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THE WHITE HOUSE


WASHINGTON

February 21, 1975

MEMORANDUM FOR:

DAVID C. HOOPES

FROM:

JERRY H. JONES 

SUBJECT:

Briefing
Thursday, February 27, 1975
3:30 p.m. (Room 450 OEOB)

Please attend a briefing on standards of conduct and White House Office operations at 3:30 p.m., on Thursday, February 27, 1975, in the OEOB Briefing Room (OEOB 450). You should read the attached White House Office Handbook prior to the briefing.

Thank you.



WHITE HOUSE OFFICE HANDBOOK



February 1975



*Removed from
Special Files
Box 65*

MEMORANDUM FOR WHITE HOUSE STAFF MEMBERS

The various documents and other papers included with this handbook are intended to help you understand your role, and your responsibilities, as a member of the President's staff, as well as to assist you in becoming familiar with the White House facilities and procedures. Please examine them carefully, for the guidance they provide can make your activities here not only more useful, but also more enjoyable.



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A



GENERAL INFORMATION FOR WHITE HOUSE STAFF

The following material is intended as a quick reference to internal office activities and procedures for members of the White House staff. It is intended to answer some of the more frequent questions that arise in the normal course of daily operation and to direct attention to available sources of information.

Office of Chief Executive Clerk—Ext. 2594

At the outset it may be helpful to have an understanding of the Office of the Chief Executive Clerk, which provides support to the staff offices. This office provides for the orderly processing of documents and correspondence within the White House Office and organizes and supervises clerical and administrative services and procedures which are carried out in the following operating offices:

Administrative Office (which includes Budget and Accounts, Payroll, Purchases, Personnel, and Supply)

Correspondence Section

Central Files

Mail Room

Press Release Section

Record Book Section

Records Office

Telephone Service

Telegraph and Travel Service

Messenger and Miscellaneous Services

Gift Unit

The sole purpose of each of these units is to assist the President and members of his staff. Brief descriptions of their responsibilities follow.

Administrative Office—Ext. 6417

Budget Office—Ext. 2220

Payroll Section—Ext. 7080

Personnel Office—Ext. 2260

Supply Room—Ext. 2622

This office is responsible for the White House budget, payroll, personnel, and supply activities. It maintains leave records, time and attendance reports, and personnel records. The Administrative Office is responsible for the purchase of supplies and equipment necessary for the operation of the White House Office. It maintains accounting and

other financial records as well as inventory of all property.

Correspondence Section—Ext. 2304

The Correspondence Section is first, and primarily, responsible for disposition of the general correspondence addressed to the President. Appropriate replies are drafted or approved, series letters or "situation" letters are prepared as responses, and incoming letters are referred as necessary to the Government department or agency which has specific jurisdiction for the subject matter in question. Most of the letters prepared in the White House for the President's signature are typed in the Correspondence Section, as are Messages to the Congress, Executive Orders, Proclamations and other official documents. The Section also undertakes miscellaneous typing jobs from Staff Offices and provides emergency secretarial and typing assistance to members of the President's staff after approval from the Chief Executive Clerk.

Central Files—Ext. 2240

Central Files is the general repository for White House Office papers. The proper use of Central Files and the procedures to be followed in filing are described in the attached memorandum on White House papers (Tab D). Questions pertaining to files should be referred to the Office of the Chief of Files (Ext. 2240). Emergency requests for material from Files may be made by telephone to the Searching Unit (Ext. 2242). Routine requests should be made through the "Request for File" form which is available from the Chief of Files.

Mail Room—Ext. 2541

The Mail Room receives and distributes all incoming letters and parcels addressed to the President, his immediate family, and members of the White House staff. The Mail Room also provides for the dispatch of all mail leaving the White House for delivery through the postal service.

Letters addressed to the President are opened and routed for appropriate action to designated staff members. Family mail and such other mail as the President may direct goes unopened to the President's office. Letters addressed to others are, of course, forwarded unopened.



Press Release Section—Ext. 2692

The Press Release Section provides copies of White House Press Releases to Staff on request. The Section also mails or holds press releases for retrieval on request from Senators, Congressmen and the public. Card files are maintained on all press releases and on the President's press conferences, and the Section maintains the capability to identify direct quotations from the President.

Record Book Section—Ext. 2500

This section maintains liaison with the Library of Congress and the libraries and archives associated with other government agencies in order to arrange loans of pertinent information for members of the President's staff. The Record Book Section also compiles files of press clippings concerning the President's activities and undertakes various research jobs for members of his staff.

Records Office—Ext. 2226

This office prepares nomination, appointment or designation papers for Presidential appointees. It maintains a current catalogue of appointments, including information on past and present appointees, the dates and terms of their appointments, and a record of resignations and terminations of employment. This office assists the Press Office and coordinates information with that office in the preparation of public announcements of the President's actions in connection with nominations, appointments, resignations, designations, Proclamations, Executive Orders and other official documents. It delivers official documents to the proper departments and agencies. It also delivers official communications from the President to the Congress and receives official documents for the President from the Congress.

Telephone Service—Ext. 2134

This office serves the White House Office, the Executive Residence, and other Staff members working in the Executive Office Building. The switchboard operates on a twenty-four hour schedule, seven days a week. The physical and mechanical operations associated with the telephone service are similar to those found in various government offices. Because of the importance, urgency and significance of much of the telephone activity in the White House, this service has special characteristics not ordinarily found in less sensitive

activities. Information on placing calls is to be found on pages 9-10 of this handbook.

Telegraph and Travel Service—Ext. 2250

The Telegraph and Travel Office provides telegraphic and travel service at the White House twenty-four hours a day seven days a week. This office is responsible for making travel arrangements for White House staff, including airplane reservations, ground transportation, baggage handling, hotel accommodations, and press rooms and telephone/telegraph filing facilities for the White House Press Office. It also assists with travel arrangements for members of the White House Press Corps. In addition, this office receives and dispatches all telegrams for the White House Office.

Messenger and Miscellaneous Services—Ext. 7005

This office provides general messenger service for collection and distribution of mail, packages and messages to and from offices within the White House and the Executive Office Building. The Messenger Room performs all White House mimeograph work and arranges for minor duplication runs. The office is open seven days a week, and employees are on duty each evening until after the President retires.

Gift Unit—Ext. 2350

Gifts addressed to the President and the First Lady are received through the Mail Room and forwarded to the Gift Unit for handling. Packages addressed to other members of the First Family are sent to the Social Office for attention. All gifts received through the Mail Room are recorded there before referral to the Gift Unit.

Gifts received by members of the staff for presentation to the President and his family should be either (1) sent through the Gift Unit for cataloging, or (2) reported to the Gift Unit.

* * * * *

The services described below, in alphabetical order, can be contacted through calls to the telephone extension listed under Services in the most recent White House Telephone Directory. Please do not hesitate to call the Chief Executive Clerk's office if any problem develops. Ext. 2594

Appointments with the President

Schedule Proposals

Requests for meetings with the President should be made through the Director of the Scheduling



Office on the customary schedule proposal forms. A sample is shown at Enclosure C-4.

Schedule Proposals recommending participation by the Vice President should be submitted to the Director of the Scheduling Office, rather than directly to the Office of the Vice President. The Director of the Scheduling Office works closely with the Vice President's Scheduling Office and many invitations that cannot be accepted by the President are referred to the Vice President for his consideration.

Meeting Briefing Papers

When schedule proposals are approved, the Director of the Scheduling Office will advise the member of the staff proposing the meeting with the President that a Meeting Briefing Paper should be prepared and delivered to the Office of the Staff Secretary. A sample is at Enclosure C-5.

Meeting Briefing Papers should not be lengthy and should be delivered to the Office of the Staff Secretary before 4:00 p.m. of the day preceding the meeting, unless other instructions have been given. The following should be noted concerning the format:

Purpose should be a brief sentence describing the reason for the meeting.

Background should be a brief three or four sentence summation of what led up to the meeting, an insight into the organization or personalities represented in the meeting, and the date the President last met with the organization or personalities.

Participants should include the names and titles (titles of staff members attending need not be listed) of meeting attendees. If meeting will include five or less attendees, they may be listed in this section. If more than five attendees, they should be listed by name and title on a separate sheet of paper and this section should read "See Tab A".

Press Plan should identify whether it is a "David Hume Kennerly photo only" or "Press photo opportunity".

