

June 29, 1995

MEMORANDUM FOR THE FILE

To: File No 3.1.6
From: Dennis J. Quinn, Designated Agency Ethics Officer
Subject: Advise to Chet Rhodes Concerning Contracts with other Agencies

Last week Chet asked whether Government Ethics regulations allow him to perform computer consulting services on a contract basis with other Government Agencies.

I reviewed the applicable statute and regulations, as well as consulting with the Office of Government Ethics.

I have advised Chet that as an intermittent Special Government Employee (SGE), there is no law that prohibits him from performing contract-consulting work with other agencies. From the standpoint of the ethics regulations, this is one government; a part-time worker of one agency doing contract work for another agency, does not present a conflict of interest.

I also advised him that as an independent agency with a certain level of jurisdiction over other agencies, there may be times where an adversarial relationship exists between the ARRB and another agency. While he may be legally permitted to do this work for this other agency, there could be a question of his impartiality. As such, I requested that he speak with the Executive Director, the General Counsel and myself before entering into any government contracts.

I further advised him to seek my advice before entering into contracts with private firms. While I do not anticipate any problems, it is always wise to review such a relationship before the fact.

cc: David G. Marwell