

COMPTROLLER GENERAL OF THE UNITED STATES
WASHINGTON, D.C. 20548

B-188077

Subject Code

JAN 12 1977

The Honorable Norman D. Dicks
House of Representatives

Dear Mr. Dicks:

Reference is made to your letter of December 19, 1976, regarding the proposed hiring of [REDACTED], a member of the City Council of Tacoma, Washington, as a member of your staff. You state that [REDACTED] receives compensation as a result of his membership on the Council and inquire if there is a prohibition against hiring a person who is on the payroll of another government agency or simply on another payroll.

We have examined the provisions of Chapter 11, Title 18, United States Code, and Memorandum of Attorney General Regarding Conflict of Interest Provisions of Public Law 87-849, February 1, 1963, and find no indication that the hiring of [REDACTED] as a member of your staff while receiving compensation as a member of the Tacoma City Council would be improper.

In general, a conflict of interest exists only where an officer or employee represents or acts as agent for a party in connection with a matter in which the United States has an interest or is a party. In addition, an officer or employee may not solicit or receive compensation other than his regular salary for any services rendered by him in connection with matters in which the United States has an interest or is a party. We are unaware of any general prohibition against an officer or employee receiving outside compensation so long as the receipt of that compensation would not affect the performance of his official duty.

In closing we point out that the above opinion is advisory, as the Department of Justice has the responsibility for administering the provisions of Title 18, United States Code. Therefore, we suggest that you contact the Attorney General for a definitive interpretation of the

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provisions of Title 18 with regard to the hiring of [redacted]. Also, you may wish to consult the Clerk of the House of Representatives to ascertain whether there are any House Rules that might affect the outside employment of an employee of a Congressman's staff.

Sincerely yours,

W. A. KELLER

Deputy Comptroller General
of the United States

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