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PART II

CIVIL SERVICE COMMISSION

Employee Responsibilities and
Conduct



Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

SUBCHAPTER C—REGULATIONS GOVERNING EMPLOYEES OF THE CIVIL SERVICE COMMISSION

PART 1001—EMPLOYEE RESPONSIBILITIES AND CONDUCT

Subchapter C of Chapter I of Title 5 of the Code of Federal Regulations is revised in its entirety. The major changes made by the revision are to designate the General Counsel as the counselor for the Commission; to add a new § 1001.735-206 on "Safeguarding the examination process"; to clarify the definition of "employee"; to add a new paragraph (f) to § 1001.735-202; to update § 1001.735-214, "Miscellaneous statutory proceedings"; to add a new paragraph (c) to § 1001.735-303; to update § 1001.735-401; and to clarify § 1001.735-404. As revised, Subchapter C of Chapter I of Title 5 of the Code of Federal Regulations reads as follows:

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AUTHORITY: The provisions of this Part 1001 issued under Executive Order 11222, 30 F.R. 6469, 3 CFR 1965 Supp., 5 CFR 735.101 et seq.

Subpart A—General

§ 1001.735-101 Purpose.

The maintenance of unusually high standards of honesty, integrity, impartiality, and conduct by employees and special Government employees is essential to assure the proper performance of the Commission's business and the maintenance of confidence by citizens in their Government. The avoidance of misconduct and conflicts of interest on the part of employees and special Government employees through informed judgment is indispensable to the maintenance of these standards. To accord with these concepts, this part sets forth the Commission's regulations prescribing standards of conduct and responsibilities and governing statements of employment and financial interests for employees and special Government employees.

§ 1001.735-102 Definitions.

In this part:

(a) "Employee" means an officer and an employee of the Civil Service Commission, but does not include a special Government employee.

(b) "Person" means an individual, a corporation, a company, an association, a firm, a partnership, a society, a joint stock company, or any other organization or institution.

(c) "Special Government employee" means a special Government employee as defined in section 202 of title 18 of the United States Code who is employed by the Commission.

§ 1001.735-103 Remedial action.

(a) A violation of this part by an employee or special Government employee may be cause for remedial action. 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 which may be in addition to any penalty prescribed by law; or
- (4) Disqualification for a particular assignment.

(b) Remedial action, whether disciplinary or otherwise, shall be effected in accordance with any applicable laws, Executive orders, and regulations.

Subpart B—Conduct and Responsibilities of Employees

§ 1001.735-201 Proscribed actions.

An employee shall avoid any action which might result in, or create the appearance of:

- (a) Using public office for private gain;
- (b) Giving preferential treatment to any person;
- (c) Impeding Government efficiency or economy;
- (d) Losing complete independence or impartiality;
- (e) Making a Government decision outside official channels; or
- (f) Affecting adversely the confidence of the public in the integrity of the Government.

§ 1001.735-202 Gifts, entertainment, and favors.

(a) Except as provided in paragraphs (b) and (c) of this section, an employee shall not solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, loan, or any other things of monetary value, from a person who:

- (1) Has, or is seeking to obtain, contractual or other business or financial relations with the Commission;
- (2) Conducts operations or activities that are regulated by the Commission; or
- (3) Has interests that may be substantially affected by the performance or nonperformance of his official duty.

(b) The restrictions set forth in paragraph (a) of this section do not apply to:

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

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

(3) The 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) The 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 not solicit a contribution from another employee for a gift to an official superior, make a donation as a gift to an official superior, or accept a gift from an employee receiving less pay than himself (5 U.S.C. 7351). However, this paragraph does not prohibit a voluntary gift of nominal value or donation in a nominal amount made on a special occasion such as marriage, illness, or retirement.

(d) An employee shall not accept a gift, present, decoration, or other thing from a foreign government unless authorized by Congress as provided by the Constitution and in 5 U.S.C. 7342.

