

17 December 2007

Robert I. Cusick
Director
Office of Government Ethics
1201 New York Ave., NW
Suite 500
Washington, DC 20005-3917

Dear Director Cusick,

The undersigned scientific and professional societies represent hundreds of thousands of scientists and natural resource professionals, many of whom are employed by federal agencies. We are concerned that those of our members who are federal employees are being denied the opportunity to fully participate in our organizations, and thereby take advantage of the many professional benefits that our organizations provide.

For the past two years, representative from several of the undersigned organizations have been discussing our concerns with Marilyn Glynn and Rick Thomas in the Office of General Counsel. We are also aware of the OGE's recent policy statements pertaining to this issue. Notwithstanding OGE's clear guidance, some federal agencies seem to have decided that federal employees may not serve on the boards of outside organizations under any circumstances, or are creating conditions that make it virtually impossible to serve. For instance, we learned recently that the Department of the Interior is about to issue new, restrictive policies that go far beyond the OGE guidance and all but prohibit such activity. These recent restrictions run counter to past policy, which actively encouraged federal employees to participate in their relevant scientific and professional societies.

Scientific and professional organizations play many important roles in our society, including the sharing of information through scientific and popular publications, facilitation of expert networks, an independent and science-based perspective on relevant government policies, and professional development and certification programs. Full participation in professional societies is an important part of a scientist or natural resource manager's career and professional development. Curtailing this involvement is detrimental to the federal agencies that employ scientists, in part because it will prevent the employee from achieving professional stature, thus dissuading the best scientists from entering federal service. It may distance the scientist or natural resource manager from the full interchange of information and ideas that are so vital to keeping current in the field and providing the best scientific or professional advice to the agency.

These restrictions are particularly problematic for the "research-grade" or "four-factor" scientists whose retention and promotion evaluations depend in part on recognition of stature by one's scientific colleagues [Office of Personnel Management Research Grade Evaluation Guide, Factor 4; issue date

September 2006].

While we understand that there are valid reasons for the government to limit in some ways the participation of federal employees in outside organizations, service on the board of an individual's professional society should not be subject to the same restrictions as other types of service. Indeed, leadership in professional societies is crucial to many natural resource professionals' careers, and should be encouraged, not discouraged or prevented, by the federal government. In addition, many science and professional societies have their own code of ethics and conflict of interest policies, which govern their board members activities. However, most agency policies do not recognize this.

The undersigned organizations request an opportunity to meet with you to discuss potential solutions, including possible changes to 18 U.S.C. §208, to provide federal employees an exemption --- while preserving strict conflict of interest rules-- in order to serve on the boards of nonprofit professional societies. Please contact Laura Bies, with The Wildlife Society, at 301-897-9770 x308 or laura@wildlife.org to schedule a meeting.

Sincerely,

Michael Hutchins
Executive Director/CEO
The Wildlife Society

Michael Goergen
Executive Vice-President/CEO
Society of American Foresters

Ellen Paul
Executive Director
The Ornithological Council

Gus Rassam
Executive Director
American Fisheries Society

John Tanaka
Interim Executive Vice President
The Society for Range Management

John Fitzgerald
Policy Director
The Society for Conservation Biology

Norman A. Berg
Washington Policy Representative
Soil and Water Conservation Society

Alan I. Leshner
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Katherine McCarter
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Ecological Society of America

Richard O'Grady
Executive Director
American Institute of Biological Sciences

J. Patrick Megonigal
President
Society of Wetland Scientists

Karl M. Glasener
Director of Science Policy
American Society of Agronomy
Crop Science Society of America
Soil Science Society of America