

(b) The Director of Selective Service shall designate deputy counselors for the Selective Service System. Deputy counselors shall give authoritative advice and guidance to each employee and special Government employee who seeks advice and guidance on questions of conflicts of interest and on other matters covered by this part.

**§ 1600.735-6 Reviewing statements and reporting conflicts of interest.**

All statements of employment and financial interests submitted under § 1600.735-62 shall be forwarded to the Director of Selective Service through the counselor. The employee or special Government employee shall be given an opportunity to explain any conflict of interest or any appearance of conflict.

**§ 1600.735-7 Disciplinary and other remedial action.**

(a) In addition to any penalty prescribed by law appropriate disciplinary action shall be taken or initiated by the superiors of employees and special Government employees who violate laws, rules, or regulations on conduct or fail to observe the standards of conduct prescribed in this part.

(b) When, after consideration of the explanation of the employee or special Government employee provided by § 1600.735-6, the Director of Selective Service decides that remedial action is required, he shall take immediate action to end the conflicts or appearance of conflicts of interest. Remedial action may include, but is not limited to:

- (1) Changes in assigned duties;
- (2) Divestment by the employee or special Government employee of his conflicting interest;
- (3) Disciplinary action; or
- (4) Disqualification for a particular assignment. Remedial action, whether disciplinary or otherwise, shall be effected in accordance with any applicable laws, Executive orders, and regulations.

**Subpart B—Ethical and Other Conduct and Responsibilities of Employees**

**§ 1600.735-21 Gifts, entertainment, and favors.**

(a) Employees of the Selective Service System shall not solicit or accept, directly or indirectly, anything of economic value as a gift, gratuity, favor, entertainment or loan which is, or may appear to be, designed to in any manner influence official conduct particularly from a person who:

- (1) Is seeking to obtain contractual or other business or financial relations with the Selective Service System; or
- (2) Has interests that may be substantially affected by the performance or nonperformance of his duty.

No gift shall be accepted whenever the employee has any reason to believe that it would not have been made except for his official position or that the donor's private interests are likely to be affected by his actions or actions of the Selective Service System.

(b) Appropriate exceptions to paragraph (a) of this section include those that:

(1) Govern obvious family or personal relationships (such as those between the parents, children, or spouse of the employee and the employee) when the circumstances make it clear that it is those relationships rather than the business of the persons concerned which are the motivating factors;

(2) Permit acceptance of food and refreshments of nominal value on infrequent occasions in the ordinary course of a luncheon or dinner meeting or other meeting or on an inspection tour where an employee may properly be in attendance;

(3) Permit acceptance of loans from banks or other financial institutions on customary terms to finance proper and usual activities of employees, such as home mortgage loans; and

(4) Permit acceptance of unsolicited advertising or promotional material, such as pens, pencils, note pads, calendars and other items of nominal intrinsic value.

(c) An employee shall avoid any action, whether or not specifically prohibited by this subpart, which might result in, or create the appearance of:

- (1) Using public office for private gain;
- (2) Giving preferential treatment to any person;
- (3) Impeding Government efficiency or economy;
- (4) Losing complete independence or impartiality;
- (5) Making a Government decision outside official channels; or
- (6) Affecting adversely the confidence of the public in the integrity of the Government.

(d) An employee shall not solicit contributions from another employee for a gift to an employee in a superior official position. An employee in a superior official position shall not accept a gift presented as a contribution from employees receiving less salary than himself. An employee shall not make a donation as a gift to an employee in a superior official position.

(e) An employee shall not accept a gift, present, decoration, or other thing from a foreign government unless authorized by Congress.

**§ 1600.735-22 Outside employment.**

(a) An employee shall not engage in outside employment or other outside activity not compatible with the full and proper discharge of the duties and responsibilities of his Government employment. Incompatible activities include but are not limited to:

- (1) Acceptance of a fee, compensation, gift, payment of expense, or any other thing of monetary value in circumstances in which acceptance may result in, or create the appearance of, conflicts of interest; or
- (2) Outside employment which tends to impair his mental or physical capacity to perform his Government duties and responsibilities in an acceptable manner.

(b) An employee shall not receive any salary or anything of monetary value from a private source as compensation for his services to the Government.

(c) Employees are encouraged to engage in teaching, lecturing, and writing that is not prohibited by law or this part. However, an employee shall not, either for or without compensation, engage in teaching, lecturing, or writing that is dependent on information obtained as a result of his Government employment, except when that information has been made available to the general public or will be made available on request, or when the Director of Selective Service gives written authorization for the use of nonpublic information on the basis that the use is in the public interest.