(e) Neither this section nor § 1001.735-203 precludes an employee from receipt of bona fide reimbursement, unless prohibited by law, for expenses of travel and such other necessary subsistence as is compatible with this part for which no

Government payment or reimbursement is made. However, this paragraph does not allow an employee to be reimbursed, or payment to be made on his behalf, for excessive personal living expenses, gifts, entertainment, or other personal benefits, nor does it allow an employee to be reimbursed by a person for travel on official business under Commission orders when reimbursement is proscribed by Decision B-128517 of the Comptroller General dated March 7, 1967.

(f) A gift or gratuity, the receipt of which is prohibited by this section shall be returned to the donor with a written explanation why the return is necessary. A copy of the written explanation shall be submitted to the Commission's counselor on employee ethics and conduct or a deputy counselor (see CSC PM Chapter 735, section 1-2b) for filing in the employee's Official Personnel Folder. When the return of the gift is not possible, the gift or gratuity shall be submitted to one of the above mentioned officials with a written explanation why the return is not feasible. The counselor or deputy counselor shall turn the gift or gratuity over to a public or private charity or charitable organization.

§ 1001.735-203 Outside employment and activity.

(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 wherein acceptance may result in, or create the appearance of, a conflict of interest;

(2) Outside employment or activity which tends to impair his mental or physical capacity to perform the duties and responsibilities of his position in an acceptable manner;

(3) Outside employment or activity which may bring criticism of, or cause embarrassment to, the Commission; or

(4) Outside employment or activity which is in violation of a statute, Executive order, or regulation, including applicable State and local statutes and ordinances.

(b) Employees are encouraged to engage in teaching, lecturing, and writing that is not prohibited by law, the Executive order, this part, or the agency regulations. However, an employee shall not, either for or without compensation, engage in teaching, lecturing, or writing, including teaching, lecturing, or writing for the purpose of the special preparation of a person or class of persons for an examination of the Commission or Board of Examiners for the Foreign Service, that depends 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 agency head gives written authorization for use of non-public information on the basis that the use is in the public interest. In addition, an employee who is a Presidential appointee covered by section 401(a) of the order shall not receive compensation or anything of monetary value for any consultation, lecture, discussion, writing, or appearance the subject matter of which is devoted substantially to the responsibilities, programs, or operations of his agency, or which draws substantially on official data or ideas which have not become part of the body of public information.

(c) Employees are encouraged to serve as members of committees or boards which plan or advise on training courses or programs offered by non-Government organizations, especially when the courses or programs are designed for, or are of particular interest to, Federal employees. However, before an employee may accept membership on such a committee or board, he shall request in writing and secure the approval of the Commission official authorized to grant the request. Bureau directors, regional directors, and heads of staff offices are authorized to grant requests made by their employees. The Commissioners and the Executive Director are the approving authorities for employees who report directly to them. The authorizing official shall transmit a copy of each approved request for inclusion in the employee's Official Personnel Folder.

(d) Employees are encouraged to accept appointments as faculty members for after-hours teaching. However, before an employee may accept such an appointment, he shall request and secure approval, and the approved request shall be included in his Official Personnel Folder, as provided in paragraph (c) of this section.

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

(f) An employee who engages in any kind of outside paid employment on a substantially regular basis shall submit to his immediate supervisor a memorandum describing the employment and stating approximately how many hours per week he is so employed. The immediate supervisor shall forward the memorandum through his bureau director, regional director, or staff office head for inclusion in the employee's Official Personnel Folder.

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

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

(2) Participation in the local self-government activities in the community in which he resides to the extent permitted by law. However, an employee may not hold elective office in his local community government without the approval of the Executive Director; or

(3) Participation in the affairs of, or acceptance of an award for meritorious public contribution or achievement given

by, a charitable, religious, professional, social, fraternal, nonprofit educational and recreational, public service, or civic organization.

§ 1001.735-204 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, Executive Order 11222, Part 735 of this chapter, or this part.

§ 1001.735-205 Misuse of information.

