

POLICY MEMORANDUM FOR USUHS PERSONNEL

SUBJECT: Approval of Outside Activities

1. USUHS employees may engage in outside activities or employment unless there is a conflict of interest or other prohibited activity. The purpose of this policy memorandum is to reemphasize the need for **all** USUHS personnel (including those billeted at AFRRI) to request permission to engage in outside activities using USUHS Form 1004 **before** commencing the outside activity.
2. The Government's standards of conduct at 5 C.F.R. § 2635.802 states that a Government employee "shall not engage in outside employment or any other outside activity that conflicts with his official duties." DoD's Joint Ethics Regulation (DoD Directive 5500.7-R) goes on to say that activity heads may also prohibit an activity or outside employment if it will detract from readiness or pose a security risk.
3. All activities must be approved in advance by the University. Most requests for approval of outside activities are approved but there are a number of laws and regulations that impact upon the ability of a Federal employee to engage in "moonlighting" (conflict of interest, preferential treatment, use of inside knowledge, expert witnesses restrictions, restrictions for health care providers, etc.). Each situation must be reviewed to ensure compliance with applicable Federal statutes and regulations. Please understand that this policy protects the individual from potential allegations of misconduct including criminal misconduct (financial conflict of interest, being paid by some source other than the Federal Government during Government working hours, representation of another before the Federal Government, etc.) and ensures that University employees are performing their duties unfettered by possible conflicts of interest.
4. The means for reviewing the circumstances of the employment and receiving approval is USUHS Form 1004 entitled "*Request for Approval of Outside Activity.*" The process is straightforward.
 - a. Fill out USUHS Form 1004 and have it signed by your Department Chair or Activity Head. The form will be sent to the Designated Agency Ethics Official in the General Counsel's office who will review the request and write an endorsement to the approving authority (Dean SOM, Dean GSN, President USUHS). Medical students should route USUHS Form 1004 to the Brigade Commander via the Brigade Legal Officer as set forth in the Brigade Commander's Policy Directive of April 10, 2000. You may obtain a copy of USUHS Form 1004 from the General Counsel's office or it may be found on the web at <http://www.usuhs.mil/ogc/faq2.htm>

b. Note, for DoD health care providers who want to moonlight by providing health care outside DoD, approval requires additional documentation including a letter from the health care facility to the USUHS President acknowledging certain DoD-mandated restrictions. Contact the General Counsel's office for the format of these additional letters.

c. When USUHS Form 1004 is approved, it will be returned to you for your records and should be retained by you; a copy will be kept on file in the General Counsel's office. Please ensure that for all outside activities in which you are presently engaged your approval is up to date. If you do not have an up-to-date approval, please fill out a new form. Approvals are good for a maximum period of three years. A copy of USUHS Form 1004 is attached to this memorandum.

5. If you have any questions, please direct them to the Designated Agency Ethics Official, Brad Beall, in the General Counsel's office at 295-3028.

James A. Zimble, M.D.
President

Attachment
USUHS Form 1004