



# U.S. FISH AND WILDLIFE SERVICE TRANSMITTAL SHEET

PART	SUBJECT	RELEASE NUMBER
212 FW 5	Ethics	421
FOR FURTHER INFORMATION CONTACT	Approval of Outside Employment with a Prohibited Source	DATE
Division of Human Resources		April 3, 2003

## EXPLANATION OF MATERIAL TRANSMITTED:

This chapter establishes policy regarding prior approval of outside employment with a prohibited source. This chapter supersedes Director's Order 118, December 10, 1999.

**Deputy** DIRECTOR

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## FILING INSTRUCTIONS:

Remove:

None

Insert:

212 FW 5, 04/03/03, FWM 421

**FISH AND WILDLIFE SERVICE  
GENERAL ADMINISTRATION**

**General Administration**

**Part 212 Ethics**

**Chapter 5 Approval of Outside Employment with a Prohibited Source**

**212 FW 5**

**5.1 What is the purpose of this chapter?** This chapter establishes Fish and Wildlife Service policy regarding prior approval of outside employment with a prohibited source.

**5.2 To whom does this chapter apply?** This chapter applies to all employees of the Service.

**5.3 What is the authority for establishing this policy?** 5 CFR 3501, Supplemental Standards of Ethical Conduct for Employees of the Department, requires that Department of the Interior employees obtain written approval from their ethics counselor or other agency designee before engaging in outside employment with a prohibited source.

**5.4 What does outside employment mean?** For purposes of this chapter, 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 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 a written product. It does not, however, include participation in the activities of 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.

**5.5 What is a prohibited source?** A prohibited source includes any organization, a majority of whose members are described in A through D below, and any person who:

- A. Is seeking official action by the Service;
- B. Does business or seeks to do business with the Service;
- C. Conducts activities regulated by the Service; or
- D. Has interests that may be substantially affected by the performance or nonperformance of the employee's official duties;

**5.6 Who can approve requests to perform outside work with a prohibited source?** Your servicing ethics counselor is authorized to approve requests to perform outside work with a prohibited source. Submit requests in writing to the servicing ethics counselor, through your first-level supervisor.

**5.7 What do I include in my request?** Include, at a minimum, the following:

A. Your name, occupational title, office address, and office telephone number.

B. A brief description of your official duties.

C. The nature of the outside employment, including a full description of the specific duties or services to be performed.

D. The name and address of the prospective outside employer.

E. A statement that you currently have no official duties involving a matter that affects the outside employer and that you will disqualify yourself from future participation in matters that could directly affect the outside employer.

**5.8 If my circumstances change, do I need to submit another request?** Upon a significant change in the nature of your outside employment or in your official position, submit a revised request for approval. If your outside employment terminates, you do not need to notify your servicing ethics counselor.