For the purpose of furthering a private interest, an employee shall not, except as provided in § 1001.735-203(b), directly or indirectly use, or allow the use of, official information obtained through or in connection with his Government employment which has not been made available to the general public.

§ 1001.735-206 Safeguarding the examination process.

(a) An employee shall notify his supervisor when he intends to file for a competitive examination or an internal, noncompetitive examination. He must give similar notice if he knows that a close relative, a member of his household, or a roommate intends to take a competitive examination.

(b) If the employee takes part in the construction of written tests, has access to test material or is involved in the examination rating process, his supervisor or other appropriate authority will arrange his duty assignments to prevent his contact with materials related to the examination or examinations applied for. If the test material involved in the forthcoming examination has already been exposed to the employee, arrangement will be made for the person concerned to be given an alternate test.

(c) The supervisor is responsible to see that notifications given by employees are transmitted promptly. In the central office, supervisors will forward this information to the Test Security Officer in the Bureau of Recruiting and Examining. In the regions, supervisors will give the information to Regional Directors.

§ 1001.735-207 Support of Commission programs.

(a) When a Commission program is based on law or Executive order, every employee has a positive obligation to make it function as efficiently and economically as possible and to support it as long as it is a part of recognized public policy. An employee may, therefore, properly make an address explaining and interpreting such a program, citing

its achievements, defending it against uninformed or unjust criticism, pointing out the need for possible improvements, or soliciting views for improving it.

(b) An employee shall not, either directly or indirectly, use appropriated funds to influence a Member of Congress to favor or oppose legislation in violation of 18 U.S.C. 1913. However, an employee is not prohibited from:

(1) Testifying as a representative of the Commission on pending legislation proposals before congressional committees on request; or

(2) Assisting congressional committees in drafting bills or reports on request, when it is clear that the employee is serving solely as a technical expert under the direction of committee leadership.

§ 1001.735-208 Disagreements between Government officials.

An employee shall not make public any disagreements with, or criticism of, officials, policies, or practices of the Commission or of other Federal agencies in areas relating to the Commission's functions. Such matters may be brought to the Executive Director's attention for appropriate action.

§ 1001.735-209 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.

§ 1001.735-210 Indebtedness.

(a) 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.

(b) When an employee has a levy placed against his salary for failure to pay an indebtedness for Federal income taxes, he shall be issued a written reprimand stating that failure to make satisfactory arrangements regarding future tax liabilities will be grounds for removal.

(c) When an employee is the subject of a letter of complaint stating that he has not paid his State or local taxes and has failed to make satisfactory arrangements regarding the debt, he shall be interviewed by the Director of Personnel in the central office or by the regional director in a regional office. In this interview he shall be instructed to make satisfactory arrangements for the payment of his debt immediately and informed that failure to do so will be grounds for removal.

(d) When an employee is the subject of a letter of complaint regarding any other kind of indebtedness to a unit of government, Federal, State, or local, the procedure prescribed in paragraph (c) of this section shall be observed.

(e) When a creditor who holds a legal judgment against an employee requests that the Commission assist in collecting the debt, the employee shall be interviewed by the Director of Personnel or the regional director, as appropriate. In this interview he shall be instructed to pay the debt in full within 90 days, or within whatever longer period is specified by the Director of Personnel or regional director if he determines that a 90-day time limit would impose undue hardship on the employee, and informed that failure to do so will be grounds for removal.

(f) When an employee is the subject of a letter of complaint from a creditor who does not hold a legal judgment against the employee, the Director of Personnel or regional director shall forward a copy of the letter to the employee together with a memorandum calling the employee's attention to the provisions of this section. However, the Commission will not assist the creditor in collecting the debt.

§ 1001.735-211 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.

§ 1001.735-212 Coercion.

An employee shall not use his Government 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.

§ 1001.735-213 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.

§ 1001.735-214 Miscellaneous statutory provisions.

The attention of each employee is directed to the following statutory provisions:

(a) House Concurrent Resolution 175, 85th Congress, 2d Session, 72A Stat. B12, the Code of Ethics for Government Service.

