**Participation in Non-Federal Entities /**

**Private Organizations**

SAGC-EF

March 31, 2006

Validated: 16 April 2015

1. **Purpose.** To provide information on relationships with non-Federal entities (NFE).

2. **Facts.**

a. **Personal Participation - Permitted Activities.**

(1) DoD employees, acting in their personal capacity, may join and participate in NFE activities.

(2) DoD employees may become officers and directors of private organizations provided that the positions are offered for reasons other than their Federal position and that they act exclusively outside of their official position. If the employee files an OGE 278 or an OGE 450 financial disclosure report, the position as a NFE officer must be reported.

(3) DoD employees may engage in fundraising on behalf of NFEs in their personal capacities, provided that no DoD endorsement is implied, and as long as there is no personal solicitation of prohibited sources or their subordinates.

(4) DoD employees may make presentations and publish papers as part of NFE activities. If the presentation or paper deals with DoD operations or policies, there must be a disclaimer that the views presented are personal and do not represent DoD.

(5) Subject to supervisory approval, DoD employees may use official time and material to prepare presentations and papers for non-profit associations and learned societies.

(6) DoD employees may represent a NFE which is composed of DoD employees and their dependents in discussions with the Government except when the matter involves an administrative or judicial proceeding or the disbursement of funds.

b. **Personal Participation - Prohibited Activities.**

(1) Coercion of subordinates to join or participate in NFE activities is prohibited.

(2) It is improper for DoD employees to use their official position to state or imply official endorsement of a NFE, its activities or fundraising efforts, except those identified in JER, 3-210.

(3) It is improper for DoD employees who are officers or directors of NFEs in their personal capacity to participate in official Federal actions which affect the interests of the NFE.

(4) It is improper for DoD employees to represent ordinary NFEs (as opposed to NFEs composed of DoD members) in discussions with the Government.

(5) As a matter of personnel policy, the Deputy Secretary of Defense has directed that General Officers are prohibited from receiving compensation for serving as NFE officers or directors.

c. **Official Relationships - Permitted Activities.**

(1) Attendance. Consistent with sound fiscal principles governing training expenses, DoD employees may attend meetings, conferences, seminars and similar events sponsored by NFEs, and may participate as panelists and speakers. DoD employees may not attend such events at government expense when solely to acquire or maintain professional credentials that are minimum requirements to hold a DoD position.

(2) Liaison. DoD employees may serve as liaisons to NFEs when appointed by the appropriate commander or supervisor. Liaisons may represent DoD interests in discussions, but are prohibited from binding their DoD organization to any action. No liaison may participate in the management of the NFE.

(3) Information Distribution. In accordance with public affairs regulations, official channels may be used to inform DoD employees of professional development events; scientific and technical events; and morale, welfare and recreation events sponsored by NFEs.

(4) Logistic Support to NFE Events. On a limited basis, DoD facilities and equipment (and the personnel necessary for proper use of the equipment) may be provided when the head of the DoD command or organization determines:

(a) The support does not interfere with the performance of official duties and does not detract from readiness.

(b) The support promotes legitimate DoD community relations, public relations or recruiting interests, or military training objectives can be met by providing the support.

(c) The event is appropriate for DoD support.

(d) The command is able and willing to provide the same support to comparable events sponsored by similar organizations.

(e) No admission fee beyond the reasonable cost of the event itself will be charged, or no fee will be charged for that portion of the event supported by DoD.

(f) No other statutes restrict the support.

(5) Co-Sponsorship. Pursuant to JER 3-206, DoD may co-sponsor a scientific, technical or professional event with a NFE when there is a *bona fide* DoD interest. Such co-sponsorship requires a written agreement between the DoD component and the NFE, as well as approval of the NFE for co-sponsorship purposes by the component’s Designated Agency Ethics Official (DAEO) or his designee. Note: Within the Army, the Deputy DAEOs have been authorized to approve the NFE for co-sponsorship purposes.

(6) Support to Fundraising. DoD may provide limited support to a charitable fundraising event, if the NFE is unaffiliated with the Combined Federal Campaign (CFC), and the six factors in c.(4), above, are met.

d. **Official Relationships - Prohibited Activities.**

(1) Management. Unless authorized by statute for the DoD General Counsel, DoD employees acting in their official capacity may not participate in management of NFEs.

(2) Fundraising/ Membership Drives. Except for certain authorized organizations listed in JER 3-210, including organizations composed primarily of DoD employees or their dependents when fund raising within the DoD community or, if a National Guard Member, charitable, community and civic organizations identified in 32 U.S.C. 508 or DOD Directive 1100.20, no DoD employee may officially endorse a NFE's fundraising or membership drive.

(3) Endorsement. In dealing with NFEs, preferential treatment is prohibited. This includes no official endorsement of a NFE, or any event, product, service or enterprise of a NFE, except as authorized in JER 3-210. (Offering group life insurance programs sponsored by the State Military Department, similar to the Servicemen’s Group Life insurance Program, is permissible.)

(4) Support. A valid agency interest must exist for DoD to provide support to NFE activities. There must be some benefit to the agency before extending even minimal support, such as providing a liaison.