

ETHICS ADVISORY 98-08 -- The Ethical Parameters of Participating in Private Organizations (POs)

Many HQAMC employees are members of professional associations, such as the Public Administration Forum, the American Society of Military Comptrollers, the Armed Forces Communications and Electronics Association, the Society of American Military Engineers, the Federal Bar Association, the Association of the United States Army, the Senior Executive Association, the Field Artillery Association, etc. **That's good!**

Some HQAMC employees are officers, directors, advisors, and active participants in these and similar organizations. **That's even better!**

Membership and participation in such organizations enhance our professionalism as soldiers and Army employees, and in our life's work. In addition, participation in these organizations brings us into contact with the civilian community and it is a learning and sharing experience where we all benefit.

However, there are parameters that constrain our relationship with and participation in POs. No matter how good the work is that they do or how well their goals and ideals complement those of the Army and AMC, they and their activities may not be organized, planned, administered and operated by and as an extension of the Army and AMC. They are non-Federal entities and must be treated as such. This does not mean that we can't work or cooperate with them in appropriate situations, but, like most things in life, there are rules! Some of the more important ones follow.

Rule No. 1: If you are an officer, director, trustee, or employee of a PO, the financial interests of the PO are imputed to you. This means that you must not participate in official Army matters that affect that PO because you have a conflict of interest. You may not recommend support to an event sponsored by your PO or sign TDY orders authorizing an employee to travel to a training seminar sponsored by your PO.

Rule No. 2: If you are an active participant in a PO, you probably should not participate in official matters involving the PO because of the appearances (a reasonable person with knowledge of the relevant facts would likely question your impartiality -- for example, Jane or John Q. Public might think that you, as the chair of the PO's finance committee could be more interested in the PO's financial welfare than AMC's interests when deciding whether to support an event sponsored by the PO).

Rule No. 3: As an officer, director, trustee, advisor or other active participant for a PO, you act in your personal and private capacity. This is not part of your job description. You are not authorized to organize, plan and run

membership drives, fundraising campaigns, and other business of the PO from your HQAMC office. In appropriate cases, the "agency designee" (your boss) may authorize limited use of Government resources (*e.g.*, your computer) and even some "excused absence" for professional development.

Rule No. 4: We may not use officer professional development sessions (OPDs), staff meetings, or other official settings to promote a particular PO, its activities or products. Even outside official settings, we may not use our official position to promote the PO, and we may not personally solicit membership or funds from subordinates or prohibited sources (*e.g.*, those doing business or trying to do business with the Army).

Rule No. 5: In our official capacities, we may not promote membership in a particular PO, appoint subordinates as points of contact (POCs) for membership drives, establish membership goals, track, maintain and report on membership statistics in official staff meetings, or give incentives or disincentives to encourage membership in a particular PO.

Rule No. 6: We may not act as agent for any PO before AMC (or any part of the Federal Government) unless a majority of the members are Federal employees or their family members, the representation is uncompensated, and does not involve a contract, grant or similar money matter.

The point is that we need to keep our official life separate from our personal endeavors. Even though the Army benefits from our membership and participation in these organizations, and generally encourages this membership and participation, we must not allow the use of the Army and its resources, to include its leaders, commanders, directors and supervisors, to endorse or promote a particular organization, or to induce or coerce another employee to join or support a particular organization.

Does that mean that we can never have an official relationship with a PO? Does this mean that we can never give official speeches at PO events or provide official Army support to PO events. No! Of course we can; we do it all the time. But, those AMC employees who are officers, directors, advisors, and active participants in the PO need to stay out of the decision process as to whether to have this official relationship or to provide support. In addition, there are rules for this official relationship and for providing support to ensure that we are not playing favorites and that there is a good "official" reason for such relationship or support (*e.g.*, we can't be doing it just because we like the PO's support of Army programs or the support is necessary to make a PO event a success). I will discuss these rules in future ETHICS ADVISORIES.

If you have any questions at all on this, let me or Alex Bailey know.

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