(b) Chapter 11 of title 18, United States Code, relating to bribery, graft, and conflicts of interest.

(c) The prohibition against lobbying with appropriated funds (18 U.S.C. 1913).

(d) The prohibitions against disloyalty and striking (E.O. 10450, U.S.C. 1918).

(e) The prohibition against the employment of a member of a Communist organization (50 U.S.C. 784).

(f) The prohibitions against:

(1) The disclosure of classified information (18 U.S.C. 798, 50 U.S.C. 783); and

(2) The disclosure of confidential information (18 U.S.C. 1905).

(g) The provision relating to the habitual use of intoxicants to excess (5 U.S.C. 7352).

(h) The prohibition against the misuse of a Government vehicle (31 U.S.C. 638a(c)).

(i) The prohibition against the misuse of the franking privilege (18 U.S.C. 1719).

(j) The prohibition against the use of deceit in an examination or personnel action in connection with Government employment (18 U.S.C. 1917).

(k) The prohibition against fraud or false statements in a Government matter (18 U.S.C. 1001).

(l) The prohibition against multilating or destroying a public record (18 U.S.C. 2071).

(m) The prohibition against counterfeiting and forging transportation requests (18 U.S.C. 508).

(n) The prohibitions against:

(1) Embezzlement of Government money or property (18 U.S.C. 641);

(2) Failing to account for public money (18 U.S.C. 643); and

(3) Embezzlement of the money or property of another person in the possession of an employee by reason of his employment (18 U.S.C. 654).

(o) The prohibition against unauthorized use of documents relating to claims from or by the Government (18 U.S.C. 285).

(p) The prohibitions against political activities in subchapter III of chapter 73 of title 5, United States Code and 18 U.S.C. 602, 603, 607, and 608.

(q) The provision relating to the denial of the right to petition Congress (5 U.S.C. 7102).

(r) The prohibition against an employee acting as the agent of a foreign principal registered under the Foreign Agents Registration Act (18 U.S.C. 219).

(s) The prohibition against a public official appointing or promoting a relative, or advocating such an appointment or promotion (5 U.S.C. 3110).

(t) The prohibition against the employment of an individual convicted of felonious rioting or related offenses (5 U.S.C. 7313).

(u) The tax imposed on certain employees (e.g., Presidential appointees, employees excepted under Schedule C, employees in GS-16 or above, or a comparable pay level) who knowingly engage in self-dealing with a private foundation (26 U.S.C. 4941, 4946). "Self-dealing" is defined in the statute to include certain transactions involving an employee's receipt of pay, a loan, or reimbursement for travel or other expenses from, or his sale to or purchase of property from a private foundation.

Subpart C—Conduct and Responsibilities of Special Government Employees

§ 1001.735-301 Use of Government employment.

A special Government employee shall not use his Government 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.

§ 1001.735-302 Use of inside information.

(a) A special Government employee shall not use inside information obtained as a result of his Government 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 section, "inside information" means information obtained under Government authority which has not become part of the body of public information.

(b) A special Government employee may engage in teaching, lecturing, and writing to the same extent, and subject to the same restrictions, as provided in § 1001.735-203 (b) for employees.

§ 1001.735-303 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 the Commission 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) The restrictions set forth in paragraph (a) of this section do not apply to:

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

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

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

(c) A gift or gratuity, the receipt of which is prohibited by this section shall be returned to the donor with a written explanation why the return is necessary. A copy of the written explanation shall be submitted to the Commission's counselor on employee ethics and conduct or a deputy counselor (see CSC PM Chapter 735, section 1-2b) for filing in the employee's Official Personnel Folder. When

the return of the gift is not possible, the gift or gratuity shall be submitted to one of the above mentioned officials with a written explanation why the return is not feasible. The counselor or deputy counselor shall turn the gift or gratuity over to a public or private charity or charitable organization.

§ 1001.735-304 Applicability of other provisions.

