

Summary of 5 CFR section 2635.502—Impartiality

Prohibition:

An employee may not participate in a specific party matter:

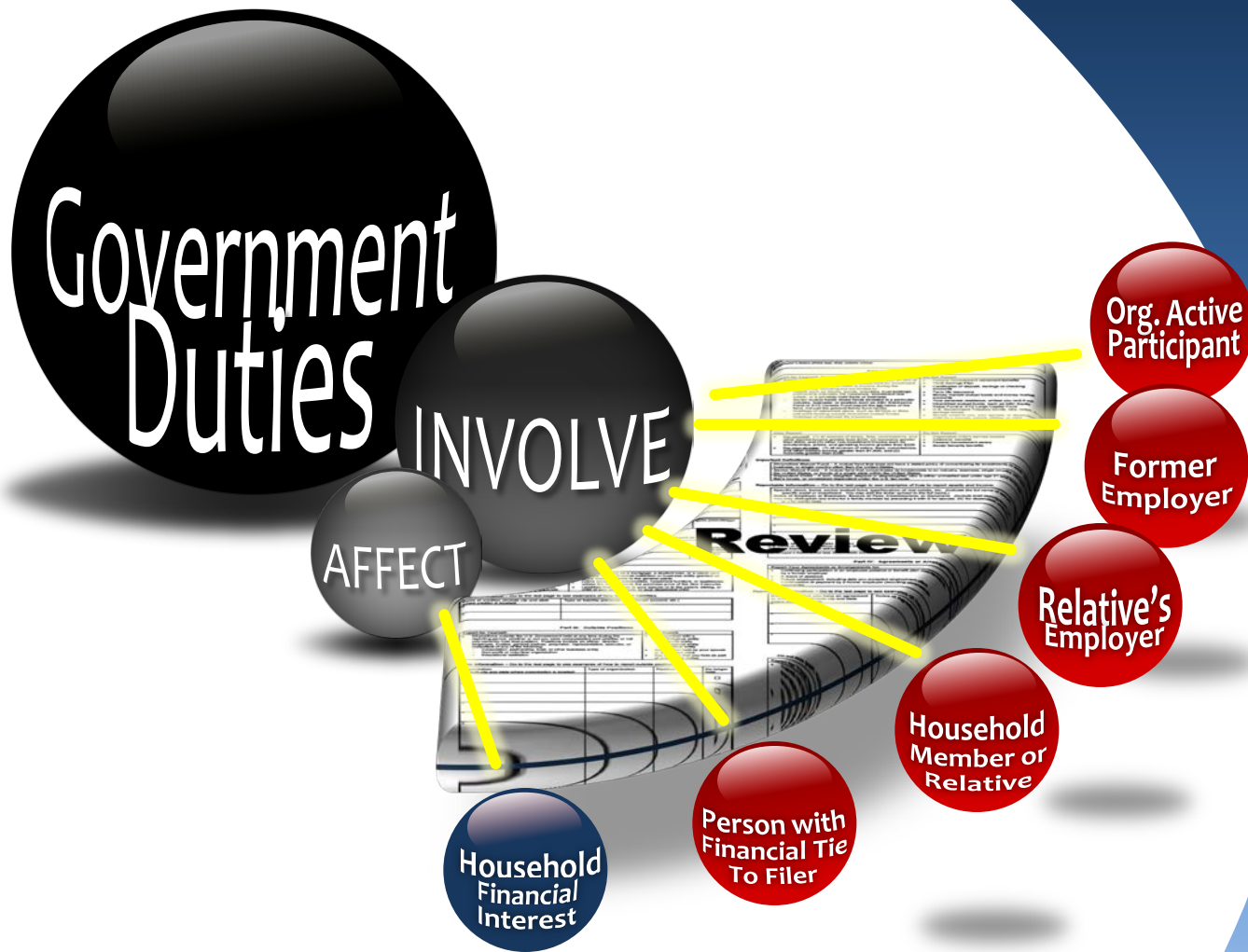
- 1) that will directly and predictably affect the financial interest of a member of the employee's household; or
- 2) in which someone with whom the employee has a "covered relationship" is or represents a party to the matter. (See chart for covered relationships).

IF—A reasonable person with knowledge of the relevant facts would question his/her impartiality in the matter.

