

Ethics Guidance
SERVING IN THE GOVERNMENT FOR MORE THAN 60 DAYS
AND FOR MORE THAN 130 DAYS

Federal employees who are expected to serve for more than 60 days in a period of 365 consecutive days are subject to more restrictions than apply to employees who serve for fewer days; additional restrictions apply after 130 days. An employee who serves for 130 days or fewer is referred to as a special Government employee (SGE).

**RESTRICTIONS ON REPRESENTING OTHER PEOPLE AND ORGANIZATIONS BEFORE FEDERAL AGENCIES AND
FEDERAL COURTS**

Employees serving more than 60 days cannot represent anyone before a Federal agency or court with regard to matters involving specific parties that are pending before the employee's agency (the Department of Commerce). Employees serving more than 130 days are also barred from acting as someone's agent or attorney or representing someone for pay before a Federal agency or court, (or from receiving compensation for such representation by someone else, such as a law firm partner). However, there are exceptions for: (1) representing a spouse, child, parent, or estate *but only if the employee receives prior approval*, (2) representing another Federal employee in a personnel action (if not inconsistent with the employee's Government duties), and (3) representing an organization composed of Federal employees (if the matter does not concern payment of Federal funds and is not in an administrative or legal proceeding). An SGE serving fewer than 60 days cannot represent someone before a Federal agency or court regarding a matter involving specific parties on which the SGE personally participated as a Government official but other representational activities are permitted.

**RESTRICTIONS ON RECEIVING PAYMENT FOR PERFORMING GOVERNMENT DUTIES FROM A SOURCE OTHER
THAN THE FEDERAL GOVERNMENT**

An employee who serves for more than 130 days cannot receive any payment for serving with the United States Government other than from the Government itself. This means, for example, that an employee cannot receive pay from an outside employer for duty hours in which he or she is performing Government work. SGEs are allowed to receive payments relating to their Government service from other sources (but not a payment for taking any particular action; that would be a bribe).

ENGAGING IN POLITICAL ACTIVITIES

All employees are barred from engaging in political activities while on duty or on Federal premises; in addition, employees serving for more than 130 days cannot fundraise for a party or candidate or run for office in a partisan election (except as an independent in certain localities, such as Washington, D.C. and its suburbs).