The provisions of §§ 1001.735-206 through 1001.735-213 apply to special Government employees in the same manner as to employees.

Subpart D—Statements of Employment and Financial Interests

§ 1001.735-401 Employees required to submit statements.

The following employees shall submit statements of employment and financial interests in accordance with §§ 1001.735-402 through 1001.735-411:

- (a) The Executive Director.
- (b) The Deputy Executive Director.
- (c) The Assistant Executive Director.
- (d) The Director, Office of Labor-Management Relations.
- (e) The General Counsel.
- (f) The Deputy General Counsel.
- (g) The Chairman, Board of Appeals and Review.

(h) The Director, Office of Hearing Examiners, and all employees in Hearing Examiner positions.

(i) The Director, Bureau of Management Services.

(j) The Deputy Director, Bureau of Management Services.

(k) The Director of Personnel.

(l) The Chief, Office Services Division, Bureau of Management Services.

(m) The Assistant Chief, Office Services Division, Bureau of Management Services.

(n) The Chief, Budget and Finance Division, Bureau of Management Services.

(o) The Assistant Chief, Budget and Finance Division, Bureau of Management Services.

(p) The Director, Bureau of Retirement, Insurance, and Occupational Health.

(q) The Deputy Director, Bureau of Retirement, Insurance, and Occupational Health.

(r) The Assistant to the Director, Bureau of Retirement, Insurance, and Occupational Health.

(s) The Chief, Legislative and Policy Division, Bureau of Retirement, Insurance, and Occupational Health.

(t) The Chief Actuary, Office of the Actuary, Bureau of Retirement, Insurance, and Occupational Health.

(u) Assistant to the Chief (Contracts and Instructions Specialists) GS-14 and GS-15, Legislative and Policy Division, Bureau of Retirement, Insurance, and Occupational Health.

(v) Supervisory Accountant, GS-15, Systems and Audits, Bureau of Retirement, Insurance, and Occupational Health.

(w) Systems Accountant, GS-14, Systems and Audits, Bureau of Retirement, Insurance, and Occupational Health.

(x) Auditors (Financial Activities), GS-13, Systems and Audits, Bureau of Retirement, Insurance, and Occupational Health.

(y) The Director, Bureau of Training.

(z) The Deputy Director, Bureau of Training.

(aa) The Assistant Director for Training Operations, Bureau of Training.

(bb) The Director, Bureau of Personnel Management Evaluation.

(cc) The Deputy Director, Bureau of Personnel Management Evaluation.

(dd) Each Regional Director.

(ee) The Director, Federal Executive Institute.

(ff) Each Executive Seminar Center Director.

§ 1001.735-402 Employee's complaint on filing requirement.

An employee who feels that his position has been improperly included in the list in § 1001.735-401 as one requiring the submission of a statement of employment and financial interests may obtain a review of his complaint under the Commission's internal grievance procedure.

§ 1001.735-403 Form of statements.

An employee required to submit a statement of employment and financial interests shall submit that statement in the format prescribed by the Personnel Division.

§ 1001.735-404 Time for submission of statements.

An employee required to submit a statement of employment and financial interests by § 1001.735-401 shall submit that statement no later than 30 days after the date of entrance on duty in the position covered by § 1001.735-401.

§ 1001.735-405 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, in the format prescribed by the Personnel Division, as of June 30 each year. If no changes or additions occur, a negative report is required. Notwithstanding the filing of the annual report required by this section, each employee shall at all times avoid acquiring a financial interest that could result, or taking an action that would result, in a violation of the conflicts-of-interest provisions of section 208 of title 18, United States Code, or Subpart B of this part.

§ 1001.735-406 Interests of employees' relatives.

The interests of a spouse, minor child, or other member of an employee's immediate household are considered to be interests 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.

§ 1001.735-407 Information not known by employees.

If any information required to be included on a statement of employment and financial interests or on a 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 the information in his behalf.

§ 1001.735-408 Information prohibited.

