United States Department of the Interior

FISH AND WILDLIFE SERVICE
Washington, D.C. 20240

DIRECTOR'S ORDER NO. 118

Subject: Approval of Outside Employment With a Prohibited Source

Sec. 1 What is the purpose of this Order? This Order establishes Fish and Wildlife Service policy regarding prior approval of outside employment with a prohibited source.

Sec. 2 To whom does this Order apply? This Order applies to all employees of the Service.

Sec. 3 What is our authority for taking this action? 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.

Sec. 4 What does employment mean? For purposes of this Order, 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.

Sec. 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.

Sec. 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.

Sec. 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; and

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.

Sec. 8 If my circumstances change, do I need to submit another request? Upon 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, no notification to your servicing ethics counselor is required.

Sec. 9 What is the effective date of this Order? This order is effective immediately. It will expire on December 31, 2000, unless amended, superseded, or revoked. We will include the contents of this Order in Part 212 of the Fish and Wildlife Service Manual.

DIRECTOR

DEC 10 1999

Date: