



The Ethics Pledge Complaint Department

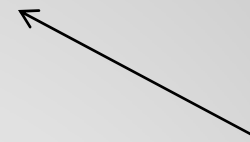


Oh, no! I signed the Ethics Pledge. What have I done?

- Executive Order 13490 of January 21, 2009
- President Obama's First Executive Order
- Covers all political appointees--**not** career employees or excepted service . . . yet.
- 7 Paragraphs
 - 1 No gifts from lobbyists or lobbying orgs.
 - 4 Revolving Door Bans
 - 1 Merit-based Personnel Decisions
 - 1 Consent to Enforcement

Background

Innocent Federal
employee



Devious lobbyist
seeing influence

A gift for me? You shouldn't have.

- *Lobbyist Gift Ban. "I will not accept gifts from registered lobbyists or lobbying organizations for the duration of my service as an appointee."*
 - Gift—anything of value
 - Registered lobbyist—Must be registered under the Lobbying Disclosure Act. See House and Senate online databases
 - Registered lobbying organization—employs 1 or more lobbyists

1st Paragraph

Exceptions designed to prevent absurd results:

- Gifts based on a personal relationship,
- Discounts and similar benefits,
- Gifts resulting from a spouse's business or employment,
- Customary gifts/gratuities provided by a prospective employer, and
- Gifts accepted under specific statutory authority.
- Gift of attendance for day of official presentation (not a gift)

Indirect gifts are also covered.

1st Paragraph--Exceptions

- Does not include lobbyists who are:
 - Charitable Organizations -- 501(c)(3)
 - Media Organizations

Unless employee offering the gift is a registered lobbyist.

1st Paragraph Exceptions (2)

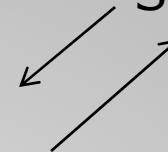
- Quick rule:

Gifts from lobbyists or lobbying orgs,
don't choose, but it's safer when excepted
or charity or the news.

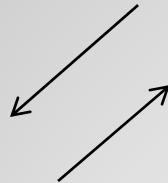
Paragraph 1



US Government
Service



Outside
Organizations



Closing the Revolving Door Problem (4)

“I will not for a period of 2 years from the date of my appointment participate in any particular matter involving specific parties that is directly and substantially related to my former employer or former clients, including regulations and contracts.”

Paragraph 2

- What is covered by paragraph 2?

particular matters involving specific parties, including regulations and contracts.”

Also included: any meeting or other communication with a former employer or former client relating to the performance of the appointee’s official duties (one exception)

Paragraph 2

- directly and substantially related to my former employer or former clients means that your former employer or a former client is a named (or implied) party or represents a party.

Paragraph 2

- Quick rule Paragraph 2
- When your former client or employer appears (within two years) you should have fears.

Paragraph 2

- If I was a registered lobbyist within the 2 years before the date of my appointment, in addition to abiding by the limitations of paragraph 2, I will not for a period of 2 years after the date of my appointment:
 - (a) participate in any particular matter on which I lobbied within the 2 years before the date of my appointment;
 - (b) participate in the specific issue area in which that particular matter falls; or
 - (c) seek or accept employment with any executive agency that I lobbied within the 2 years before the date of my appointment.

Paragraph 3

Quick rule:

If I were a registered £,
My ethics advisor I would tell.
Otherwise . . . Para 3,
Just does not apply to me.

Paragraph 3

If, upon my departure from the Government, I am covered by the post-employment restrictions on communicating with employees of my former executive agency set forth in section 207(c) of title 18, United States Code, I agree that I will abide by those restrictions for a period of 2 years following the end of my appointment.

Paragraph 4

- Quick Rule:

If I leave as a senior employee,
Representing back to USDA I may not be,
On any particular matter, however fun,
And it's for two years, not just one!

Paragraph 4

In addition to abiding by the limitations of paragraph 4, I also agree, upon leaving Government service, not to lobby any covered executive branch official or non-career Senior Executive Service appointee for the remainder of the Administration.

Paragraph 5

- Quick rule:

When leaving USDA:

I must follow the pledge
And give up my edge.
Even as a hobby,
Administration politicals, I may not
register to lobby.

Paragraph 5

“I agree that any hiring or other employment decisions I make will be based on the candidate’s qualifications, competence, and experience.”

Paragraph 6

“I acknowledge that the Executive Order entitled ‘Ethics Commitments by Executive Branch Personnel,’ issued by the President on January 21, 2009, which I have read before signing this document, defines certain of the terms applicable to the foregoing obligations and sets forth the methods for enforcing them. I expressly accept the provisions of that Executive Order as a part of this agreement and as binding on me. I understand that the terms of this pledge are in addition to any statutory or other legal restrictions applicable to me by virtue of Federal Government service.”

Paragraph 7

Covers all political appointees--**not** career employees or excepted service . . . yet.

Paragraphs:

1. No gifts from lobbyists or lobbying orgs.
2. No official work with prior employer or client.
3. Rules for lobbyists who become politicals
4. Senior employees now have a two-year cooling off
5. No registered lobbying of Administration afterwards
6. Merit-based Personnel Decisions
7. Consent to Enforcement

Review

And now, your feature presentation. . .

Political Activity

Next