(d) An employee shall not engage in outside employment under a State or local government, except in accordance with Part 734 of the Civil Service regulations (5 CFR Part 734).

(e) This section does not preclude an employee from:

(1) Receipt of bona fide reimbursement, unless prohibited by law, for actual expenses for travel and such other necessary subsistence as is compatible with this part for which no Government payment or reimbursement is made. However, an employee may not be reimbursed, and payment may not be made on his behalf, for excessive personal living expenses, gifts, entertainment or other personal benefits.

(2) Participation in the activities of national or State political parties not proscribed by law.

(3) Participation in the affairs of or acceptance of an award for a meritorious public contribution or achievement given by a charitable, religious, professional, social, fraternal, nonprofit educational and recreational, public service, or civic organization.

**§ 1600.735-23 Financial interests.**

(a) An employee shall not:

(1) Have a direct or indirect financial interest that conflicts substantially, or appears to conflict substantially, with his Government duties and responsibilities; or

(2) Engage in, directly or indirectly, a financial transaction as a result of, or primarily relying on, information obtained through his Government employment.

(b) This section does not preclude an employee from having a financial interest or engaging in financial transactions to the same extent as a private citizen not employed by the Government so long as it is not prohibited by law or the provisions of this part.

**§ 1600.735-24 Use of Government property.**

An employee shall not directly or indirectly use, or allow the use of, Government property of any kind, including property leased to the Government, for other than officially approved activities. An employee has a positive duty to protect and conserve Government property.

including equipment, supplies, and other property entrusted or issued to him.

**§ 1600.735-25 Misuse of information.**

Employees shall not disclose official information without either appropriate general or specific authority under regulations of the Selective Service System, and shall not, directly or indirectly, make use of, or permit others to make use of, official information in the possession of the Selective Service System, not made available to the general public, for the purpose of furthering a private interest. Nothing in this section shall be construed as directing any employee to withhold unclassified information from the press or public. This section is intended solely to limit prior distribution of confidential information to an individual or group of individuals where the possession of such information would give the individual or individuals advantages not accorded to other citizens.

**§ 1600.735-26 Indebtedness.**

An employee shall pay each just financial obligation in a proper and timely manner, especially one imposed by law such as Federal, State, or local taxes. For the purpose of this section, a "just financial obligation" means one acknowledged by the employee or reduced to judgment by a court, and "in a proper and timely manner" means in a manner which does not, under the circumstances, reflect adversely on the Government as his employer. In the event of dispute between an employee and an alleged creditor, this section does not require an agency to determine the validity or amount of the disputed debt.

**§ 1600.735-27 Gambling, betting, and lotteries.**

An employee shall not participate, while on Government-owned or leased property or while on duty for the Government, in any gambling activity including the operation of a gambling device, in conducting a lottery or pool, in a game for money or property, or in selling or purchasing a numbers slip or ticket.

**§ 1600.735-28 General conduct prejudicial to the Government.**

An employee shall not engage in criminal, infamous, dishonest, immoral, or notoriously disgraceful conduct, or other conduct prejudicial to the Government. The use of intoxicants in any space occupied by the Selective Service System is prohibited.

**§ 1600.735-29 Miscellaneous statutory provisions.**

Each employee shall acquaint himself with the statutes relating to his ethical and other conduct as an employee including:

(a) House Concurrent Resolution 175, 85th Congress, 2d Session, 72 Stat. B12, the "Code of Ethics for Government Service". (Appendix C to this part.)

(b) Parts of Chapter 11 of Title 18, United States Code relating to bribery, graft, and conflicts of interests. (Appendix A to this part.)

(c) Other laws concerning the conduct of employees. (Appendix B to this part.)

**Subpart C—Ethical and Other Conduct and Responsibilities of Special Government Employees**

**§ 1600.735-41 Applicable regulations.**

The ethical and other conduct of special Government employees shall be governed by this subpart and such other provisions of this part as may be specifically applicable.

**§ 1600.735-42 Use of Government employment.**

A special Government employee shall not use his selective service employment for a purpose that is, or gives the appearance of being, motivated by the desire for private gain for himself or another person, particularly one with whom he has family, business, or financial ties.

**§ 1600.735-43 Use of inside information.**

(a) A special Government employee shall not use inside information obtained as a result of his selective service employment for private gain for himself or another person either by direct action on his part or by counsel, recommendation, or suggestion to another person, particularly one with whom he has family, business, or financial ties. For the purpose of this part, "inside information" means information obtained under Government authority which has not become part of the body of public information.

(b) Special Government employees may teach, lecture, or write in a manner not inconsistent with § 1600.735-22 in regard to employees.

