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## UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES

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Office of the President  
PPM-018-2017(OGC)

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### **SUBJECT: Approval of Outside Activities**

**A. Purpose:** This President's Policy Memorandum (PPM) establishes policies and procedures that may allow USU employees to 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 USU personnel (including those billeted at AFRR) to request permission to engage in outside activities using the Outside Activity Request Form which is accessible through the USU Office of General Counsel's Ethics website, before commencing the outside activity.

**B. Applicability:** This memorandum applies to all USU personnel.

**C. Policy:** 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 conflict of interest.

1. 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.

2. Any activity undertaken by a Federal employee that results in compensation of any kind, to include benefits or reimbursements, or that related to one's official duties must be approved in advance by University Officials. 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 witness restrictions, restrictions for health care providers, restrictions on supervising DoD or USU trainees, etc.). Each situation must be reviewed to ensure compliance with applicable Federal statutes and regulations.

3. The means for reviewing the circumstances of the employment and receiving approval is the Outside Activity Request Form available from USU Office of General Counsel's Ethics website. The process is straightforward.

a. Complete Outside Activities Request Form and have it signed by your Department Chair or Activity Head. If the requester is military, the requester will need to route the request in accordance with the Brigade Instruction on Outside Activity Request.

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, or President USU). You may obtain a copy of the Outside Activity Request Form available from the General Counsel's office or it may be found on the web at <https://www.USU.edu/ogc/ethics>.

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

c. Once action is taken, the Outside Activity Request Form 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 your approval is up to date for all outside activities in which you are presently engaged. If you do not have an up-to-date approval, please fill out a new form for submission. Approvals are good for a maximum period of three years.

**D. Office of Primary Responsibility (OPR):** The Office of General Counsel will serve as the primary action office for managing all approval of outside activities and related documentations.

**E. Effective Date:** This President's Policy Memorandum is effective immediately.

A handwritten signature in dark ink, appearing to read "RW Thomas".

Richard W. Thomas, MD, DDS, FACS  
President