

ETHICS ADVISORY -- Fundraising in the Federal Workplace

The general rule is that we do not engage in fundraising in the Federal workplace, and we do not use our Federal office or position to raise funds whether on- or off-duty. Of course, there are exceptions. The primary ones are:

The Combined Federal Campaign (CFC)

Army Emergency Relief (AER)

Other *ad hoc* type situations where a group of employees raises money among themselves for their own benefit, when authorized by the head of the organization in consultation with the ethics official (*e.g.*, the fundraisers to support our annual organization day picnic).

Unless an exception applies, we may not solicit our fellow employees here in the workplace for donations to support local schools, scouting activities, other youth programs, church activities, and other good causes. This means that, in the workplace, we may not sell candy, popcorn, cookies, raffle tickets, magazine subscriptions, *etc.* sponsored by these various organizations in an effort to raise money.

What about the situation where an employee's colleagues know that his or her daughter is in Girl Scouts and, during the cookie sale season, a colleague approaches the employee and asks to buy some cookies? In this case, the Girl Scout parent did not solicit and may sell the cookies to the colleague, but should do so before or after work, or during a break. But, if the employee puts sample boxes of cookies and a sign-up sheet on his or her desk, then the employee is improperly soliciting.

What about solicitations outside the Federal workplace; may an employee solicit fellow-employees outside the workplace as part of a school, church, or youth activity? Yes, as long as the employees being solicited are not subordinates. Also, the employee engaging in fundraising activities off-duty in a personal and private capacity, may not use his or her title or office in support of the fundraising, and may not solicit "prohibited sources" (*e.g.*, those doing business or attempting to do business with the Army).

What about soliciting for contributions among ourselves for a special occasion for a fellow-employee, especially one who is an official superior? This is different. This is not considered "fundraising." It is a "gift between employees" issue. For a special, infrequent occasion, we may do so as long as we do not solicit more than a "nominal" amount (no more than \$10) and the value of the gift does not exceed \$300.

The DoD General Counsel has stated that it generally is improper for an employee to suggest that a gift to a designated charity would be preferable than a gift to the employee for a particular special occasion, because this is really an improper solicitation. Notwithstanding, I believe it permissible when posting a death notice to

indicate that the family would prefer a donation in the deceased's name to a particular charity in lieu of flowers. However, it would not be permissible to solicit donations for the charity with a "HQAMC-All Personnel" message, indentifying the employees who are collecting the contributions for the charity.

If you have any questions, let me know.

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