

# FREQUENTLY ASKED QUESTIONS

## DoD Employee Participation in ITEA Activities And DoD Support of ITEA Activities

(This FAQ sheet is intended to provide general guidelines. More detailed information may be found in the 14 Principals of Ethical Conduct issued by Executive Order 12647 (April 12, 1989), the Standards of Ethical Conduct for Employees of the Executive Branch and supplemental agency regulations, and the Joint Ethics Regulation and supplemental agency regulations.)

*As a first step, you should always contact your agency ethics advisor for guidance regarding specific factual situations or to answer any questions you may have regarding the Joint Ethics Regulation.*

### **PERSONAL Participation in ITEA Activities**

1. *May a Department of Defense (DoD) civilian or military employee participate in ITEA activities in a personal capacity?*

Yes, subject to the provisions of the Joint Ethics Regulations. DoD employees may voluntarily participate in activities of ITEA as individuals in their personal capacities, provided they act exclusively outside the scope of their official positions. Federal personnel acting in a personal capacity with ITEA have no official protection from liability.

2. *Acting in a personal capacity, may a DoD employee serve in a management role in an ITEA activity?*

Yes, although DoD personnel may not serve in a management role if the ITEA position was offered because of the person's official position. Flag and General Officers may not accept compensation for serving as officers or directors of ITEA in their personal capacities. (They, like others, however, may serve as DoD liaisons to ITEA in an official capacity. See FAQ 9 below.)

3. *May a DoD employee use his official title in connection with ITEA activities?*

DoD personnel may not use their official titles, positions, or organization names in connection with activities performed in their personal capacities as this tends to suggest official endorsement or preferential treatment by DoD. This includes use of official titles, positions or organization names on ITEA's website, or any list, letterhead, or promotional materials. Military grade and military department as part of a person's name (e.g., Colonel Smith, U.S. Army) may be used, the same as other conventional titles such

as Mr., Ms., Dr., or Honorable, in relationship to personal activities, however, retired members may only do so if they clearly identify the retired or inactive Reserve status.

*4. May a DoD employee participate in any official activities in which ITEA has an interest if the employee is an ITEA member in his or her individual capacity?*

DoD employees are generally prohibited from engaging in any official activities in which ITEA is a party or has a financial interest if the DoD employee is an active participant in ITEA or has been an officer of ITEA within the last year. This also prevents DoD personnel who are active participants in ITEA from approving requests from subordinates to attend ITEA meetings, to speak at an ITEA event, or to prepare papers for an ITEA meeting.

*5. Is a DoD employee required to disclose his or her association with ITEA on a financial disclosure report?*

Those employees required to file a financial disclosure report (SF-278 or OGE Form 450) must report positions in outside organizations such as ITEA.

*6. May a DoD employee notify other DoD employees of upcoming ITEA activities?*

A DoD employee may notify other DoD employees of events of common interest sponsored by ITEA by using official channels, in accordance with public affairs regulations. Federal personnel may not encourage, pressure, or coerce other employees, including subordinates, to join, support, or otherwise participate in non-Federal organizations (e.g., ITEA).

*7. May a DoD employee use government resources in connection with ITEA activities?*

DoD employees may not use appropriated funds, Government resources or official personnel to assist them in their work for ITEA. However, Agency Designees may allow personnel the limited use of certain resources under specific, narrow exceptions, in connection with their participation with ITEA. DoD employees should always check with their agency ethics advisors prior to using any Government resources in connection with ITEA activities.

*8. May DoD organizations and commands provide official logistical support, including speakers, to ITEA events or activities?*

Yes. The head of a DoD Component command or organization may provide DoD employees in their official capacities to express DoD policies as speakers, panel members or other participants, or, on a limited basis, the use of DoD facilities and equipment, as logistical support of an event sponsored by ITEA, except for fundraising and membership drive events, when the head of the DoD command or organization determines all of the following:

- a. The support does not interfere with the performance of official duties and would in no way detract from readiness;
- b. DoD public affairs interest, military training interests, or community relations with the immediate community are served.
- c. The event is appropriate for association with DoD.
- d. The event is of interest and benefit to the community or DoD.
- e. The DoD Component command or organization is willing and able to provide the same support to comparable events sponsored by similar non-Federal entities (i.e., there can be no preferential treatment.)
- f. Participation is not barred by statute or regulation.
- g. And if admission to the event:
  - Is free, or
  - Is a reasonable amount to cover the costs of sponsoring the event, or
  - Is a reasonable amount to cover that portion of the event which receives DoD support, or
  - If admission fees exceed the reasonable expenses of the event, DoD support is incidental to the event.

### **OFFICIAL Participation in ITEA Activities**

*9. May a Department of Defense (DoD) civilian or military employee participate in ITEA activities such as on a board, committee, or in a chapter in an official capacity?*

Yes, JER 3-201 provides the authority for DoD personnel to act as liaisons to ITEA.

*10. How does a DoD employee become a liaison to ITEA?*

A liaison must be appointed by the head of the DoD Component command or organization. That person must have made the determination that there is a significant and continuing DoD interest to be served by such representation.

*11. Are there limitations on a liaison's participation in ITEA activities?*

Liaisons can interact with ITEA activities including boards and chapters, but only in an advisory capacity. Accordingly, liaisons may not be involved in management or positions of control within ITEA.

*12. If a DoD liaison cannot be involved in an ITEA leadership role, what role can he/she play?*

Liaisons may officially represent DoD in discussions of matters of mutual interest with ITEA provided it is understood by all parties that the opinions expressed by liaisons do not bind DoD or any DoD component to any action.

*13. As a DoD liaison, does a person need to take leave or vacation to participate in ITEA activities?*

No, because a liaison has been officially appointed, his/her involvement with ITEA is considered official duty. Because liaisons serve in an official capacity, they may participate in ITEA activities during their normal duty hours.

**Other Related Questions**

*14. What about other non-DoD government employees? Do the DoD Joint Ethics Regulation and its liaison provisions apply to them?*

No, the Joint Ethics Regulation does not apply to government employees outside of the Department of Defense. Non-DoD government employees are governed by the Standards of Ethical Conduct for Employees of the Executive Branch, found at 5 C.F.R. §2635 et seq., and supplemental agency regulations (which contain prohibitions similar to those found in the Joint Ethics Regulation).

*15. Where can I obtain more detailed or specific information about my individual situation?*

***As the first step, you should contact your agency ethics advisor for guidance regarding specific factual situations or to answer any questions you may have regarding the Joint Ethics Regulation.***