Talking Points should be short and to the point, written in the first person. Should they exceed one page in length, they should be attached as a tab and this section should read "See Tab B".

Appointments with Staff Members (Clearance of appointments for staff members)

To arrange clearance for your appointments, please provide the necessary information to the Executive Protective Service Appointments Cen-

ter (Ext. 6046 or 6742) as far in advance as possible. The Appointments Center is the point of clearance for all visitors to the White House-EOB area *excepting* those individuals who have appointments to see the President, those coming for special tours, or those appointments entering via the East Gate.

Procedure for Clearance—More than Three Individuals

Appointment clearances which involve more than three individuals should be typed in alphabetical order, last name first, and sent to the Appointments Center, Room 060, EOB, the day before the appointment whenever possible. When the clearance list does not become available until the day of the appointment or meeting, we recommend you hand carry the list to Room 060, Old EOB.

Lists should include the following information:

- (1) the name, room location, and telephone number of the person requesting clearance
- (2) the name(s) of the visitor(s)
- (3) the name of the staff member with whom the visitor has an appointment
- (4) the time, date, and place of appointment
- (5) the anticipated point of entry into the White House complex.

When submitting appointment clearances, we recommend you use EPS Form 25 which provides space for the required information. A sample is shown at Enclosure A-1 and copies may be obtained from the EPS Appointments Center, Room 060, EOB.

Procedure for Clearance—Three Individuals or Less

When you are able to provide the clearance information the day before the appointment it would be helpful to have it typed and sent in accordance with the procedures outlined above. When it is not possible to provide clearances in writing or the clearance is being made the day of the appointment please telephone the EPS Appointment Center (Ext. 6046 or 6742).

Exception: East Gate/East Wing

Staff members located in the East Wing and staff members who wish to clear appointments via the East Gate should notify or forward lists to the East Wing Receptionist (Ext. 2867) or in her absence to the EPS officer in charge at the East Wing Reception Room (Ext. 2396).



Attendance Reports

Pre-punched white time and attendance cards for White House employees will be furnished at the beginning of each pay period and are due in Payroll Section, Room 4, EOB not later than 12:00 noon on the last FRIDAY of the pay period. New employees will be provided a salmon-colored time and attendance card for their first pay period on the payroll. For any assistance needed in completing time and attendance cards, call Payroll Section, Ext. 7080.

Autograph Requests

All requests for the President's autograph should be submitted to the Office of the Personal Assistant to the President. It is essential that you furnish the following information on a 3 x 5 card, with *each* request submitted: A sample card format is shown at Enclosure A-2.

Name, address and business affiliation of individual to receive autograph.

Name, *office assignment and telephone number* of staff member initiating request.

Suggested inscription (as a general rule, the inscription would be "To Mary Brown with best wishes" or "To Mary Brown with appreciation and best wishes") if it is for "signature only" that should be so indicated. If there should be a more specific or different inscription, a suggested one should be provided.

For a couple, the first name of both members (Mr. and Mrs.) should be included.

If an individual desires an autographed picture and has not included the photograph with the request, the official photograph will be used. A mailing label addressed to the individual to receive the autographed item should also be sent with the request.

Ceremonies

For many White House events, such as arrival ceremonies on the south lawn, there is an opportunity for spectators to be present. The responsibility of inviting and admitting guests rests with the Office of White House Visitors. Should any staff member have any questions or recommendations for groups or individuals to be included as guests to public White House events, he should contact the Office of White House Visitors. (Ext. 2200).

The proper courtesies should be practiced by staff members at all White House or ceremonial functions in order to provide a source of leadership for other guests who may be unsure of themselves in these situations. This proper etiquette is as follows:

Civilian Personnel

Honors:	Courtesy:
Ruffles and Flourishes-----	Stand at attention.
Hail to the Chief-----	Stand at attention and applaud.
All National Anthems-----	Stand at attention—may place hand over heart (optional).*

*NOTE.—Men wearing hats will remove them with right hand and place hand over heart with the hat at left shoulder.

Military Personnel

Honors:	Courtesy:
Ruffles and Flourishes-----	Stand at attention.
Hail to the Chief-----	Stand at attention and applaud.
All National Anthems-----	Stand at attention and salute if outdoors.*

*NOTE.—Indoors: Stand at attention—a salute is improper indoors.

Communications Equipment

The White House Communications Agency (WHCA) provides communications support for the White House. The most expensive single items which WHCA allocates are television sets, IBM dictating and transcribing units, and AM/FM radios. The following criteria will apply when requesting these items:

- TV sets, IBM equipment and AM/FM radios are assigned by the Staff Secretary.
- Routinely, only one of each item will be issued to an individual or office except in the case of IBM equipment. *Additional units must be justified.*
- All requests for this equipment must be submitted by the respective office head to the Commander, WHCA, through the Staff Secretary for final consideration.

When necessary, certain staff personnel will be assigned Pageboys and Handie Talkies to facilitate communication. Staff personnel should take their assigned Pageboys and Handie Talkies on all trips. Since each Pageboy operates on a specific channel, the number of Pageboys which can operate on SIERRA frequency is limited. For this reason, very few Pageboys are available for issue on trips. Normally, the spares that are carried on trips



are used to replace defective units or issue to special personnel designated by the staff.

Conference Facilities

In the West Wing of the White House, one room, the Roosevelt Room, can be made available on occasion for high-level conferences. All requests to reserve this room for any purpose should be made to the West Wing Receptionist (Ext. 2605).

Several conference rooms of varying size are located in the Old Executive Office Building. These rooms may be reserved for your use if you will call the G.S.A. Manager, White House Area, Room 48 Executive Office Building (Ext. 2348 or 3154). See also *Executive Briefing Room*, below.)

Credit Union (White House)

This facility is located in Room 49, EOB. It is open on weekdays, 10:00 a.m. to 3:00 p.m. and closed on weekends, holidays and on the last business day of each month. Membership is open to all White House Staff members. (Ext. 2900)

Duplicating Facilities (Mimeographing and Xeroxing)

Duplicating work is done by the Messenger Service, Room 54 EOB. Requests for work should be made by calling the Chief of the Messenger Service, Ext. 7005. Most other forms of reproduction or printing are accomplished outside the White House. Staff members should provide adequate lead time when requesting special materials or an unusually large number of copies.

Eating Facilities

The White House Mess is operated under Navy auspices and is located on the ground floor, West Wing (Ext. 2610). Because of its small size, membership is necessarily limited. Individuals who have the privilege of the White House Mess will be so informed. Breakfast and luncheon is served and limited dinner service is available through advance notice.

The EOB Staff Mess is operated by GSI and is located on the ground floor, EOB Room 24. Its membership is also limited by the physical size of the facilities.

Additional eating facilities available to all staff members are the GSI cafeteria in Room 31 on the

ground floor of the EOB and also in the N.E.O.B. Snack machines are available in the West Wing Basement and ground floor EOB.

Emergency Secretarial Assistance

For emergency stenographic or typing assistance during the working day or emergency weekend assistance, call the Office of the Chief Executive Clerk, Ext. 2594. After 6:00 p.m. and until midnight during the week, the Correspondence Section should be called on Ext. 2603. All requests for secretarial services should be arranged as far in advance as possible.

Employment—see Personnel

Equipment/Supplies

Stationery and office supplies are customarily ordered on requisition forms secured from the Supply Room, Basement, Room 082 EOB. (In the event of an emergency, you should telephone your request to the Supply Room, Ext. 2622.) Orders for items not normally stocked may be requested in writing by memorandum to the Staff Secretary. Members of the White House Staff do not have individualized stationery.

Executive Briefing Room

The Executive Briefing Room located in Room 450, EOB has a capacity of 208 people and is equipped with public address, projection and communications facilities which make it suitable for a broad range of conference requirements. At least 24 hours advance notice is required for use of this facility, which may be reserved through the G.S.A. Manager, White House Area, Room 48, EOB (Ext. 2348, 3154). (See also *Conference Facilities*, above.)

Gifts to the President and the First Family

On occasion, staff members have inquired about giving gifts to the President or his family. Such gifts are given with the purest intentions in an atmosphere of friendship and fellowship. Unfortunately, they might sometimes be misconstrued. A Federal statute and government regulations prohibit the presentation of gifts to officials by their subordinates. Moreover, your presence on the staff and your efforts on behalf of our country are themselves a fine contribution to the Nation, and a most sufficient gift to the President and his family.