**§ 1600.735-44 Coercion.**

A special Government employee shall not use his selective service employment to coerce, or give the appearance of coercing, a person to provide financial benefit to himself or another person, particularly one with whom he has family, business or financial ties.

**§ 1600.735-45 Gifts, entertainment, and favors.**

(a) Except as provided in paragraph (b) of this section, a special Government employee, while so employed or in connection with his employment, shall not receive or solicit from a person having business with his agency anything of value as a gift, gratuity, loan, entertainment, or favor for himself or another person, particularly one with whom he has family, business, or financial ties.

(b) Special Government employees are subject to such appropriate exceptions as are authorized for employees in § 1600.735-21.

**§ 1600.735-46 Miscellaneous statutory provisions.**

Each special Government employee shall acquaint himself with the statutes relating to his ethical and other conduct referred to in § 1600.735-29.

**Subpart D—Regulations Governing Statements of Employment and Financial Interests**

**§ 1600.735-61 Form and content of statements.**

The statements of employment and financial interests required under this subpart for use by employees and special Government employees shall contain, as a minimum, the information required by the Commission in the Federal Personnel Manual.

**§ 1600.735-62 Employees required to submit statements.**

Except as provided in § 1600.735-63, the Director of Selective Service shall require statements of employment and financial interests from the following:

(a) The Deputy Director of Selective Service.

(b) The Assistant Director of Selective Service.

(c) The Assistants to the Director of Selective Service.

(d) The General Counsel.

(e) The Chief Legislative and Liaison Officer.

(f) The Chief Medical Officer.

(g) The Chief Planning Officer.

(h) The Adjutant General.

(i) The Public Information Officer.

(j) The Chief, Administrative Division.

(k) The Chief, Manpower Division.

(l) The Chief, Fiscal and Procurement Division.

(m) The Chief, Communications and Records Division.

(n) The Chief, Research and Statistics Division.

(o) The Chief, Field Division.

(p) Regional Field Officers.

(q) The Security Control Officer.

(r) The Assistant Security Control Officer.

(s) The Personnel Security Officer.

(t) The Assistant Personnel Security Officer.

(u) Each State Director of Selective Service and his deputy.

(v) Each State Procurement Officer.

(w) Employees paid at a level of the Federal Executive Salary Schedule established by the Federal Executive Salary Act of 1964, as amended.

(x) Employees in grade GS-16 or above of the General Schedule established by the Classification Act of 1949, as amended, or in comparable or higher positions not subject to that Act.

Other positions may be designated from time to time by the Director of Selective Service.

**§ 1600.735-63 Employees not required to submit statements.**

A statement of employment and financial interests is not required by this subpart from an agency head, a Presidential appointee in the Executive Office of the President who is not subordinate to the head of an agency in that Office, or a full-time member of a committee, board, or commission appointed by the President. These employees are subject to

separate reporting requirements under section 401 of the Executive order.

**§ 1600.735-64 Time and place for submission of employees' statements.**

An employee required to submit a statement of employment and financial interests under the provisions of this part shall submit that statement to the Director of Selective Service not later than:

(a) Ninety days after the effective date of this part if employed on or before that effective date;

(b) Thirty days after his entrance on duty, but not earlier than ninety days after the effective date, if appointed after that effective date.

**§ 1600.735-65 Supplementary statements.**

Changes in, or additions to, the information contained in an employee's statement of employment and financial interests shall be reported in a supplementary statement at the end of the quarter in which the changes occur. Quarters end March 31, June 30, September 30, and December 31, except when the Commission authorizes different dates. If there are no changes or additions in a quarter, a negative report is not required. However, for the purpose of annual review, a supplementary statement, negative or otherwise, is required as of June 30 each year.

**§ 1600.735-66 Interests of employees' relatives.**

The interest of a spouse, minor child, or other member of an employee's immediate household is considered to be an interest of the employee. For the purpose of this section, "member of an employee's immediate household" means those blood relations who are residents of the employee's household.

**§ 1600.735-67 Information not known by employees.**

If any information required to be included on a statement of employment and financial interests or supplementary statement, including holdings placed in trust, is not known to the employee but is known to another person, the employee shall request that other person to submit information in his behalf.

**§ 1600.735-68 Information prohibited.**

This subpart does not require an employee to submit on a statement of employment and financial interests or supplementary statement any information relating to the employee's connection with, or interest in, a professional society or a charitable, religious, social, fraternal, recreational, public service, civic, or political organization or a similar organization not conducted as a business enterprise. For the purpose of this section, educational and other institutions doing research and development or related work involving grants of money from or contracts with the Government are deemed "business enterprises" and are required to be included in an em-

ployee's statement of employment and financial interests.