An employee is not required to submit on a statement of employment and financial interests, or on a 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 employee's statement of employment and financial interests.

§ 1001.735-409 Review of statements.

(a) The Executive Director, the Deputy Executive Director, the Assistant to the Chairman, the General Counsel, the Deputy General Counsel, and the Chairman of the Board of Appeals and Review shall submit their statements of employment and financial interests, and their supplementary statements, directly to the Commission for review.

(b) Bureau directors, regional directors, and the heads of staff offices who report to the Executive Director shall submit their statements of employment and financial interests, and their supplementary statements, directly to the Executive Director for review.

(c) All other employees covered under § 1001.735-401 shall submit their statements of employment and financial interests, and their supplementary statements, directly to the Director, Bureau of Management Services, for review.

(d) When a statement submitted under paragraph (b) or (c) of this section indicates a conflict between the interests of an employee and the performance of his services for the Government, and when the conflict or appearance of conflict cannot be resolved by the reviewing official, he shall report the information concerning the conflict or appearance of conflict to the Chairman through the counselor for the Commission. The employee concerned shall be given an opportunity to explain the conflict or appearance of conflict before remedial action is initiated.

§ 1001.735-410 Confidentiality of statements.

Each statement of employment and financial interests, and each supplementary statement, shall be held in confidence and retained in limited access files of the reviewing official. The use of information on the statements shall be limited to that necessary to carry out the purposes of this part. Information from a statement or a supplementary statement shall not be disclosed except by decision of the Chairman of the Commission.

§ 1001.735-411 Effect of 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 he or the other person's participation is prohibited by law, order, or regulation.

§ 1001.735-412 Submission of statements by special Government employees.

(a) Each special Government employee shall submit a statement of employment and financial interests not later than the time of his employment. Each special Government employee shall keep his statement current throughout his period of employment by the submission of supplementary statements.

(b) A special Government employee shall submit his statement of employment and financial interests in the format prescribed by the Personnel Division. The statement is filed with the Director, Bureau of Management Services, and is accorded the confidentiality prescribed in § 1001.735-410.

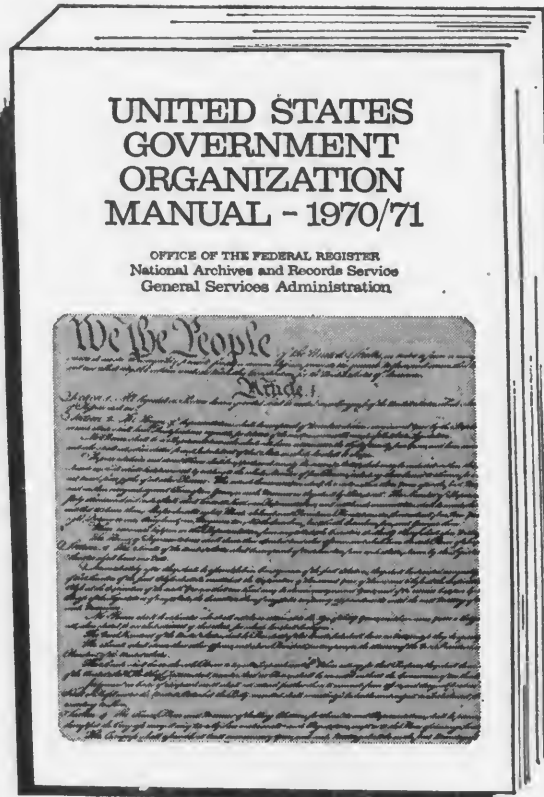
(c) The provisions of §§ 1001.735-406 through 1001.735-411 apply to special Government employees in the same manner as to employees.

(d) The Chairman of the Commission may waive the requirement in 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 purposes of this paragraph, "consultant" and "expert" have the meanings given those terms by Chapter 304 of the Federal Personnel Manual.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
*Executive Assistant to
the Commissioners.*
[FR Doc.71-4788 Filed 4-8-71;8:45 am]

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