Gifts Between Staff Members and Acceptance of Other Gifts

Federal statutes prohibit the acceptance of gifts from fellow employees of a lesser pay status. The solicitation of contributions for a Christmas gift for an employee in a superior official position is also prohibited by statute, as is the giving of such a gift or donation. However, these laws have not been interpreted to preclude the traditional exchange of gifts of nominal value between co-workers within an office.

As a member of the White House Staff you are expressly prohibited from soliciting or accepting gifts from corporations or persons (1) who have or are seeking contractual agreements with any Executive department or agency, (2) who engage in activities regulated by Executive departments or agencies, or (3) who have any interests which may be substantially affected by the performance of your job. This latter group includes federal employees as well as persons in the private sector.

The foregoing does not preclude your acceptance of unsolicited advertising or promotional items such as pens, note pads, calendars, etc., so long as they are of nominal value (\$10 or less). Similarly, you are not prohibited from accepting reasonable gifts, promotional or otherwise, from close personal friends or relatives who have dealings with the government, when it is clear that the motivation for the gift is the personal relationship and acceptance would not give rise to the appearance of a conflict of interest.

Additionally, present law prohibits the acceptance of gifts in excess of \$50 (retail value in U.S.) from representatives of foreign governments except with the express consent of Congress. Any such gift which cannot appropriately be refused shall be submitted to the office of the Counsel to the President (Room 106, EOB) for transmittal to the Department of State.

Any prohibited gift should be returned to the donor along with a letter, a copy of which should be retained for your files, stating the reasons for its return. If for any reason it is not possible to return the gift, please forward it to the office of the Counsel to the President (Room 106, EOB) along with a letter of explanation. The gift will then be turned over to a public charity or charitable institution.

The rationale for the foregoing restrictions is two-fold. First, as between members of the Staff, they remove any appearance that a person is at-

tempting to gain favor with a superior by the giving of a gift, and also resolve that no such gift is expected. Second, as to gifts that might be offered from those outside the White House, they protect you as a member of the Staff from being thrust into a position of conflict with your job, or more often, from being exposed to the appearance of such a conflict.

Invitations to Official White House Functions

You may occasionally wish to suggest that someone be invited to an official activity at the White House. You may do so by completing the form shown at Enclosure A-3 and sending it to the Social Secretary.

Insurance

For information or questions regarding group life insurance or health insurance coverage, call the Personnel Office, Ext. 2260.

Leave

For information or questions regarding leave regulations or leave records of those on White House rolls, call the Payroll Section, Ext. 2220. Leave accrual for those subject to the Leave Act is as follows:

Sick Leave

All government employees accumulate the same sick leave credit—13 days annually at the rate of 4 hours per pay period.

Annual Leave

The rate of annual leave accrual is based on the individual's aggregate amount of creditable service. For the first 3 years of service, all employees earn 13 days annually, at the rate of 4 hours per pay period. From 3 to 15 years service, 20 days are earned at the rate of 6 hours each pay period. Beyond 15 years, 26 days are earned at the rate of 8 hours each pay period.

Legal Matters

You should consult the Office of the Counsel to the President on all legal matters related to the performance of your official duties. Examples of such matters include:

(a) Questions of interpretation of statutes, Executive Orders, and administrative rules and regulations.



(b) Questions of the probable legal effect of language in draft or enrolled bills or in proposed Executive Orders.

(c) The need or desirability of referring matters to the Department of Justice for an opinion or action.

(d) Initiating any contact which may fall within the scope of paragraph 11 of the Standards of Conduct section (Tab E) involving independent regulatory agencies or procurement agencies; also initiating any contact in his official capacity with a member of the Judiciary, an employee of the Internal Revenue Service, a United States Attorney or an employee of any Board, Division, or Bureau of the Department of Justice.

(e) Subpoenas, complaints and orders in any judicial or administrative proceedings or requests to be a witness therein when they relate to your official duties or those of another employee of the Federal Government, and inquiries or requests made by an attorney or by a party to any such proceeding.

(f) Requests or demands for documents other than those prepared for unrestricted distribution when a response would not be in the ordinary course of the employee's duties.

(g) Requests, before they can be granted, for Presidential endorsement or support of a nongovernmental organization or project, whether by accepting an honorary membership or sponsorship, by use of his picture or his seal, or by other means, except that such requests should go initially to the Correspondence Section.

Letters and Other Mail

(a) *Format*: For forms of salutations and address and matters of style, consult the White House Correspondence Manual which is provided to secretarial personnel upon arrival. (Call Ext. 2603.)

(b) *Mail Processing*: Incoming mail is processed through the White House Mail Room Receiving Unit in the EOB. All mail delivered by the Post Office and all packages delivered by messengers are put through a security screening process. This process will damage undeveloped film, and its expected arrival should therefore be called to the attention of the Chief of Mails, so that it may be held aside and processed separately.

All outgoing official mail should be signed and

placed in a folder (along with file copies, yellow, green, white) for transmittal to the Stripping Desk of Central Files. Messengers will make scheduled pick ups at your office.

(c) *Presidential Correspondence*: Each staff office is responsible for taking appropriate action on mail referred to it for response. The following points should be kept in mind when processing Presidential correspondence:

1. While it is impossible for the President to send a personal reply to every message he receives, responses to communications from the President's personal friends, members of the Congress, principal state and local government officials and other leading citizens should *normally* be prepared for signature by the President rather than by a staff member unless the circumstances indicate that this would be inappropriate.

2. A brief acknowledgment or interim reply for the President's signature is often desirable in those instances in which the President should not be drawn into debate on the merits of particular matter.

3. When any question arises about a writer's past correspondence relationship with the President, it is important that the staff member preparing a reply obtain copies of previous correspondence from Central Files (Ext. 2240).

4. Information on salutations used by the President in writing to people he knows is available through the Kardex Unit in Central Files, and a check should be made in all questionable cases.

5. Frequently an individual writing to the President will send copies of his letter to various members of the staff, some of whom will in turn prepare replies for the President's signature without locating the original letter or getting the entire file or correspondence together. In order to avoid the possibility of a writer's receiving more than one response to his letter, every reply prepared for the President's signature should be forwarded together with the *original* incoming communication. When this is not possible, appropriate notes of explanation identifying the location and disposition of the original should be attached to the drafts submitted for signature.

(d) *Congressional Correspondence*: All mail from White House staff members to Senators or Members of Congress relating to substantive mat-



ters should be cleared with the Office of Legislative Affairs before mailing.

Some Congressmen sending a letter to the President or another person on the White House Staff will also send information copies to other Staff members. In such instances, anyone receiving an information copy of a letter from the Hill should merely acknowledge receipt of the copy.

(e) *Personal Mail*: White House stationery should not be used for personal correspondence. The azure stationery is used exclusively for Presidential correspondence, and is never to be used for any other purpose.

You should also be careful not to use prepaid penalty mail covers for nonofficial matters. Nor should articles or documents be sent by penalty mail unless pursuant to official business. Personal mail should be stamped and dispatched by yourself.

Maintenance

All requests for such services as air-conditioning, cleaning, replacement of electric lights, heating, painting, plumbing, carpenter work (except typewriter repair) should be made to the *GSA White House Area Representative*, Ext. 2348.

Medical Facilities

The Office of the White House Physician and the White House Medical Unit are located on the 1st Floor of the EOB, Room 105, Ext. 2182.

Messenger Service

The Chief Messenger's Office is located in Room 54 EOB (Ext. 7005). Sub-units are also located in the West Wing, Ext. 2615, East Wing, Ext. 2114 and on the ground floor of the EOB, Ext. 2601. The messengers provide regularly scheduled pick up and delivery service for each of the staff and operating offices. As required, this office also provides expedited delivery service to and from the other departments and agencies. When mail is to be delivered by messenger to another department or agency, it is necessary that a complete name and address should be supplied. For instance, "John Doe, Department of Commerce" is not enough. Except for the ranking officials, the room and building should also be furnished, as personnel of some of the departments are located at several different addresses.

For expedited hand delivery, use a "red tag."

Moving

Any moves should be coordinated by the Staff Secretary. Members of the staff should not deal directly with the GSA White House Area Representative.

