance attached when submitted to FMD.

<p align="center">Employee</p> <p>1. Name: _____ First MI Last</p> <p>2. Position Title : _____</p> <p>3. Duty Station : _____</p> <p>4. Telephone No.: (____) - ____ - _____</p> <p>5. Beginning Date of Travel: _____ - _____ - _____</p> <p>6. Ending Date of Travel : _____ - _____ - _____</p> <p>NOTES: _____ _____</p>	<p align="center">Spouse(If Applicable)</p> <p>7. Name: _____ First MI Last</p> <p>See FTR Chapter 304, Part 1, Acceptance of Payment From a Non-Federal Source for Travel Expenses and FPM Letter 451-7, Reimbursement of Travel Expenses of Individuals Attending Awards Ceremonies and REE Policy and Procedure 341.2, Acceptance of Travel Expenses form Non-Federal Sources</p> <p>8. Beginning Date of Travel: _____ - _____ - _____</p> <p>9. Ending Date of Travel : _____ - _____ - _____</p> <p>10. Reason for Spouse's Travel _____ _____</p>
<p align="center">Event Information</p> <p>9. Kind of event:(check one):</p> <p style="padding-left: 40px;"><input type="checkbox"/> Meeting <input type="checkbox"/> Seminar</p> <p style="padding-left: 40px;"><input type="checkbox"/> Conference <input type="checkbox"/> Speaking Engagement</p> <p>10. Location of Event:</p> <p style="padding-left: 40px;">_____ / _____ City State/Country</p> <p>11. Title of Event: _____</p> <p>12. Name of Event Sponsor: _____ Address: _____ _____</p>	<p align="center">Acceptance Information</p> <p>13. What expenses are being paid for by the non-Federal source?</p> <p style="padding-left: 40px;"><input type="checkbox"/> Common Carrier <input type="checkbox"/> Lodging</p> <p style="padding-left: 40px;"><input type="checkbox"/> Meals <input type="checkbox"/> Other (Itemize) _____</p> <p>14. Value (in U.S. Dollars) received from non-Federal source:</p> <p style="padding-left: 80px;"><input type="checkbox"/> In Kind \$ _____</p> <p style="padding-left: 80px;"><input type="checkbox"/> Paid to Agency \$ _____</p> <p style="padding-left: 80px;"><input type="checkbox"/> Other (Explain) _____</p>

I certify that the information provided on this form and all attached documents are true, complete, correct, and comply with the guidelines of 41 CFR Part 304-1, Federal Travel Regulations, Acceptance of Payment From a Non-Federal Source, for travel expenses, to the best of my knowledge.

Traveler's Signature _____ Date _____

I certify that I approved acceptance of the above travel, subsistence and related expenses from the non-Federal source in advance of the proposed travel being accomplished by the employee and after having reviewed the conflict of interest analysis on the reverse of this sheet.

Approving Official's Signature _____ Date _____

CONFLICT OF INTEREST ANALYSIS UNDER 41 C.F.R. § 304-1.5

ACCEPTANCE OF PAYMENT FROM A NON-FEDERAL SOURCE FOR TRAVEL EXPENSES requires in all cases that a conflict of interest analysis be performed by an authorized agency official. The "authorized official" is a designated Ethics Advisor or REE Ethics Advisor(s). To ease administration of the requirement for a conflict of interest analysis, this outline tracks the elements of the regulation. The analysis should be accomplished on this page. Additional sheets may be attached if needed.

IMPORTANT: Payment from a non-Federal source shall not be accepted if the authorized agency official determines that acceptance under the circumstances would cause a reasonable person with knowledge of all the facts relevant to a particular case to question the integrity of agency programs or operations.

In making this determination, an authorized agency official shall be guided by all relevant considerations, including, but not limited to:

- (1) The identity of the non-Federal source (see reverse for identifying information);

- (2) The purpose of the meeting or similar function;

- (3) The identity of other expected participants;

- (4) The nature and sensitivity of any matter pending at the agency affecting the interests of the non-Federal source;

- (5) The significance of the employee's role in any such matter specified in (4) above; and

- (6) The monetary value and character of the travel benefits offered by the non-Federal source.

Analysis: Acceptance of the travel WOULD cause a reasonable person with knowledge of all the facts relevant to a particular case to question the integrity of agency programs or operations?

Yes _____ No _____

Explain your response to the above question: _____

NOTE: The authorized agency official may find that, while acceptance from the non-Federal source is permissible, it is in the interest of the agency to qualify acceptance of the offered payment by, for example, authorizing attendance at only a portion of the event or limiting the type or character of benefits that may be accepted.

The qualifications on acceptance, if any, are: _____

Recommendation of Ethics Advisor: Accept _____ Do Not Accept _____

Signature/Date: _____