



RE: Overview of Ethics Responsibilities for IPA Detailees and their Supervisors

This memorandum contains important information from the USDA Office of Ethics concerning the respective responsibilities and duties of Intergovernmental Personnel Act (IPA) assignees (also known as IPA Detailees) and their supervisors.

Below is a quick summary of the most essential points:

- As an initial matter, it is important for the IPA Detailee's immediate supervisor, who is the person in the best position to know the IPA Detailee's work assignments, to determine whether the work assigned to the IPA Detailee will involve determinations or selections of grants, loans, procurements, contracts, MOU's, or other situations where USDA will be distributing funds to outside stakeholders or applicants. **This means that the supervisor will need to know the work being assigned to the IPA Detailee. As you know, pursuant to statute (see, 5 USC Section 3374(c)(2)), IPA Detailee's are subject to the Federal Ethics rules in the same way as regular Federal employees.**
- Once the supervisor knows the IPA Detailee's work assignments, the supervisor will need to inform the USDA Office of Ethics as to whether the IPA Detailee will need to file a Confidential Financial Disclosure Report (OGE Form 450) with the Office of Ethics. The supervisor, due to their superior knowledge of the IPA Detailee's assignments makes this initial determination. **A short, two-page, Job Aid to assist a supervisor in assessing whether the person needs to file the OGE-450 report can be found [here](#).**
- When the IPA Detailee starts work at USDA, it is always important for the supervisor assigning the work to ascertain that an IPA Detailee is not being assigned work that would pose a direct conflict of interest with the IPA Detailee's outside permanent employer, or any outside organizations (both for profit or non-profit) in which the IPA Detailee may serve as an officer or member of the board of directors. The conflict of interest statute (18 USC Section 208), a criminal statute, also broadly prohibits one from participating in official matters that would affect the interests of:
 - Companies in which they own stocks,
 - Spousal employer(s) and stocks the spouse owns,
 - Any Boards of Outside Organizations that an IPA Detailee, or their spouse, may serve on as an officer or member of the board of directors (whether compensated or voluntary), and
 - Any entity with which the person may seek outside part-time or permanent employment.

As you can understand, based upon the limited information provided to the Office of Ethics, we cannot determine whether there may be a conflict posed by a future work assignment that an IPA Detailee may work on unbeknownst to the Office of Ethics. That said, the most important point

is that all IPA Detailees must comply with all Federal Ethics laws and regulations. This means that it must be understood by everyone – most particularly the IPA detailee and their supervisor(s) – that compliance with the Ethics and Hatch Act rules is an imperative that occurs every day with every duty assignment that the IPA detailee works on for the U.S. Department of Agriculture.

Of course, the USDA Office of Ethics is available to answer specific questions – and to further assist IPA Detailees and their supervisors, we have created publicly available Ethics training materials specifically for IPA Detailees located on the USDA Ethics Webpage at www.usda.gov/ethics. These materials include USDA’s new animated video: “Important Ethics Rules Every IPA Detailee Must Know.” These Ethics and Hatch Act resource materials are available on demand, 24 hours a day, nationwide on the USDA Office of Ethics website at www.usda.gov/ethics. Also included on our website is the contact information for the Office of Ethics Advisors serving your Mission Area or Staff Office (just click on the “Ethics Advisors” tab at the left side of the webpage).