



Conflicts of Interest

Stay out of the MIDDLE!

18 U.S.C. § 208



1. Do I have a financial interest- \$\$?

- Examples: a farm, stocks, bonds, mutual funds, business, or real estate, compensation, debt, a job offer...
- The financial interests of a spouse, minor child, general partner, future employer, outside employer (paid or volunteer) are yours for purposes of §208.

2. Am I personally and substantially participating in a particular matter?

- Participate:** Decision, approval, recommendation, investigation or rendering advice.
 - Direct involvement but may include the participation of a subordinate.
- Personally & Substantially:** Of significance to the matter.
- Is that matter actually a “**particular matter**” ?
 - Focused upon the interests of specific persons, or a discrete and identifiable class of persons. e.g. inspection, contract, focused regulation.
 - Does not extend to broad policy options or considerations directed toward the interest of a large and diverse group of personnel. e.g. broad regulation.

3. Will the particular matter have a direct & predictable impact on my financial interest?

- The magnitude of the gain or loss is immaterial.
- Direct: a close causal link between any decision or action in the matter and any expected effect of the matter on the financial interest.
- Predictable: Real, not speculative.

Personal
Involvement



Particular
Matter

Direct
&
Predictable
impact
(+ / -)

MY
\$\$

The analysis is not always linear!



If you answer “YES” to all three questions-Call me!

Go here for a conflicts of interest training video!

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