

**Blanket Official Duty Activity (ODA) Guidance**

An official duty memo is used to request approval of certain activities involving outside organizations which are outside of an employee’s regular official duties but will be performed as part of their official duties because such activities advance the NIH mission. The blanket ODA memo allows an employee to have approval for a number of official duty activities without the need to submit individual memos for each activity.

Per the discussion at the May 4, 2015 DEC/EC meeting, NEO has created this guidance document and revised the blanket ODA memo template (Appendix I). Both this guidance and the template memo can also be found on the NIH Ethics Office web page topic at <https://ethics.od.nih.gov/official>

To clarify, additional clearances may be needed by offices other than the employee’s ethics office for other aspects of an activity.  This does not necessarily mean that an individual ODA memo must be processed.  In many instances, the approved blanket ODA memo already provides the supervisor and ethics approval for the activity.  Additional clearances which may be needed include:

* Acceptance of sponsored travel via the administrative and travel offices
* Acceptance of a gift via submission of an NIH-2854 (Request for Approval to Accept Gifts Associated with an Award from an Outside Organization)
* Acceptance of free attendance via submission of an NIH-2803 (Request to Accept Free Attendance Under the Widely Attended Gathering (WAG) Exception) or acceptance of free attendance pursuant to 2635.204(g)(1)
* Approval to serve on a board of directors as federal liaison to an outside organization via separate ODA memo
* Approval for official participation in a leadership position (e.g. officer, director, trustee, or other position or role having the same legal responsibilities or characteristics) of a 501(c) nonprofit professional organization via separate approval per policy found at <https://ethics.od.nih.gov/official>

A few reminders about blanket ODA memos:

* They cover many routine activities.  You should periodically review approved blanket ODAs and ensure the blanket ODA files are accurate.  Note that if there has been a change in the employee’s official position, responsibilities, or supervisor, a new blanket ODA memo should be processed to include the new information.
* As indicated on the blanket ODA memo, employees with blanket ODAs are required to maintain a list of individual activities covered under the blanket ODA.
* Please continue to submit blanket ODA memos for senior, “top 5”, employees to NEO through the NEO Action Coordinator email inbox for processing.

If you have any questions, please contact your NEO Specialist.

Appendix I – Blanket ODA Template

**Instructions to request approval of a blanket ODA memo**: Insert names, credentials, and other requested information as noted below. Tailor the text as needed to fit your situation and add letterhead. Submit through appropriate channels for DEC approval. Additional information can be found on the NIH Ethics Program web site at <https://ethics.od.nih.gov/official>.

DATE: [Month, Date, Year]

TO: Name of Deputy Ethics Counselor

 Title, Office

THROUGH: Name of Supervisor

 Title, Office

FROM: Name of Requestor

 Title, Office

SUBJECT: Official Duty Activities – Blanket

I write to request permission to engage in certain official duty activities with outside organizations. This list is only illustrative and not exhaustive. If I am uncertain whether an activity falls within this authorization, I will seek further instruction from you.

I understand that additional clearances may be needed by offices other than my ethics office for other aspects of an activity. Such additional clearances may be necessary for:

* Acceptance of travel, either paid for or accepted from an outside source by the NIH and may include local travel to and from the airport and the site of the meeting;
* Acceptance of gifts, including meals (individually or at a widely attended gathering) or those associated with bona fide awards; and
* Service on a board of directors as a federal liaison to an outside organization; and
* Official participation in a leadership position (e.g. officer, director, trustee, or other position or role having the same legal responsibilities or characteristics) of a 501(c) nonprofit professional organization.

No additional clearance is needed when I am meeting other federal officials, although I understand that I must notify the legislative office in advance before I meet with legislative staff or give congressional testimony.

The types of activities that I will likely engage in are:

* Speaking about current or proposed NIH programs, either to a small group or at academic institution or professional society’s annual meeting;
* Meeting to review program developments of the outside organization; or
* Manuscript or journal review

The outside organizations with whom I may meet are:

* Grantees or contractors;
* Trade or professional groups; or
* Industry

When meeting with these outside groups, I will be mindful not to give the appearance of preferential treatment. Thus, I will consider like invitations from similarly situated groups.

A meeting with industry may raise other concerns, and I will carefully consider such invitations before accepting them.

I also understand that it is my responsibility not to participate in a particular matter if that matter will have a direct and predictable effect on my personal and imputed interests. For purposes of the conflicts rules, I know my interests include those of organizations for which I served as an employee, consultant, officer, trustee or director within the last year, those of my spouse’s employer, and those with whom I am negotiating for employment. If I have any questions about the conflicts of interest restrictions, I will seek further guidance from my ethics office.

Finally, I will maintain a list of completed activities covered by this approval that will be readily available if needed.

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 Insert Name of requestor Date

RECOMMENDATION OF SUPERVISOR:

\_\_\_\_\_\_ Approve

\_\_\_\_\_\_ Disapprove

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_

 Insert Name, credentials, and title of approving authority Date

DECISION:

\_\_\_\_\_\_ Approve

\_\_\_\_\_\_ Disapprove

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 Insert Name, credentials, and title of approving authority Date

Developed NEO

Updated 7/7/15