Newspapers and Periodicals

These are furnished to the staff offices on the basis of need. Requests should be made by memorandum to the Staff Secretary for approval. When feasible, in order to avoid excessive purchases, newspapers should be placed in a central location for common use by several offices. In addition, the Presidential Record Book Section maintains a file of magazines for staff reference and circulates them regularly upon request.

Parking

Parking is provided for members of the White House Staff on East and West Executive Avenues, State Place, and the Ellipse areas. Requests for permits should be submitted in writing by the heads of White House Staff Offices to the White House Visitors' Office in the East Wing. Upon approval permits are issued.

Pay

Government pay days are staggered. White House employees receive their checks every other Wednesday, 11 days after the end of a pay period. Employees detailed to the White House receive their checks on a varied schedule depending on their respective employing agency.

Personnel

The Personnel Office, located in Room 6, EOB, Ext. 2260 maintains personnel records and files and is the main contact with Civil Service Commission on personnel matters. It handles requests for personnel actions, including assignments of employees detailed from departments and agencies.

Postage Rate and ZIP Code Information

This information is available from the White House Mail Room, Dispatch Unit, Ext. 2542.

Presidential Spokesmen

The Office of Presidential Spokesmen is coordinated by the Scheduling Office. Its purpose is to schedule outstanding Administration spokesmen with forums throughout the nation.

Reference Sources

Central Files (Ext. 2240)

The Kardex Unit keeps a current index of those



with whom the President corresponds on a first name basis. Central Files also maintains ZIP code information and many out-of-town telephone directories, and has access to the facilities of the Library of Congress to obtain address information not available within the office.

Presidential Record Book Section (Ext. 2500)

It maintains the Presidential Press Record, a daily chronological file of newspaper clippings of pertinent material on the President and his administration. A file of magazines and newspapers for staff reference is also available. Loans of books from the Library of Congress may be secured by the section.

Press Release Section (Ext. 2692)

It maintains a complete record and subject reference of White House Press Releases, copies of which are available upon request.

Reference Books

Selected reference books are available in the Office of the Chief Executive Clerk (Ext. 2594) such as the Public Papers of the President, Weekly Compilation of Presidential Documents, the Congressional Record, U.S. Statutes at Large, U.S. Code, Congressional Directory, U.S. Government Manual, Congressional Quarterly, and Who's Who. The Correspondence Manual is available from the Correspondence Section (Ext. 2603).

Information on other books may be supplied by the Presidential Record Book Section, Ext. 2500. If you have need to be on the distribution list for the Congressional Record, the Federal Register and the Weekly Compilation of Presidential Documents, the Office of the Chief Executive Clerk should be so advised.

Records Office (Ext. 2226)

In addition to recording official actions of the President, this office has copies of bills and resolutions which have been introduced, as well as copies of Senate and House reports.

Security

The Secret Service and the Executive Protective Service provide security coverage for the President and First Family and for the White House and Executive Office Building premises. A roster of personnel employed in all offices in the two buildings is maintained by the White House Police.

Staff Memoranda

In order to avoid confusion and duplication, memoranda that are to be distributed to all White House Staff must be sent to the Office of the Staff Secretary which will handle the distribution, if approved.

Telephone Call Recommendations to the President

Telephone Call Recommendations (sample shown at Enclosure C-6) are submitted in lieu of

Meeting Schedule Proposals in order to use the President's time efficiently. Generally, Telephone Call Recommendations are submitted to bring to the President's attention outstanding achievements of individuals or groups to permit him to recognize their achievements with a courtesy call. All appropriate background information should be included in the Telephone Call Recommendation.

Telephone Service

New staff members will be provided telephone service as quickly as possible. During the first few days, it may be necessary to use facilities already in place and you may want to inform the telephone operators of your new location. When you are sure of the system that you wish to place in your office, contact the Office of the Telephone Company Representative (Ext. 5928).

In order to conserve time in placing calls, the following general pattern is suggested:

(a) *Local Calls*

Interoffice calls should be dialed, and *not* placed through the White House switchboard. You will be furnished a Directory.

Non-government calls should be made without going through the White House switchboard—by dialing "9" and then dialing the number desired.

Government calls should be made by dialing the appropriate code, followed by the extension number desired. Lacking an extension number, the code and information number should be dialed. A list of government codes and information numbers is included in the Directory.

(b) *Long Distance Calls.*

Long distance calls for *official business* should not be dialed directly, due to the high cost of this method. The White House switchboards have access to Wide Area Telephone Service (WATS) and Federal Telecommunications System (FTS) lines. To gain access to these services when making official calls, members of the White House Staff should place long distance calls by dialing 80, followed by the area code and the local number. In the event a busy signal is obtained after several attempts, the switchboard operator should be dialed for assistance in gaining access to the WATS service.



Long distance calls that are political rather than official in nature should be made by advising the White House operator that it is a political call. This will insure that the toll charges are billed to the Republican National Committee and will not be chargeable against White House funds.

Long distance calls of a *personal* nature should also be placed through the White House operator so that it may be charged to the caller's home telephone or personal credit card number. Staff members should have a record of the home telephone numbers of the other staff members in their office, so that whenever possible such calls may be dialed directly instead of being placed through the White House switchboard.

Government department and agency directories may be requisitioned through the telephone operators.

Telegrams

Consult the Correspondence Manual for format and other detailed information. All White House wires are sent commercially and dispatched only through our Telegraph Office, which maintains direct connections with commercial carriers at all times. Classified messages are dispatched via the Situation Room.

Theater (White House)

Reservations for the use of the White House Theater for meetings, briefings, films and other official White House business should be made by sending a memo to the East Wing Receptionist or by phoning her. In her absence, phone the Office of White House Visitors, Ext. 2200.

Typewriter Repairs

For repairs call the Supply Room, Ext. 2622.

Travel Information and Vouchers

All official travel must be approved in advance by the Staff Secretary. Without clearance prior to the date of travel, it will not be possible to arrange payment of travel expenses from official funds. After requests have been approved, travel by air and rail may be arranged for staff members by calling the Office of Telegraph and Travel Services (Ext. 2250). Government Transportation Requests (known as GTR's) may be used for

such travel on official business. For reimbursement of expenses, vouchers must be completed on forms available from the Supply Section, Ext. 2622. The Budget Office (Ext. 2220), can provide assistance in completing the forms.

Video Tape Recording

White House Communication Agency—Video Tape Recording Section has the capability of recording any television programs broadcast in the Washington, D.C. area. Presidential appearances, CBS Morning News, and all evening network newscasts are automatically taped by the WHCA. Special requirements, such as the recording of appearances of staff members, Cabinet members, etc., on national TV, may be requested but must be co-ordinated ahead of time to preclude scheduling conflicts.

All requests for VTR services should be directed to the following WHCA sections during the time frames indicated:

Normal working hours Monday thru Friday:
WHCA Electronics Maintenance Section, Ext. 4035.

Other than normal working hours: WHCA
Duty Officer, Ext. 4070.

Visitors

For procedures, see Appointments, page A-2 of this section.

White House Tours

Excepting certain holidays the White House is open to the public throughout the year: from 10 a.m. to 12 noon, Tuesday through Saturday; and until 2 p.m. on Saturday during the summer months. Visitors for the regular tour should come to the East Gate on East Executive Avenue. Reservations are not required.

Special guided tours are available on a limited basis from 8 a.m. to 9 a.m., Tuesday through Saturday. To obtain a tour reservation, please phone the Office of White House Visitors, Ext. 2200. Identify yourself and request a special tour for the specific number of guests and the date you wish. If your request can be confirmed, a reservation number, a time and a date will be recorded on each ticket. Time permitting, the tickets will be sent to you.



Upon arrival for a special tour, each guest must present a validated ticket at the East Gate on East Executive Avenue. Each ticket number, date and time will be checked by the Officer at the gate against records furnished by the Office of White House Visitors.

Members of the White House Staff should not take guests to the area of the President's Office and the Cabinet Room without first checking with the White House Visitors Office to determine if the President's schedule and other business will permit non-staff guests in that area. Members of the White House Staff and their guests should

view the President's Oval Office and the Cabinet Room from the door.

Requests to view the Rose Garden, South Grounds, and other areas off the established tour route during visiting hours should be directed to the Visitors Office for confirmation if possible. The White House is not generally available for viewing in the afternoon, (after closing to visitors) or on Sunday or Monday. Arrangements for tours during these "off" hour times can only be made under unusual circumstances and must be made by contacting the Visitors Office in advance. This is to permit the First Family to use the Residence and Grounds privately and for official functions.