**§ 1600.735-69 Confidentiality of employees' statements.**

Each statement of employment and financial interest and each supplementary statement shall be held in confidence: The information may not be disclosed except as the Civil Service Commission or the Director of Selective Service may determine for good cause shown.

**§ 1600.735-70 Effect of employees' statements on other requirements.**

The statements of employment and financial interests and supplementary statements required of employees are in addition to, and not in substitution for, or in derogation of, any similar requirement imposed by law, order, or regulation. The submission of a statement or supplementary statement by an employee does not permit him or any other person to participate in a matter in which his or the other person's participation is prohibited by law, order, or regulation.

**§ 1600.735-71 Specific provisions for special Government employees.**

(a) Each special Government employee shall submit a statement of employment and financial interests which reports:

- (1) All other employment; and
- (2) The financial interests of the special Government employee which relate either directly or indirectly to the duties and responsibilities of the special Government employee.

(b) The director of Selective Service may waive the requirement of paragraph (a) of this section for the submission of a statement of employment and financial interests in the case of a special Government employee who is not a consultant or an expert when he finds that the duties of the position held by that special Government employee are of a nature and at such a level of responsibility that the submission of the statement by the incumbent is not necessary to protect the integrity of the Government. For the purpose of this paragraph, "consultant" and "expert" have the meanings given those terms by Chapter 304 of the Federal Personnel Manual, but do not include:

- (1) A physician, dentist, or allied medical specialist whose services are procured to provide care and service to patients; or
- (2) A veterinarian whose services are procured to provide care and service to animals.

(c) A statement of employment and financial interests required to be submitted under this section shall be submitted not later than the time of employment of the special Government employee as provided in the agency regulations. Each special Government employee shall keep his statement current throughout his employment with the agency by the submission of supplementary statements.

This Part 1600 was approved by the Civil Service Commission on February 2, 1966.

**Effective date.** This Part 1600 shall become effective upon publication in the FEDERAL REGISTER.

[SEAL] LEWIS B. HERSHEY,  
Director of Selective Service.

MARCH 18, 1966.

APPENDIX A—BRIBERY, GRAFT, AND CONFLICT OF INTEREST LAWS

1. (a) Section 203 of title 18 of the U.S. Code makes it unlawful for a Government officer or employee (including a special Government employee, as provided in paragraph 1(b) below) to, directly or indirectly, ask, receive, or agree to receive any compensation for any service rendered on behalf of another person before any department, agency, or officer of the United States in relation to any proceeding, contract, claim, or other particular matter in which the United States is a party or has a direct and substantial interest.

(b) Section 203 also makes it unlawful for a special Government employee to, directly or indirectly, ask, receive, or agree to receive any compensation for any services rendered on behalf of another person before any department, agency, or officer of the United States in relation to any proceeding, contract, claim, or other particular matter in which the United States is a party or has a direct and substantial interest (1) in which he has participated personally and substantially in the course of his Government duties or (4) if it is pending in his department or agency and he has served therein more than 60 days in the immediately preceding period of 365 days, even though he has not participated in the matter personally and substantially.

2. (a) Under section 205 of title 18 of the U.S. Code it is unlawful for a Government officer or employee, other than in the proper discharge of his official duties, (1) to act as agent or attorney for prosecuting any claim against the United States, including a claim in court, whether for compensation or not, or to receive a gratuity, or a share or interest in any such claim, for assistance in the prosecution thereof, or (11) to act as agent or attorney for anyone else before a department, agency, or court in connection with any particular matter in which the United States is a party or has a direct and substantial interest.

(b) Section 205 has a limited application to a special Government employee and makes it unlawful for him to act as agent or attorney only (1) in a matter involving a specific party or parties in which he has participated personally and substantially in his governmental capacity, and (11) in a matter involving a specific party or parties which is before his department or agency, if he has served therein more than 60 days in the immediately preceding period of 365 days.

3. Section 207 of title 18 of the U.S. Code makes it unlawful for a former officer or employee, including a former special Government employee, to act as agent or attorney for anyone other than the United States in any particular matter involving a specific party or parties in which the United States is a party or has a direct and substantial interest and in which he participated personally and substantially as a Government officer or employee. Section 207 also makes it unlawful for any former officer or employee for one year after his Government employment ceases to appear personally as agent or attorney.



ney for another before any court or department or agency of the Government in connection with any particular matter in which the United States is a party or is directly and substantially interested and which was within the area of his official responsibility as a Government officer or employee within one year prior to the termination of such responsibility.

