

Federal Ethics Rules and WOTAB Representatives



FMCSA

Federal Motor Carrier Safety Administration

Presented By

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FMCSA Chief Counsel's Office

Overview



Representative

Financial Conflicts of Interest

Appearance of a Conflict of Interest

Gifts

Misuse of Position

Teaching, Speaking, or Writing

Lobbying

The Hatch Act

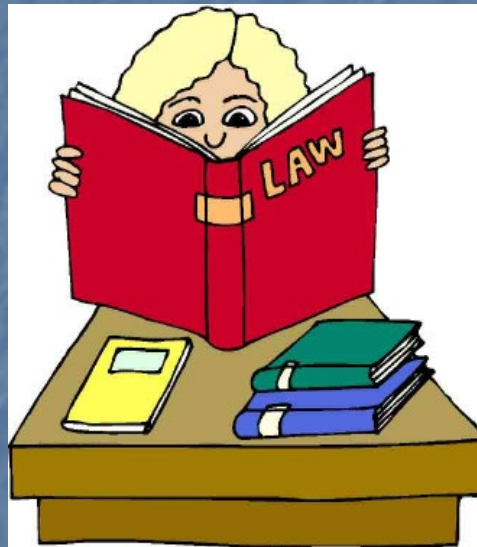
Fundraising

Representative:

- Not a Government employee
- Provides the point of view of nongovernmental entities or of a recognizable group
- Expected to represent a particular bias



Financial Conflicts of Interest



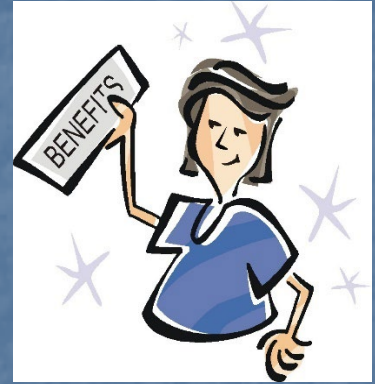
Financial Conflict of Interests



You may not participate in any particular Government matter that will have a direct and predictable effect on your financial interests or on the financial interests of others with whom you have certain relationships. These others are:

- Your spouse
- Your minor child
- Your general partner
- Organization which you serve as officer, director, trustee, general partner or employee
- Person or organization with which you are negotiating or have an arrangement concerning prospective employment

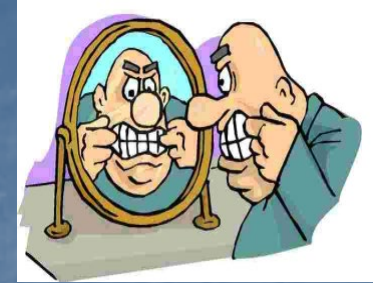
Outside Pay for Government Duties



You are prohibited from receiving compensation from a third-party for performing your WOTAB duties.

Appearance of a Conflict of Interest

(5 C.F.R. § 2635.502)



- You may not participate in a particular matter if a person with whom you have a covered relationship is or represents a party to such matter and a reasonable person who is familiar with the facts would question your impartiality.
- Impartiality / Bias / Favoritism

Gifts



Gift Exceptions



- Modest items of food and drink, greetings cards, plaques, and public discounts are not considered gifts
- Common *exceptions* to the gift ban:
 - Gifts valued at \$20 or less, per occasion
 - Gifts based on personal friendships
 - Certain social engagements (widely-attended gatherings and personal social gatherings)
 - Gifts or opportunities based on outside activities or employment (completely unrelated to WOTAB position)

When in doubt- seek advice from your ethics attorneys

Sponsored Travel

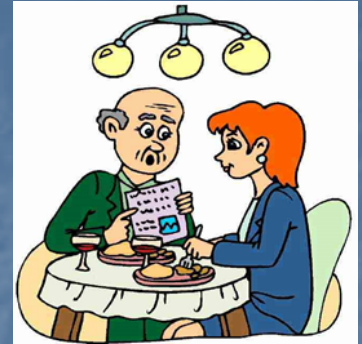
DOT Policy on Gifts of Travel from a Non-Federal Source (November 2007):

NO accepting gift of travel-related expenses from:

- Any entity regulated by DOT;
 - Any association of entities regulated by DOT;
 - Any entity with a particular matter pending before FMCSA;
- and
- Any entity that regularly has matters before FMCSA

Exceptions can only be requested through FMCSA Administrator
Exceptions will be granted by Deputy Secretary or his designee

Misuse of Position



Non- public Information

Endorsements

Government Property /Time / Resources

Use of Government Property



Teaching/Speaking/Writing



Lobbying

Direct Lobbying

- Personal
- Officer, Professional Association
- Representing WOTAB

Grassroots Lobbying

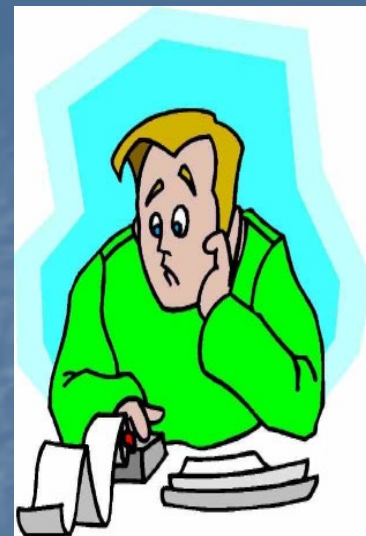
Hatch Act



Members may not use official authority or influence to interfere with or affect the result of any election, or solicit or discourage political activities by regulated entities, contractors, or grantees.

Members may not participate in partisan political activity while on duty, at work, wearing an official uniform/insignia or driving a Government vehicle.

Fundraising



- Not in the Federal Workplace
- May not use your WOTAB title or position
- May not solicit funds or other support from a person known to be a person whose interests may be affected substantially by the performance or nonperformance of your official duties.

FMCSA Ethics Program

Point of Contact:

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Or

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