

# FURLOUGHS AND ETHICS

ICE Ethics Office  
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**Ethics rules apply to Federal employees while on furlough.** The Standards of Conduct and other ethics rules remain in effect for Federal employees during furloughs. Because some activities require prior approval and because this information is only a summary of the rules, employees should contact their Ethics Office to discuss their individual situations.

**Non-Federal Employment, Volunteering, and Other Non-Federal Activities<sup>1</sup>** – while on furlough, Federal employees must be mindful of not engaging in any outside employment or activities not permitted by the conflict of interest statutes and ethics regulations, including representing others before a Federal agency or court.

Certain employment and activities may not present a conflict during a furlough period but may be in conflict with the employee's official responsibilities upon return to work. After returning to work, resolving potential conflicts may require the employee's disqualification from involvement in official matters that impact their outside employer or volunteer organization. In addition, employees should not engage in activities that rely on using an employee's public office for private gain, including using a DHS title, position, or authority to support or maintain the outside employment.

Employees may engage in teaching, speaking, and writing in their personal capacities; however, employees may not accept compensation from non-Federal sources for teaching, speaking, and writing in their personal capacities in the following circumstances:

- The opportunity was offered because of the employee's Government position rather than personal expertise;
- The opportunity was offered by a person who has interests that may be affected by the performance of the employee's Government duties;
- The topic includes matters to which the employee was assigned in the past year; or
- The topic relates to an ongoing policy, program, or operation of DHS or the subject matter draws from official ideas, data, or information.

Note: Notwithstanding the foregoing, teaching at elementary and secondary schools and accredited institutions of higher learning are generally exceptions to the compensation prohibition, if the course is part of an established curriculum.

**Fundraising** – Employees may wish to assist non-Federal individuals or organizations. When engaging in personal fundraising, employees should not engage in the following activities:

1. Fundraising for a partisan political candidate, party, or group;
2. Using official DHS titles or positions in connection with fundraising; or
3. Soliciting contributions or support from subordinates or other individuals or entities that are prohibited sources, as defined below.

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<sup>1</sup> Certain Presidential appointees and non-career employees must abide by limitations on outside earned income. Employees subject to prior approval requirements for outside employment must continue to abide by those rules.

**Assisting Co-workers** – Employees considering offering assistance to other employees through gifts, fundraisers or collections of food or other items, should consult with an Ethics Official as there are certain limitations on conducting these efforts at work or when the beneficiaries include employees’ supervisors, managers and senior employees.

**Gifts** – Employees may not accept gifts offered because of their Government position or from prohibited sources unless a gift exception applies. This prohibition applies during a furlough period. A “gift” is anything, tangible or intangible, with monetary value, including, but not limited to, any gratuity, favor, discount, entertainment, hospitality, loan, or forbearance.

An entity meeting any one of the following criteria is considered to be a “prohibited source:”

- Seeking official action by DHS;
- Doing business or seeking to do business with DHS;
- Regulated by DHS;
- Whose interests may be affected by the performance or nonperformance of the employee’s official duties; or
- An organization comprised primarily of the above prohibited sources.

Certain gifts are exceptions to the gift prohibition including the following offers:

- Gifts, other than cash, valued at \$20 or less;
- Gifts based on a personal relationship;
- Discounts available to all Government employees;
- Certain awards and degrees;
- Gifts based on outside business or employment relationships; and
- Widely-attended gatherings, with agency approval.

**Ethics Pledge** – Employees who signed the Ethics Pledge may not accept most gifts from registered lobbyists or lobbying organizations. PAS and PA employees should consult an ethics counselor before engaging in any outside activities.

**Other Compensation** – Employees are prohibited from receiving salary or other compensation from anyone other than the Government for the performance of their official job responsibilities. Compensation includes anything of monetary value.

**Political Activities** – Employees are still bound by the Hatch Act and its related regulations, including the prohibition on engaging in political activity using your official title or any authority associated with your government position, political fundraising and running for partisan political office. Career members of the Senior Executive Service, U.S. Secret Service employees and employees of the U.S. Immigration and Customs Enforcement Office of Homeland Security Investigations continue to be further restricted from actively participating in partisan political activities. Political appointees are still bound by additional restrictions and approval requirements found in the DHS policy on political activities. See: [www.osc.gov](http://www.osc.gov).

ICE employees with access to the ICE Intranet, [please visit the ICE Ethics intranet site](#) for additional information.

**During a Government shutdown, the Ethics official available for advice will be Chief Ethics Officer Tracy M. Siler at [iceethics@ice.dhs.gov](mailto:iceethics@ice.dhs.gov)**