4. Under section 208 of title 18 of the U.S. Code it is unlawful for an officer or employee, including a special Government employee, to participate personally and substantially in any Government action, proceeding, or other particular matter in which to his knowledge, he, his spouse, minor child, or partner has a financial interest, or in which a business or nonprofit organization with which he is connected or is seeking employment has a financial interest.

5. Section 209 of title 18 of the U.S. Code makes it unlawful for an officer or employee to receive, and for anyone to pay him, any salary or supplementation of salary from a private source as compensation for his services to the Government. Section 209 does not apply to a special Government employee or to anyone serving the Government without compensation, whether or not he is a special Government employee.

6. Under the provisions of section 13(a) of the Universal Military Training and Service Act, as amended, sections 203, 205, and 207 of title 18, United States Code, do not apply to uncompensated officers or employees of the Selective Service System or to the members of the National Selective Service Appeal Board.

**APPENDIX B—OTHER LAWS CONCERNING THE CONDUCT OF EMPLOYEES**

1. Section 1913 of title 18 of the U.S. Code prohibits lobbying with appropriated moneys.

2. Section 118p of title 5 of the U.S. Code prohibits Federal employment of persons who are disloyal or assert the right to strike against the Government.

3. Section 784 of title 50 of the U.S. Code prohibits the employment of a member of a Communist organization.

4. Section 798 of title 18 of the U.S. Code and section 783 of title 50 of the U.S. Code prohibits the disclosure of classified information and section 1905 of title 18 of the U.S. Code prohibits the disclosure of confidential information.

5. Section 640 of title 5 of the U.S. Code concerning the habitual use of intoxicants to excess.

6. Section 78(c) of title 5 of the U.S. Code prohibits the use of Government vehicles or aircraft for other than official purposes.

7. Section 1719 of title 18 of the U.S. Code prohibits the use of official envelopes or labels to avoid payment of postage on private mail.

8. Section 63 of title 5 of the U.S. Code prohibits certain action which defeat, deceive, or obstruct any person's right in an examination or personnel action in connection with Government employment.

9. Section 1001 of title 18 of the U.S. Code prohibits fraud or false statements in a Government matter.

10. Sections 285 and 2071 of title 18 of the U.S. Code prohibits the concealing, mutilation, destruction, or other improper use of Government documents or records.

11. Section 508 of title 18 of the U.S. Code prohibits certain improper activities relating to Government transportation requests.

12. Sections 641, 643, and 654 of title 18 of the U.S. Code prohibits the embezzlement of Government money or property, the failure to account for public money, and the embezzlement of the money or property of another person in the possession of an employee by reason of his employment.

13. Section 118(i) of title 5 (Hatch Act) and sections 602, 603, 607, and 608 of title 18 of the U.S. Code prohibits certain political activities (Under section 13(a) of the Universal Military Training and Service Act, as amended, section 9(a) of the Act of August 2, 1959 (Hatch Act, 5 U.S.C. 118 supra) does not apply to uncompensated officers and employees of the Selective Service System or to members of the National Selective Service Appeal Board).

**APPENDIX C—HOUSE CONCURRENT RESOLUTION 175, 85TH CONGRESS, 2D SESSION**

*Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the following Code of Ethics should be adhered to by all Government employees, including office-holders:*

**CODE OF ETHICS FOR GOVERNMENT SERVICE**

Any person in Government service should:

1. Put loyalty to the highest moral principles and to country above loyalty to persons, party or Government department.

2. Uphold the Constitution, laws, and legal regulations of the United States and of all governments therein and never be a party of their evasion.

3. Give a full day's labor for a full day's pay; giving to the performance of his duties his earnest effort and best thought.

4. Seek to find and employ more efficient and economical ways of getting tasks accomplished.

5. Never discriminate unfairly by the dispensing of special favors or privileges to anyone, whether for remuneration or not; and never accept, for himself or his family, favors or benefits under circumstances which might be construed by reasonable persons as influencing the performance of his governmental duties.

6. Make no private promises of any kind binding upon the duties of office, since a Government employee has no private word which can be binding on public duty.

7. Engage in no business with the Government, either directly or indirectly, which is inconsistent with the conscientious performance of his governmental duties.

8. Never use any information coming to him confidentially in the performance of governmental duties as a means for making private profit.

9. Expose corruption wherever discovered.

10. Uphold these principles, ever conscious that public office is a public trust.

Passed July 11, 1958.

[F.R. Doc. 66-3124; Filed, Mar. 23, 1966; 8:48 a.m.]



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