

SUBCHAPTER B—PERSONNEL

PART 10—EMPLOYEE RESPONSIBILITIES AND CONDUCT

Subpart A—General Provisions

- Sec.
- 10.735-101 Purpose.
- 10.735-102 Definitions.
- 10.735-103 Interpretation and advisory service.
- 10.735-104 Applicability to detailed employees.
- 10.735-105 Disciplinary action.

Subpart B—Ethical and Other Conduct and Responsibilities of Employees

- 10.735-201 General.
- 10.735-202 Gifts, entertainment, and favors.
- 10.735-203 Gifts from foreign governments.
- 10.735-204 Outside employment and other activity.
- 10.735-205 Financial interests.
- 10.735-206 Economic and financial activities of employees abroad.
- 10.735-207 Use of Government property.
- 10.735-208 Misuse of information.
- 10.735-209 Indebtedness.
- 10.735-210 Gambling, betting, and lotteries.
- 10.735-211 Activities relating to private organizations and politics.
- 10.735-212 Wearing of uniforms.
- 10.735-213 Recommendations for employment.
- 10.735-214 Transmitting communications and gifts.
- 10.735-215 General conduct prejudicial to the Government.
- 10.735-216 Miscellaneous statutory provisions.
- 10.735-217 Requesting exceptions from certain statutory prohibitions.

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

- 10.735-301 Conflicts of interest.
- 10.735-302 Use of Government employment.
- 10.735-303 Use of inside information.
- 10.735-304 Coercion.
- 10.735-305 Gifts, entertainment, and favors.
- 10.735-306 Miscellaneous statutory provisions.

Subpart D—Statements of Employment and Financial Interests

- Sec.
- 10.735-401 Employees required to submit statements.
- 10.735-402 Employees not required to submit statements.

- 10.735-403 Employee's complaint on filing requirement.
- 10.735-404 Time and place of submission, and forms.
- 10.735-405 Information required.
- 10.735-406 Submission of position description.
- 10.735-407 Supplementary statements.
- 10.735-408 Review of statements and determination as to conflicts of interest.
- 10.735-409 Confidentiality of employees' statements.
- 10.735-410 Effect of employees' statements on other requirements.
- 10.735-411 Disqualification procedures.

AUTHORITY: EO 11222 of May 8, 1965, as amended; 5 CFR 735.104.

SOURCE: 43 FR 18976, May 2, 1978, unless otherwise noted.

Subpart A—General Provisions

§ 10.735-101 Purpose.

The maintenance of the highest standards of honesty, integrity, impartiality, and conduct by Government employees and special Government employees is essential to assure the proper performance of the Government business and the maintenance of confidence by citizens in their Government. The avoidance of misconduct and conflicts of interest on the part of Government employees and special Government employees through informed judgment is indispensable to the maintenance of these standards. To accord with these concepts the regulations in this part prescribe standards of conduct and responsibilities for employees and special Government employees and require statements reporting employment and financial interests.

NOTE: These regulations are codified in State 3 FAM 620, AID Handbook 24, and ICA MOA V-A 550.

§ 10.735-102 Definitions.

(a) *Agency* means the Department of State (State), the Agency for International Development (AID), and the International Communication Agency (ICA).

(b) *Employee* means an officer or employee at home or abroad, of an agency named in paragraph (a) of this section,

§ 10.735-103

22 CFR Ch. I (4-1-03 Edition)

but does not include a special Government employee or a member of the Army, Navy, Air Force, Marine Corps, Coast Guard, National Oceanic and Atmospheric Administration, or Public Health Service.

(c) *Executive order* means Executive Order 11222 of May 8, 1965, as amended.

(d) *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.

(e) *Special Government employee* means an officer or employee of an agency who is retained, designated, appointed, or employed to perform, with or without compensation, for not to exceed 130 days during any period of 365 consecutive days, temporary duties either on a full-time or intermittent basis.

(f) *Member of an employee's family* means a spouse, minor child, or other member of an employee's immediate household. For the purpose of these regulations "member of an employee's immediate or in-law household" means those blood relations who are residents of the employee's household.

(g) *Counselor* means the agency's Counselor on Ethical Conduct and Conflicts of Interest.

§ 10.735-103 Interpretation and advisory service.

(a) Counseling services on employee responsibilities and conduct are available in each agency. These services are to be coordinated by a Counselor appointed by the agency head. The Counselors are for State: The Legal Adviser; for AID: The Deputy General Counsel; and for ICA: The General Counsel. The Counselor serves as the agency's designee to the Civil Service Commission on matters covered by the regulations in this part and is responsible for coordination of the agency's counseling services under paragraph (b) of this section and for assuring that counseling and interpretations on questions of conflicts of interest and other matters covered by these sections are available to deputy counselors designated under paragraph (b) of this section.

(b) Each agency head may designate deputy counselors for the agency's em-

ployees and special Government employees. Deputy Counselors designated under this section must be qualified and in a position to 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 the regulations in this part. A Washington employee or special Government employee should address any inquiries concerning the regulations in this part to the Counselor. At missions abroad the chief of each agency's establishment designates an officer, preferably the legal officer where one is available, to provide counseling services under the guidance of the Counselor; a single officer may serve all agencies. An employee or special Government employee serving abroad should submit inquiries to the officer designated.

(c) Each agency shall periodically notify its employees and special Government employees of the availability of counseling services and how and when these services are available. A new employee or special Government employee shall be notified at the time of entrance on duty.

§ 10.735-104 Applicability to detailed employees.

All the regulations of subparts A, B, and D of this part are applicable to an employee of another U.S. Government agency who may be serving on detail or assignment, formally or informally, on a reimbursable or nonreimbursable basis through a Participating Agency Service Agreement or otherwise, with an agency named in § 10.735-102(a). However, disciplinary action shall be taken against such an employee only by the employing agency.

§ 10.735-105 Disciplinary action.

A violation of the regulations in this part by an employee or special Government employee may be cause for appropriate disciplinary action, including separation for cause, which may be in addition to any penalty prescribed by law.