EXECUTIVE PROTECTIVE SERVICE

To: Officer-in-charge
Appointments Center
Room 060, OEOB

Please admit the following appointments on _____, 19____
for _____ of _____:
(Name of person to be visited) (Agency)

MEETING LOCATION

Building _____
Room No. _____

Requested by _____
Room No. _____ Telephone _____
Date of request _____

Additions and/or changes made by telephone should be limited to three (3) names or less.
DO NOT DUPLICATE THIS FORM.

APPOINTMENTS CENTER: SIG/OEOB - 395-6046 or WHITE HOUSE - 456-6742



Suggestion for Invitations to White House Functions

Name

Mr. _____

Mr. and Mrs. _____

Mrs. _____

Miss _____

Home Address _____

Telephone: _____

Business Affiliation _____

Business Address _____

Telephone: _____

Function:

Dinner _____

After Dinner Entertainment _____

Reception _____

Reason for Consideration:

Submitted by: _____



B

EMPLOYMENT

A. What an office head should do:

1. To employ someone new in the White House as a member of his staff—

a. Complete the Request for Personnel Assignment form and Information Sheet (copies of each are shown at Enclosures B-1 and B-2). Forms are available from the Personnel Office (Ext. 2260). All new personnel paid at the rate of GS-13 or above should complete the Confidential Statement of Employment and Financial Interests form (a sample is at Enclosure E-2) and return it to the Office of the Counsel to the President.

b. After completion of the above forms, they should be sent to the Staff Secretary for his approval and forwarding to the Personnel Office for appropriate processing.

c. A copy of the completed Information Sheet should be sent to the Security Office, Room 43, EOB (Ext. 2345) so that preliminary security clearance can be established.

d. The following time requirements are to be observed in hiring new personnel:

(1) *Secretarial and clerical employees*—at least one week is necessary from the date the "Request for Personnel Assignment" is approved until the employee may enter on duty. It should, therefore, be submitted to the Office of the Staff Secretary *at least two weeks prior to the proposed date of appointment.*

(2) *Professional employees*—at least one month must elapse from the date the "Request for Personnel Assignment" is approved until the employee may enter on duty. This form should be submitted to the Office of the Staff Secretary *at least five weeks prior to the proposed date of appointment.* The "Confidential Statement of Employment and Financial Interests" should be submitted to the Office of the Counsel to the President *at least five weeks prior to the proposed date of appointment.*

e. Supervisors of all new *consultants* and *detailees* should complete the following forms and return them to the Office of the Staff Secretary *at least two weeks prior to the proposed dates of appointment:*

- "Request for Personnel Assignment"
- "Information Needed Concerning New Personnel"

All new consultants and detailees paid at the rate of GS 13 or above should complete the following

form and return it to the Office of the Counsel to the President *at least two weeks prior to the proposed dates of appointment:*

— "Confidential Statement of Employment and Financial Interests (for Use by Special Government Employees)" (Sample at Enclosure E-3)

f. All consultants and detailees will be terminated 90 days after their date of entry on duty at the White House Office, unless a request for extension has been submitted to the Office of the Staff Secretary and approved.

g. There is no exception to the *two week rule* for submitting forms for the appointment of secretarial and clerical employees. In special cases, exceptions to the *five week rule* for professional employees will be considered. If a proposed exception is approved, the professional employee will be appointed a "Consultant" until all required checks and administrative procedures are completed.

h. In preparation for an employee's first day in the White House Complex, the office head should arrange for the new employee to come in as an appointment. Further entry arrangements should be made through the Pass Section, Room 23, EOB, telephone 395-4259, or Ext. 4259.

2. To add someone employed at the White House to his staff, he should send a memorandum requesting the desired reassignment to the Staff Secretary, who will authorize the Personnel Office to take appropriate action if the request is approved.

3. To arrange for a member of his staff to leave the employ of the White House Office he should call the Personnel Office (Ext. 2260) for resignation forms to be completed. Examples are shown at Enclosures B-4 and B-5. These forms will provide guidance for final clearance with various offices that need information about departing staff members.

B. What an employee should do:

1. When being employed as a new member of the staff, the employee should—

a. Complete an Information Sheet and S.F. 171 to provide background information necessary for appointment and security clearance on the White House staff.

b. On his first day advise the Personnel Office (Ext. 2260) that he has reported for work.

c. Contact the Security office (Ext. 2345) about an appropriate pass.

2. To move from one office to another no action



is required by an employee except to notify telephone and mail rooms—official desiring change sends appropriate request to Staff Secretary.

3. When leaving the White House Staff an employee should complete the resignation form and clearance form (examples are shown at Enclosures B-4 and B-5). The resignation form will provide an address to which your final check will be sent.

The clearance form will provide guidance for you to notify various offices which need information about your departure. Please be aware that it will be possible to transmit your final paycheck to you only *after* the Check-Out Form (Enclosure B-5) has been completed and returned to the White House Personnel Office, Room 6, EOB.



THE WHITE HOUSE
WASHINGTON

REQUEST FOR PERSONNEL ASSIGNMENT

Date: _____

FROM: _____

Name of Proposed Employee: (Miss) _____
(Mrs.) _____
(Mr.) _____

Position: (a) Position title: _____

(b) Grade and Salary: _____

(c) _____ Check if proposed employee's title shall be "Consultant" for temporary period until all necessary security clearances are completed. Position title at (a) above shall be assigned after clearances are received.

Payroll (check one): _____ White House Office (Regular Salary & Expenses)
_____ White House Office (Consultant)
_____ Other (specify: _____)

Length of Assignment (check one):
_____ Temporary (No. of Months _____ or
(Not to exceed _____))
_____ Indefinite
_____ Permanent

Desired effective date: _____

Justification for assignment: _____

Present place of employment or assignment: _____

I hereby endorse and authorize the above described personnel action for my office:

(Signature of Requesting Official)

(Signature of Supervisor)

Attachment(s) needed.—In all cases—"Information Needed Concerning New Personnel".
If to be appointed White House rolls it is desirable to have SF 171 furnished, preferably attached to this request. If the SF 171 is not available as an attachment to this request form, send it to the White House Personnel Office, Room 6, EOB, when completed.



INFORMATION NEEDED CONCERNING NEW PERSONNEL

NAME (as it is to appear on payroll) (^{Miss, Mrs.} / _{Mr., Dr.}): _____

RESIDENCE ADDRESS: _____

TELEPHONE NUMBER: (Home) _____; (Office) _____

MARITAL STATUS (Circle one): Single, Married, Widowed, Separated, Divorced.

Name of Wife or Husband: _____

SOCIAL SECURITY ACCOUNT NUMBER: _____

DATE OF BIRTH: _____ PLACE OF BIRTH: _____

LEGAL RESIDENCE: _____

MILITARY SERVICE: Branch: _____ Dates of service: _____

Have you established Veterans Preference? _____ 5 or 10 point? _____

SPECIAL SKILLS: Typing WPM ____ Shorthand WPM ____.

GOVERNMENT SERVICE INFORMATION:

Are you now, or have you previously been employed in the Executive, Legislative, or Judicial Branch of the Federal Government, or the District of Columbia Government? Yes _____. No _____.
If so, please complete the following:

- (a) Current or latest place of such employment (prior to White House assignment):
Department or Agency: _____
Branch or Division: _____
- (b) Ending date of such service (if applicable): _____
- (c) Type of appointment (Career-Conditional, Career, Indefinite, Excepted, or Temporary Limited): _____
- (d) Position Title: _____ Grade _____ Salary \$ _____
- (e) Date of (1)—last promotion or grade change: _____
(2)—last within-grade pay increase: _____
- (f) Coverages (indicate Yes or No):
(1) Civil Service Retirement _____) If both at one time or another,
(2) Social Security (FICA) _____) which latest? _____
(3) Federal Employees Group LIFE Insurance (FEGLI): Regular ____ Optional _____. (If waived such coverage—give date of waiver: _____.)
(4) Federal Employees HEALTH BENEFITS Insurance (FEHBP) _____

