30 June 2011

Richard M. Thomas
Associate General Counsel
Office of Government Ethics
Suite 500
1201 New York Avenue, N.W.
Washington, DC 20005-3971

Re: Proposed Rule Exemption and Amendment Under 18 U.S.C. 208 (b)(2)

Dear Mr. Thomas,

The IEEE-USA is pleased to communicate our support for the proposed rule amendment (76 FR 24816) that would permit government employees to participate in leadership positions within non-profit organizations. IEEE-USA also strongly supports OSTP Director John Holdren’s Memorandum of 17 Dec. 2010, which calls on all federal agencies to adopt policies to “[a]llow full participation in professional or scholarly societies, committees, task forces and other specialized bodies of professional societies, including removing barriers for serving as officers or on governing boards of such societies.”

We concur with the findings of the Office of Government Ethics that the application of Section 208(a) to prohibit Government employees from participating in an official capacity with a non-profit organization has had the unfortunate impact of limiting professional development opportunities for those employees. This is particularly the case for federal employees who are members of scientific and engineering professional societies like IEEE, where volunteer involvement helps keep individuals in touch with best practices and emerging trends from around the world in technology and in technology-related management. It has also limited meaningful exchanges of information between government and non-governmental experts that often occurs in the context of volunteer interactions.

The positive consequences of this rule change should include better professional development opportunities for federal professionals, particularly in science and engineering, as well as enhanced access to knowledge, information and resources that will help agencies advance their federal S&T policies and interest. IEEE and other non-profit professional societies will also benefit from the knowledge and expertise brought by our volunteer leaders in federal service, better enabling our efforts to advance the public good.
Since the 1996 Office of Legal Council opinion, agency practice in granting waivers or allowing government employees to participate in IEEE volunteer roles has varied from agency to agency. Some agencies enable and encourage such involvement, while others are very restrictive, limiting even low levels of involvement such as serving as panel chairs for IEEE technical conferences. We are hopeful that this rule will contribute to a more consistent federal culture and practice in which the benefits of volunteer work in professional societies is recognized and valued. Greater certainty and a culture of support will make it easier for professional societies and others to involve federal employees in volunteer roles and in ways that are consistent with their professional needs and with the needs of their agency employers.

In closing, let me restate IEEE-USA’s strong endorsement of the proposed rule. IEEE-USA supports the career and member interests of 210,000 engineering, computing and technology professionals who are U.S. members of IEEE. A significant percentage of our membership are federal employees and this rule will enable them to take full advantage of the professional enhancement opportunities available through volunteer participation in organizations such as ours.

Sincerely

Ronald G. Jensen
2011 IEEE-USA President