Other circumstances:

An agency may disqualify an employee from participating in matters where circumstances, other than those described above, would cause a reasonable person with knowledge of the relevant facts to question an employee's impartiality.

NOTE: Among other changes to the Standards of Conduct effective August 15, 2024, the "catch-all" scenario describing what employees should do if there are circumstances other than those specifically covered in 2635.502 is now discussed in 2635.502(a)(3); previously, it was set out in 2635.502(a)(2). See 89 FR 43686 and LA-24-06.



5 CFR 2635.502

FORMING OFFICIAL DUTIES



Why are household financial
interests important?



Relationships under 18 U.S.C. § 208 and 5 C.F.R. § 2635.502(b)

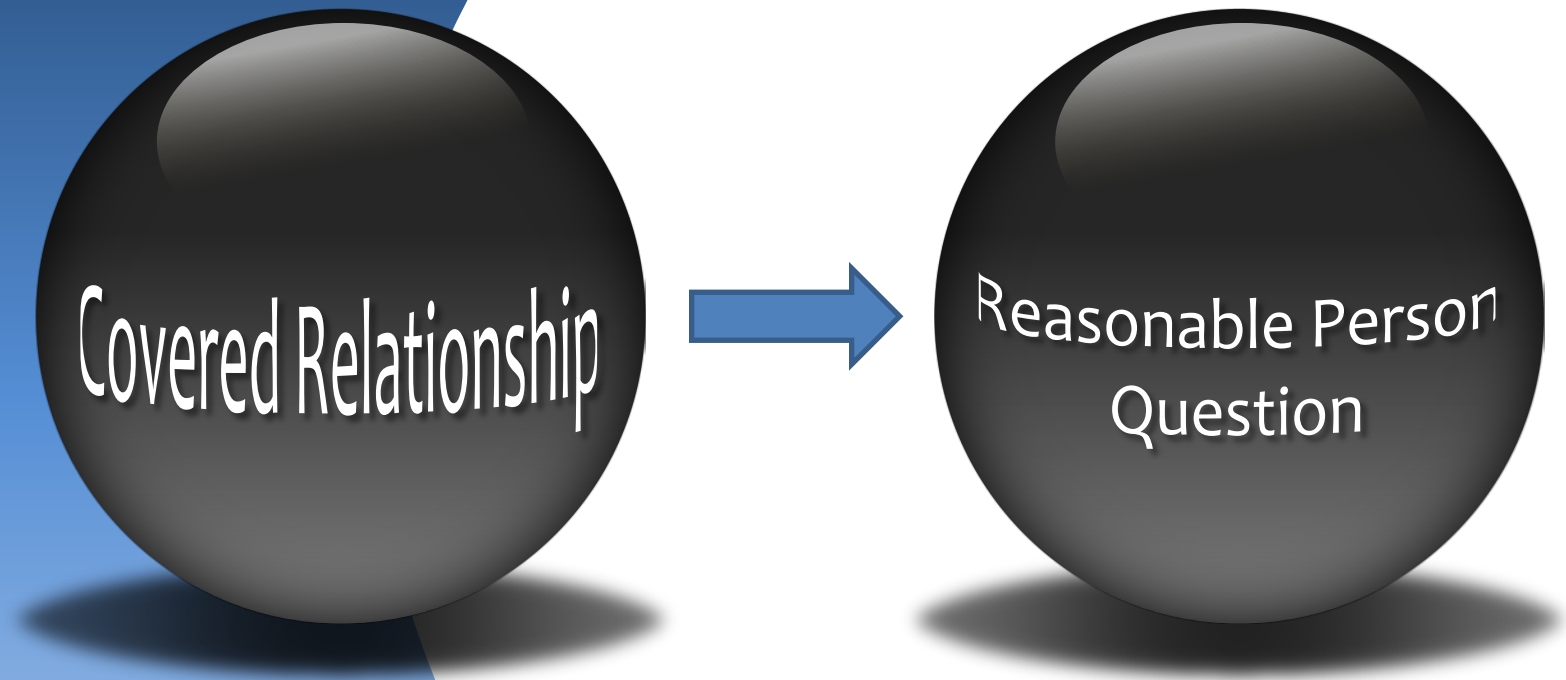
Imputed Interests under 18 U.S.C. § 208	Covered Relationships under 5 C.F.R. § 2635.502(b)
<ul style="list-style-type: none">• Spouse• Minor Child• General Partner• Organization which the employee serves as:<ul style="list-style-type: none">◦ Officer◦ Director◦ Trustee◦ General partner or◦ Employee• Organization with which employee is negotiating for or has an arrangement concerning prospective employment.	<ul style="list-style-type: none">• Person with whom the employee has or seeks a business, contractual, or other financial relationship that involves other than a routine transaction<p><i>NOTE: This definition does NOT include a prospective employer described in § 2635.603. An employee seeking employment shall comply with Subpart F instead of this section.</i></p>• Person who is a member of the employee's household• Relative with whom the employee has a close personal relationship• Person for whom the employee's spouse, parent or dependent child is, to the employee's knowledge, serving or seeking to serve as an officer, director, trustee, general partner, agent, attorney, consultant, contractor or employee• Any person for whom the employee has, within the last year, served as officer, director, trustee, general partner, employee, agent, attorney, consultant or contractor• Organization, other than a political party, in which the employee is an active participant.