Date of entrance on duty at White House: _____

Office to which assigned: _____ Date of this form: _____



PERSONAL QUALIFICATIONS STATEMENT

1A. Kind of position (job) you are filing for (or title of announcement)		B. Announcement No.		DO NOT WRITE IN THIS BLOCK FOR USE OF EXAMINING OFFICE ONLY					ANNOUNCEMENT NO.																					
C. Options for which you wish to be considered (if listed in announcement)										Material <input type="checkbox"/> Appor. <input type="checkbox"/> Submitted <input type="checkbox"/> Nonappor. <input type="checkbox"/> Returned		Entered Register:																		
D. Primary place(s) you wish to be employed				Notations:						STA																				
2. Home phone (including Area Code)		3. Office phone (including Area Code)		Form Reviewed:																										
4. Name (Last) (First) (Middle) (Maiden, if any) and Address (Number, Street, City, State and ZIP Code)				Form Approved:																										
5. Legal or voting residence (State)				<table border="1"> <thead> <tr> <th>Option</th> <th>Grade</th> <th>Earned Rating</th> <th>Preference</th> <th>Aug. Rating</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td><input type="checkbox"/> 5 points (Tent.)</td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td><input type="checkbox"/> 10 Points Comp. Dis.</td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td><input type="checkbox"/> Other 10 Points</td> <td></td> </tr> </tbody> </table>							Option	Grade	Earned Rating	Preference	Aug. Rating				<input type="checkbox"/> 5 points (Tent.)					<input type="checkbox"/> 10 Points Comp. Dis.					<input type="checkbox"/> Other 10 Points	
Option	Grade	Earned Rating	Preference	Aug. Rating																										
			<input type="checkbox"/> 5 points (Tent.)																											
			<input type="checkbox"/> 10 Points Comp. Dis.																											
			<input type="checkbox"/> Other 10 Points																											
6. Height without shoes		7. Weight																												



PERSONAL QUALIFICATIONS STATEMENT



IMPORTANT
READ THE FOLLOWING INSTRUCTIONS CAREFULLY BEFORE FILLING OUT YOUR STATEMENT

All requested information must be furnished. The information you give will be used to determine your qualifications for employment.

It is **IMPORTANT** that you answer all questions on your Statement *fully and accurately*; failure to do so may delay its consideration and could mean loss of employment opportunities.

If an item does not apply to you, or if there is no information to be given, please write in the letters "N.A." for Not Applicable.

GENERAL INSTRUCTIONS

- Use typewriter if available. Otherwise, write legibly or print clearly in dark ink.
- If you are applying for a specific civil service examination, follow exactly the directions in the examination announcement as well as the instructions for filling out this form.
- For a written examination, the admission card tells you what to do with this Statement.
- If the examination involves no written test, mail this Statement to the office named in the examination announcement. Be sure to mail to the same office any other forms required in the announcement.
- Notify the office with which you file this Statement of any change in your name or address.

INSTRUCTION RELATING TO SPECIFIC ITEMS

ITEM 13. LOWEST GRADE OR SALARY

- Enter the lowest grade OR the lowest salary you will accept. You

will not be considered for any lower grade or salary; you will be considered for higher grades or salary. If you enter grade, do not enter salary.

ITEM 19. ACTIVE MILITARY SERVICE AND VETERAN PREFERENCE

- Five-point preference is granted to veterans if they are honorably separated from the armed forces; (a) after active duty during the periods April 6, 1917, to July 2, 1921, or December 7, 1941, to July 1, 1955; (b) after more than 180 consecutive days of active duty after January 31, 1955 (not counting service under an initial period of active duty for training under the "6-month" Reserve or National Guard programs); or (c) after service in a campaign for which a campaign badge has been authorized.
- If you claim five-point preference, you are not required to furnish records to support your claim until the time of appointment.
- Ten-point preference is granted in some cases to disabled veterans, including veterans awarded the Purple Heart, to widows of veterans, to wives of disabled veterans, and to mothers of deceased or disabled veterans. See Standard Form 15, Claim for 10-Point Veteran Preference.
- If you claim ten-point preference, complete Standard Form 15 and attach it, together with the proof called for in that form, to this Statement.

ITEM 20. EXPERIENCE

- Take time to fill in these experience blocks carefully and completely. Your qualifications rating depends in a large part on your experience and employment history. *Failure to give complete details may delay consideration of your Statement.* Answers given in this item may be verified with former employers.
- When the block contains experience in more than one type of work (examples: carpentry and painting, or personnel and budget) estimate and indicate the approximate percentage of time spent in each type of work. Place these percentages in parentheses at the end of the description of the duties.

PLEASE READ ADDITIONAL INSTRUCTIONS ON BACK OF THIS SHEET



THE WHITE HOUSE
WASHINGTON

FOR: WHITE HOUSE PERSONNEL WHO SEPARATE

The matters described below relate to your departure from the White House and your immediate and careful attention to each item will be appreciated.

Personnel Information--Please be sure that the Personnel Office, Room 6, EOB has your date of separation and address for use in sending your separation papers, and final pay check. To assist you in providing this information there is furnished herewith a form (in duplicate) to complete and send to The Personnel Office. You may keep the copy for your personal records if you wish.

CONTACT WHITE HOUSE PERSONNEL OFFICE (EXT.2260)
FOR INFORMATION REGARDING WHAT HAPPENS ON THE
FOLLOWING:

- LIFE INSURANCE
- HEALTH INSURANCE
- CIVIL SERVICE RETIREMENT DEDUCTIONS
- ANNUAL LEAVE TO CREDIT (LUMP SUM PAYMENT)

Time and Attendance Cards--For those subject to the Leave Act the final Time and Attendance Card should be sent to the Payroll Section, Room 4, EOB as soon as possible during your last pay period here.

Check-Out Form--The attached form will provide guidance for you to notify various offices which need information about your departure. Please be aware that it will be possible to transmit your final paycheck to you only after this form has been completed and returned to the White House Personnel Office.



THE WHITE HOUSE

WASHINGTON

RESIGNATION—for Personnel and Payroll Records:

(Important note to individual completing this form : Existing regulations under which all Government agencies operate require that specific reasons for resignation be furnished. Generalized reasons, such as "ill health" or "personal reasons" are not acceptable.)

(Date resignation is written)

I RESIGN FOR THE FOLLOWING REASONS:

THE EFFECTIVE DATE OF MY RESIGNATION WILL BE _____

(Close of business date)

(Signature)

FORWARDING ADDRESS AND TELEPHONE NUMBER to be used for communications, including separation papers, salary checks and bonds. If there is a restriction on the period of time during which this address is applicable, please indicate:

NEW EMPLOYMENT ADDRESS AND TELEPHONE NUMBER: _____
(effective _____.)



THE WHITE HOUSE
WASHINGTON

CHECK-OUT FORM

The checklist below is provided to simplify procedures for your separation and to notify appropriate White House Offices of your departure. Signatures must be obtained for each item. It will not be possible to arrange for issuance of your final paycheck until this form has been satisfactorily completed and returned to the Personnel Office.

Name _____ Date of Separation _____

Current Address _____

Forwarding Address _____

1. The employee's parking permit has been removed and remains have been returned to my office.

_____ Office of White House Visitors
East Wing, Room 100 (Ext. 2202)

2. The clearance for Special Privileges has been satisfied with the Office of the Staff Secretary.

_____ Staff Secretary
West Wing (Ext. 2206)

3. Equipment charged to the employee has been returned to the White House Communications Agency.

_____ Commanding Officer
White House Communications Agency
EOB, Room 597 (Ext. 4040)

4. The employee's final bill has been paid and his White House mess privilege has been cancelled.

_____ White House Staff Mess
EOB, Room 402 (Ext. 2568)

5. The employee's Official or Diplomatic Passport obtained for official White House use has been returned to the White House Travel Office.

_____ White House Travel Office
EOB, Room 87 (Ext. 2250)

6. The employee has satisfied the requirements for debriefing and deposit of presidential papers.

_____ White House Central Files
EOB, Room 68 (Ext. 2240)



- 7. The White House Federal Credit Union has been notified of the separation, the employee's forwarding address, and firm arrangements have been made for the repayment of any outstanding loans.

_____ White House Federal Credit Union
EOB, Room 49 (Ext. 2900)

- 8. The employee has satisfied the security debriefing requirements.

_____ White House Security Office
EOB, Room 43 (Ext. 2345)

- 9. The White House Mail Room has been advised where mail may be forwarded.

_____ White House Mail Room
EOB, Room 91 (Ext. 2541)

- 10. The employee's White House or EOB Pass has been surrendered to the Secret Service.

