

Office of Government Ethics
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Memorandum issued December 4, 1986
from David H. Martin, Director
to Designated Agency Ethics Officials
Regarding the Update
on Requests for Official Signatures

I would like to clarify the reasoning behind our July 22, 1986 Memorandum informing you of my decision not to sign a philatelic cover sent by a private stamp collector. [Memorandum attached.]

Rather than imposing a blanket prohibition, the Memorandum was intended for a limited factual application and was directed at requests for signatures similar to one I received. That request was for signatures on plain envelopes to which were affixed stamps related to the Government only generally and not related to the area of ethics. One of the stamps, for example, depicted the Capitol.

Under the standards of conduct at 5 C.F.R. § 735.201a(a), Government employees are prohibited from engaging in any action which might result in or create the appearance of using public office for private gain. Our Office has consistently interpreted this regulation to mean that public office may not be misused for the purpose of benefiting the private interests of anyone, including but not limited to the interests of the employee.

In the case of the items sent to me, based on a number of factors we determined that the signatures should not be provided. The signatures were not requested on the occasion of any commemorative or historical event. The plain envelopes and stamps did not appear on their face to be collectors' items. The contemplated use of the signed envelopes was unknown. We received no assurance that these envelopes would not be sold immediately for private gain. The nature of the item presented for signature tended to suggest potential marketability, since stamp collections frequently change hands. An official signature enhances the value of covers when they are sold.

On the other hand, we think it permissible for an employee to provide a signature clearly requested for historical or commemorative purposes. Recently, for example, an individual

wrote to our Office inquiring whether Goddard Space Center officials and astronauts should, on the occasions of space launches, sign philatelic covers depicting spacecraft. The same individual also inquired about first-day-of-issue covers, depicting such events as the Presidential inaugural, being signed by officials connected with the function. We have also responded to inquiries about whether certain high-level officials should provide signatures on photographs or letters in honor of historical events or individuals' birthdays and anniversaries. In such instances, we have little difficulty determining that the predominant value of the signed items is not commercial, since the signatures are requested primarily to commemorate occasions of historical or personal significance. Normally, we would not view providing a signature on these items as resulting in or creating the appearance of using public office for private gain, even if the items were eventually sold. In instances in which United States Postal Service employees participate in autograph sessions following first-day-of-issue dedication ceremonies conducted by the Postal Service, they are taking part in an agency-sponsored event to promote legitimate interests of the Service and thereby of the Government.

As with all matters involving the appearance of a conflict, in the area of requests for official signatures on philatelic covers or any other items we stress a case-by-case approach. Government officials who wish to proceed cautiously should, whenever possible, consult with their Designated Agency Ethics Officials regarding each type of request for signature before responding favorably. Likewise, all Government employees should seek advice before taking any other action which could be construed as using public office for the private gain of themselves or others. In evaluating requests for signatures, Ethics Officials should consider the nature of the item on which a signature is to be affixed, the purpose for which the signature is sought, and the position occupied by the employee whose signature is being solicited. Certainly we realize that at times Government officials may find themselves in crowds or other public settings where on-the-spot signatures on photographs or other items are requested. Under such circumstances, of course, a fully reasoned evaluation is impracticable. We think that in many cases, official signatures on such items as philatelic covers or photographs are permissible under the standards of conduct due to the historical or commemorative significance of the signed objects.

I trust that this analysis will furnish adequate guidance regarding future requests for official autographs.