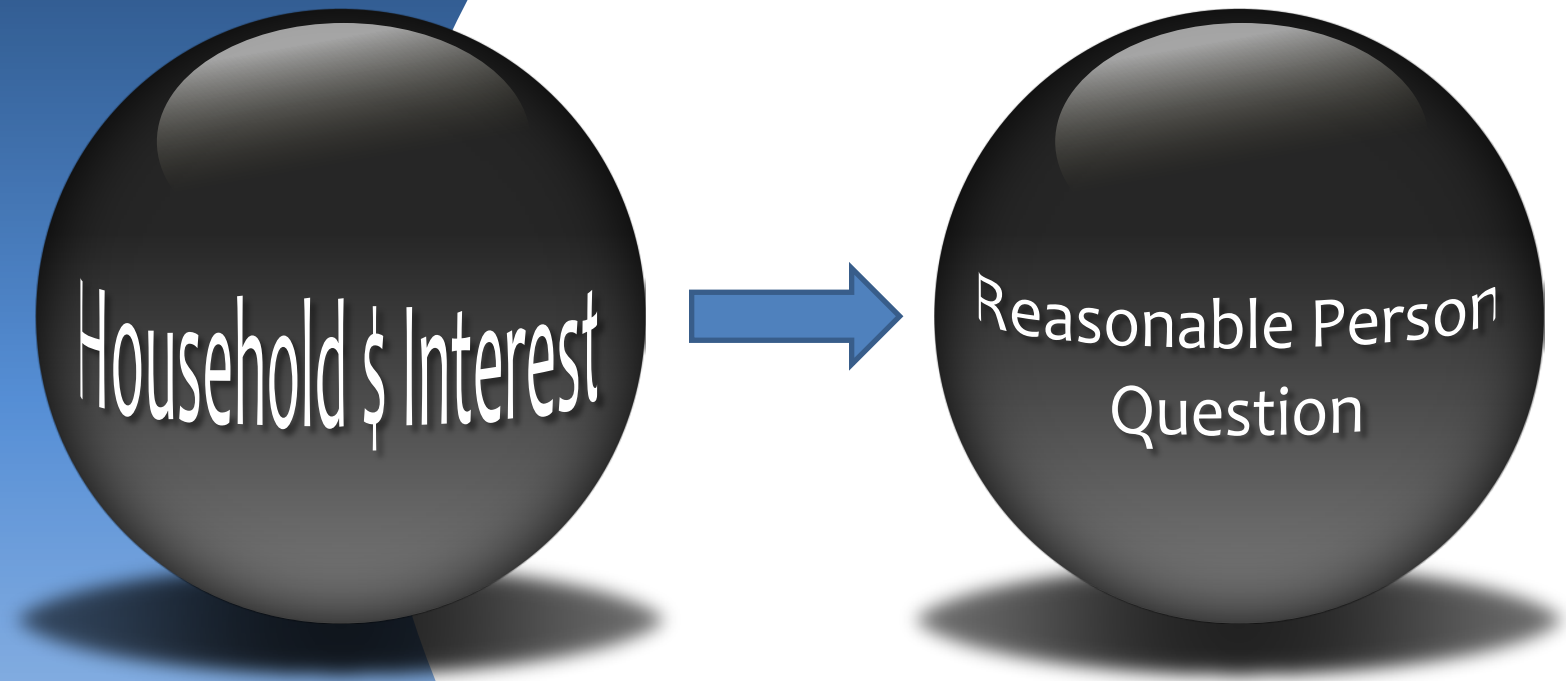


Why are “covered relationships” important?