_____ Special Agent in Charge
Technical Security Division
United States Secret Service
EOB, Room 23 (Ext. 2376)

- 11. The White House Telephone Switchboard has been advised where telephone calls may be referred.

_____ White House Telephone Service
EOB, Room 09 (Ext. 2134)

- 12. Books charged to the employee has been returned to the Presidential Record Book Section.

_____ Presidential Record Book Section
EOB, 02 (Ext. 2500)

- 13. The employee has satisfied outstanding advances.

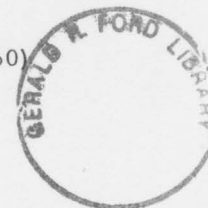
_____ Administrative Officer
EOB, Room 8 (Ext. 6417)

- 14. The employee has satisfied all separation requirements of the Personnel Office.

_____ James R. Rogers
EOB, Room 6 (Ext. 2260)

Return completed form to:

James R. Rogers
Personnel Officer
EOB, Room 6





C

MATERIALS FOR THE PRESIDENT

The types of materials forwarded to the President by the White House Staff include the following:

1. *For the President—Signature*

Documents for the signature of the President include the following: Messages to the Congress, Proclamations, Executive Orders, nominations and commissions, memoranda and letters. (See Enclosure C-1 for sample.)

2. *For the President—For Your Information, National Security*

Information papers on any number of national security subjects are prepared for the President to keep him informed on pressing world events. These papers are prepared by the Assistant to the President for National Security Affairs.

3. *For the President—For Your Information, Domestic*

Information papers on any number of domestic subjects are prepared for the President to keep him informed on pressing domestic events. These papers are prepared by the Assistant to the President for Domestic Affairs and other White House Staff Members who have special assignments to work on various domestic projects. (See Enclosure C-2 for sample.)

4. *For the President—Action*

Proposals by White House Staff Members on matters requiring Presidential actions are forwarded to the President in this general category. Members of the White House Staff are advised

of the President's actions immediately in order that they may proceed with implementation if such is indicated. (See Enclosure C-3 for sample.)

The Office of the Staff Secretary, through which all Presidential material must pass en route to the President's desk, attempts to instruct White House Staff Members about the importance of preparing accurate information briefly and concisely. Papers intended for the President should include only those items deemed essential. The need for clarity and brevity cannot be over emphasized and there is no objection to the use of an outline format when this is more appropriate than a narrative.

5. *For the President—Meeting Briefing Papers*

The President receives meeting briefing papers for all meetings he holds with White House Staff Members and other individuals in the public and private sectors. Great care should be taken in the preparation of these briefing papers in order to insure accuracy and succinctness. The President is customarily advised of the purpose, background, participants, press plan (if any) and principal talking points for each meeting. Meetings are scheduled after an appropriate Schedule Proposal (sample at Enclosure C-4) has been submitted to the Scheduling Office and approved. Meeting Briefing Papers (sample at Enclosure C-5) should be prepared after meetings have been approved and advice of such approval has been received by the proposing office. Meeting Briefing Papers should be submitted to the Office of the Staff Secretary.

6. *For the President—Recommended Telephone Call*

Telephone Call Recommendations (sample at Enclosure C-6) are often submitted in lieu of a Schedule Proposal, in order to use the President's time efficiently.



MEMORANDUM

Enclosure C-1
For the President—Signature

THE WHITE HOUSE
WASHINGTON

October 23, 1975

MEMORANDUM FOR THE PRESIDENT

Forwarded for your approval and signature is a nomination containing the names of 266 officers for promotion and original appointments in the Navy. This nomination has been staffed by the Secretary of the Navy and approved by the Secretary of Defense.

Recommendation

That you sign the nomination attached at Tab A.

Major General Richard L. Lawson, USAF
Military Assistant to the President

Attachment

TO A FOND

MEMORANDUM For the President—For Your Information, Domestic

THE WHITE HOUSE

WASHINGTON

October 21, 1975

MEMORANDUM FOR: THE PRESIDENT
FROM: JOHN E. SMITH
SUBJECT: Report on Fuel Economy and Air Quality

This report provides information on recent stories about an alleged FEA report which indicates that your goal of 40% increase in automobile fuel economy by 1980 can be achieved without making the changes in the Clean Air Act that you proposed in your State of the Union Message.

1. Several reports have been prepared jointly by FEA, EPA and DOT experts which are available publicly and indicate that, under the most optimistic assessments of new technology, the current Clean Air Act standards for 1977 could be met and still achieve a 40% fuel economy increase by 1980. The reports show, however, that even under the most optimistic assessments:

—The initial cost of the cars would be between 5% and 10% higher—that is \$200 and \$400.

—There would be a large fuel economy loss between now and 1980 (when improved technology might be available). For example, the fuel economy loss in 1977 would be at least 10%.

—Allowing the current Clean Air Act standards for 1977 to go into effect would produce very little improvement in air quality because 1975 nationwide standards are already very low compared to previous years.

Less optimistic assessments of the technology indicate that Clean Air Act standards for 1977 would involve even higher costs and fuel penalties. The critical need is to find the best balance between improved air quality in the cities that have an auto-related pollution problem and the price that will be paid nationwide to meet auto emission standards.

2. The report referred to in news stories is a brief summary paper prepared for your meeting with your energy advisers.
3. The brief paper, a background document, and a technical briefing by FEA, EPA and DOT experts have been offered to interested members of the press.

(NOTE: The above memorandum is a sample and the contents are not necessarily factually correct. It is provided only as a guide for format.)



MEMORANDUM

Enclosure C-3
For the President—Action

THE WHITE HOUSE
WASHINGTON

September 9, 1975

ACTION

MEMORANDUM FOR:

THE PRESIDENT

FROM:

JOHN E. SMITH (name of staff member)

SUBJECT:

Briefly State Subject

I. BACKGROUND

The President should be informed of recent actions by the Administration, departments, agencies, states, other foreign governments, etc., on issues.

II. OPTIONS

Two or three options should be presented for consideration. When discussing these courses of action, brief mention should be made of the advantages and disadvantages of each, and who (or what offices, agencies, and departments) within the Administration is in favor and why.

III. RECOMMENDATION

The recommendation(s) proposed by the writer should be made with a space provided to permit the President to indicate his Approval or Disapproval of each option. A short statement of the names of the other White House Staff Members who concur in the writer's recommendations should also be made. An example is provided below:

RECOMMENDATION

That you approve Option 1, which provides for-----

(Smith, Anderson, Thompson and Wilson concur.)

Approve _____ Disapprove _____

(Note: Where necessary, tabs may be attached to Action Memoranda. However, as in the case of other written materials directed to the President, brevity is encouraged. Seldom should an Action Memorandum be longer than one or two pages, and tabs, whenever possible, should be held to less than four or five.)



Schedule Proposal Format

THE WHITE HOUSE
WASHINGTON

SCHEDULE PROPOSAL
DATE:
FROM:
VIA: Warren S. Rustand

MEETING: Or Greeting - Drop by - Address - Reception, etc.

DATE: Day and date proposed. Indicate OPEN if no specific time is required.

PURPOSE: Explicitly state why the President should do the event.

FORMAT: -location (room, office or city and specific place in the city)
-participants (those participating in the meeting. If more than five lines, attach list of participants)
-expected length of participation

CABINET PARTICIPATION: Names of Cabinet Officials involved in substantive way or having a special interest in event.

SPEECH MATERIAL: Specify type of speech material necessary: speech, remarks, toast, talking points, etc.

PRESS COVERAGE: State what type of press and photo coverage, if any, you recommend to accomplish the objective.

STAFF: Name of the individual responsible for setting up the meeting and submitting the briefing paper.

RECOMMEND: Names of those who support the proposal. Be sure to include any pertinent comments.

OPPOSED: Names of those who fail to recommend the proposal and their reasons.

PREVIOUS PARTICIPATION: State if the President has seen officials or participated in meetings and when.

BACKGROUND: Briefly state pertinent information about the meeting, event, etc.

APPROVE _____

DISAPPROVE _____



Meeting Briefing Paper Format

THE WHITE HOUSE

WASHINGTON

October 14, 1975

MEETING WITH ERNEST G. ANDERSON

Wednesday, October 15, 1975

3:15 p.m. (10 minutes)

The Oval Office

From: John Doe



I. PURPOSE

To recognize his election as president of Manufacturers International

II. BACKGROUND, PARTICIPANTS & PRESS PLAN

A. Background: Anderson succeeds your old friend Jim Stone having served as executive vice president of Manufacturers International last year. Anderson assumed the presidency at the annual convention in September. He is English from London and is one of the principal owners of EngSteel, a world-wide steel company. You last saw him on February 5, 1975, when he attended a state dinner in honor of Prime Minister Trudeau of Canada.

