

**Your Ethics Responsibilities**  
**as an**  
***Exxon Valdez* Oil Spill**  
**Public Advisory Committee**  
**Representative**



# Representative vs. Employee

- Representative
  - Voice of group with financial interest or other stake in the matter
  - Ethics statutes and regulations don't apply
    - **Charter language governs**
- Employee
  - Independent judgment on behalf of the Government – no financial interest in the matter
  - Ethics statutes and regulations apply
    - **Criminal Code provisions**
    - **Standards of Conduct**



# Charter Language

“No Committee or subcommittee member will participate in any Committee or subcommittee deliberations or votes relating to a specific party matter before the Department or its bureaus and offices including a lease, license, permit, contract, grant, claim, agreement, or litigation in which the member or the entity the member represents has a direct financial interest.”



# Specific Party Matter

In addition to charter examples, also includes:

- Grant
- Application
- Enforcement Action
- Request for ruling or other determination
- Controversy
- Charge
- Accusation
- Arrest
- Investigation
- Other matter involving a specific party or parties



# What is not a Specific Party Matter

- Particular matters of general applicability affecting the interests of a discrete and identifiable class of persons:
  - Regulatory rulemakings
  - Legislation
  - Policy matters



# Financial Interest

- Financial interest – yours or the entity you represent
  - Financial instruments or investments (i.e. stocks, bonds, mutual funds, or real estate)
  - Any salary, indebtedness, job offer, or any similar interest that may be affected by the matter



# Direct Effect on the Financial Interest

- Direct Effect
  - Close causal link between action on the matter and expected effect on financial interest
  - Effect need not be immediate
- What is Not a Direct Effect
  - Chain of causation attenuated or effect contingent upon events that are speculative or independent of, and unrelated to, the matter
  - Effect on interest only a consequence of action's effect on general economy



# Only Advisory Committee Duties are Restricted

- You may act, outside of your advisory committee duties, on behalf of yourself or others, in a specific party matter before DOI affecting your financial interests or the interests of the entity that you represent
- You cannot act, as part of your advisory committee duties, on that specific party matter



# Application to Your Committee

- If you encounter a specific party matter with the DOI while serving on the Committee that would have a direct effect on your financial interest or the financial interest of the entity you represent:
  - Notify the Departmental Ethics Office (DEO)
    - 202-208-7960
    - DOI\_Ethics@sol.doi.gov
  - Take no action on that matter unless advised to do so by the DEO