Personal and Business Relationships Analyses

Covered Relationships 5 CFR § 2635.502(a)	502 Financial Interests 5 CFR § 2635.502(a)	Other Appearances 5 CFR § 2635.502(a)(2)
Is there a particular matter involving specific parties?	Is there a particular matter involving specific parties?	
Is there a covered relationship?	Is the matter likely to have a direct and predictable effect on household member’s financial interest?	
Is the person with whom the employee has a covered relationship a party to the matter? <div>OR</div> Does the person with whom the employee has a covered relationship represent a party to the matter?		
Would a reasonable person with knowledge of the relevant facts question the employee’s impartiality?	Would a reasonable person with knowledge of the relevant facts question the employee’s impartiality?	Would a reasonable person with knowledge of the relevant facts question the employee’s impartiality? (optional)





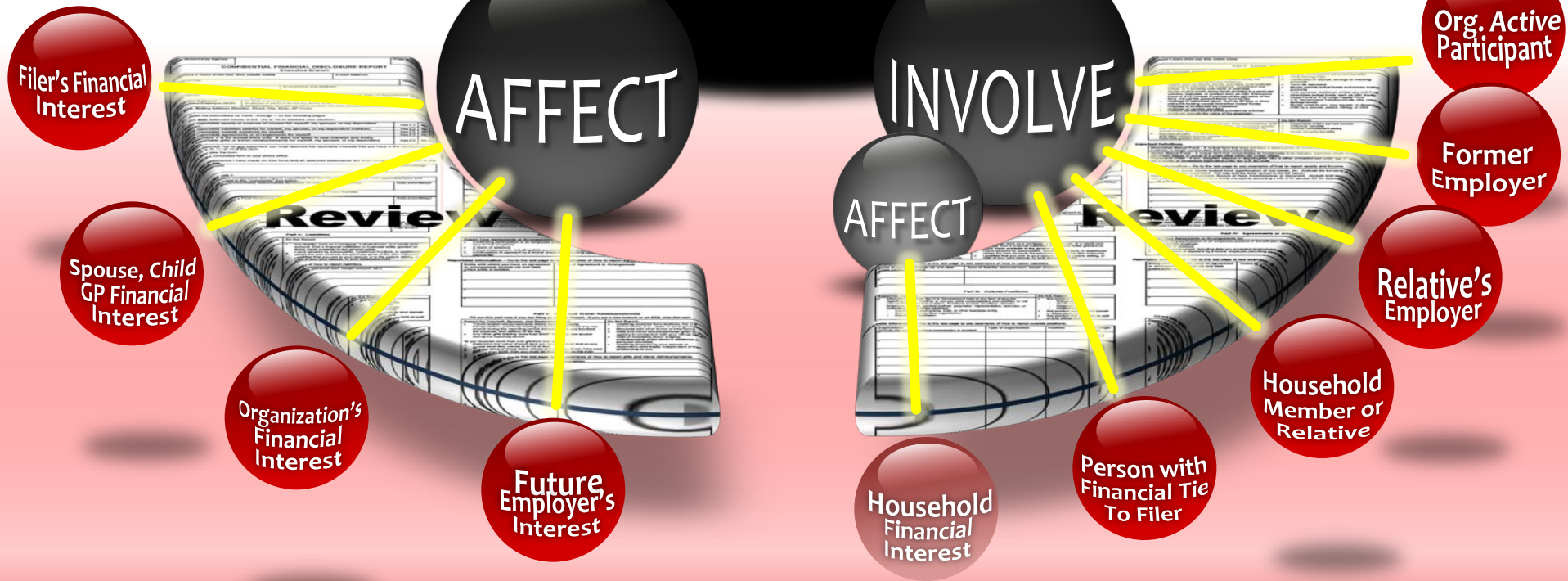


Government Duties

AFFECT

INVOLVE

AFFECT



208

502

FINANCIAL

IMPARTIALITY

Relationships under 18 U.S.C. § 208 and 5 C.F.R. § 2635.502(b)

Imputed Interests under 18 U.S.C. § 208	Covered Relationships under 5 C.F.R. § 2635.502(b)
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