B. Participants: Ernest G. Anderson and John Doe.

C. Press Plan: Press photo opportunity. (or) David Hume Kennerly photo only.

III. TALKING POINTS

1. We xxx xx xxxxxxxx xx xxxxxx xxx x xxx and xxxxxxxx
xxxx xxxxxxxx xxx xx xxxxxxxxxxxx xxx xxx x xxxxx xxxxx
xxxxxx. The xxxxx xxxxxxxx xx xxxxxxxxxxxx x x xxxxxxxx.

2. I xxxx xx xx xxxxx x x xxxxxxxx x x xxxxx xxxx xxxx xxx
xxxxx xxxxxx xxxxxx xxxxxxxx xxxxxxxx xxxxxxxx xxxxxxxx xxxxxxxx.

3. The xxxxxxxx xxxxxxxx xxxxxxxx xxxxxxxx xxxxxxxx xxxxxxxx xxxxxx x
xxxx xxx xxxxx. I xxxxxx xxxxxx xxxxxxxx xxxxxxxx xx.

4. We xxxxxx xxxxxxxx xxxxxxxx xxxxxxxx xxxxx xx x xxxxxxxxxxxxxxx
xxxxxxx xxxxxxxx xxxxx xxxxx xxxxx xxxxxxxx xxxxxxxx.

Telephone Call Recommendation Format

THE WHITE HOUSE

WASHINGTON

RECOMMENDED TELEPHONE CALL

TO: Name of person you recommend be called with brief identifying information only when you suspect name will be unfamiliar to the President.

DATE: Date the President should make the call

RECOMMENDED BY: Your name and if recommendation has concurrence of another staff member, so state.

PURPOSE: Preferably one sentence; two at most.

BACKGROUND: Whatever background information you feel will be helpful to the President. Usually 3-4 short sentences will suffice to set the stage and give substance to talking points. Also, make sure that no letter has been sent by Correspondence for same purpose as the call and so indicate by stating this in the background.

TOPICS OF DISCUSSION: 1.
2.
(The specific points that you recommend
3. be made during the conversation
4.



NOTE: Original plus 4 copies are to be sent to the Director of the Scheduling Office

Date of submission

Action _____

D

WHITE HOUSE OFFICE PAPERS

White House Office Papers: Classification and Declassification

The security classification and declassification of each document prepared in the White House is governed by Executive Order 11652 and other applicable Executive Orders. The number of persons authorized to originally classify information is limited. Should an employee originate information which he believes to require classification, he shall protect that information with appropriate safeguards, and shall seek the guidance of the Counsel to the President (Ext. 2293), who will provide a determination as to whether classification is necessary and the required level of any classification.

White House Office Papers: Filing with Central Files

1. *It is requested that the maximum possible use be made of Central Files, and the procedures listed below be followed.* This will aid in the faster and more complete retrieval of current information, eliminate unnecessary duplication of files, prevent excessive xeroxing, and maximize preservation of White House papers.

2. *Each staff member shall maintain his personal files separate from any working files he may keep on official business and clearly designate them as such.* Personal files include correspondence unrelated to any official duties performed by the staff member; personal books, pamphlets and periodicals; daily appointment books or log books; folders of newspapers or magazine clippings; and copies of records of a personnel nature relating to a person's employment or service. Personal files should not include any copies, drafts or working papers that relate to official business or any documents or records, whether or not adopted, made or received in the course of official business. For further discussion of personal files, see the following subsection on "Disposition of Papers Upon Leaving Staff."

3. *Each staff office shall forward regularly to Central Files three copies of all outgoing official*

business consisting of correspondence and memoranda. One copy of all other outgoing related materials should also be filed.

4. *Each staff office shall forward regularly to Central Files any incoming official business from sources other than White House staff offices after action, if any, has been taken.* Each staff office, if it so desires, may keep a copy of such incoming official business for its own working files.

5. *Each staff office shall forward regularly to Central Files any originals of incoming official business from other White House staff offices after action, if any, has been taken and if such originals were not intended to be returned to the sender.* If desired, a copy may be kept for the staff's working files.

6. *Each staff office shall forward to Central Files at such times as it determines to be appropriate all working files of official business which are inactive and no longer needed.* These files will be stored by office as well as listed by subject matter. They will, of course, always be available for later reference.

7. *Each staff office at its own discretion may segregate any materials that it believes to be particularly sensitive and which should not be filed by subject matter.* Such sensitive materials should be forwarded to the Staff Secretary on the same basis as outlined in paragraphs 3 through 6 in an envelope marked SENSITIVE RECORDS FOR STORAGE with the office or individual from which they are sent marked on the outside and (as appropriate) a list of inventory in general terms attached. This list of inventory should also be sent to Central Files so that notations can be made in subject files that certain material is missing from the file. These materials will be filed in locked containers and will only be made available to the individual or office from whom they were received.

8. *No defense material classified under Executive Order No. 11652 with a classification of TOP SECRET or Restricted Data under the Atomic Energy Act of 1954 should be forwarded to Central Files.* All such material should be forwarded to the Staff Secretary for storage.

9. *No exceptions to the above shall be made without the express consent of the Counsel to the*



President. Additional advice on the operation of Central Files may be obtained from Frank Matthews, Chief of Central Files (Ext. 2240).

White House Office Papers: Disposition of Papers Upon Leaving Staff

Upon termination of employment with the staff, each staff member will turn over his entire files to Central Files with the exception of any personal files he might have maintained. At the time of this writing, the question of ownership of White House papers and related materials is the subject of litigation in the Federal courts. In

addition, a recently enacted Federal law (P.L. 93-526) which also affects the issue of ownership, as well as control, disposition and preservation of White House papers, is being tested in the courts. Therefore, no definition as to what constitutes the "personal files" of a staff member can be specifically provided here. However, guidelines are being developed to aid staff members in determining what files and copies of documents may be removed from the White House upon termination of their employment. Representatives of the National Archives, and the Counsel to the President, are available to assist staff members with such determinations. Advice may be initially obtained from Frank Matthews, Chief of Central Files (Ext. 2240).



**STANDARDS OF CONDUCT
FOR THE
WHITE HOUSE STAFF**

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1. Summary and General Instructions

This Standards of Conduct section is distributed to remind and acquaint each employee with the high standards of conduct which are expected of each member of the Administration. The section contains important information to assist in avoiding any conflict of interest or conduct which, although proper in fact, could appear otherwise.

Each member of the staff is to be governed by the rules of truthfulness and personal and professional integrity. This places a special obligation on all personnel to recognize that his or her actions reflect on the Office of the Presidency, and to carefully weigh actions against the highest standards and criteria for conduct in public office. Questions concerning these materials should be discussed with the Counsel to the President or a member of his staff.

Stringent legal requirements governing the standards of conduct and conflicts of interest are applicable to each member of the White House staff. Additionally, all recipients who are em-

ployees (regular government employees) paid at a level equivalent to GS-13 and above, or are consultants (special government employees), regardless of grade or salary, are required by law to complete and file certain forms calling for employment and financial information. (Samples are at Enclosures E-2 and E-3.)

Subsequent to this initial reporting, employees will be notified of the need for a refiling in June of each year. Notification of any interim changes in financial interests or job description, as set forth in the forms, will be required at the initiative of the employee.

Personnel at the White House on detail should look to their respective agencies for any relevant reporting requirements. However, such personnel are subject to the White House Standards of Conduct.

As a general statement of guidance, it might be said that the statutes and regulations which are applicable to you as a member of the staff are directed to insure the achievement of the following objectives:



(a) The fair, impartial and equal treatment of those dealing with the government;

(b) The assurance that government decisions will not be influenced by an employee's private interests;

(c) The maintenance of public confidence in the integrity of government operations;

(d) The prevention of use of public office for private gain; and

(e) The prevention of any impediment to the efficiency and economy of government business.

The Standards of Conduct, which are considered at length in the following, may be briefly summarized as follows:

(a) *Authorities*: Each employee is subject to Regulations (3 CFR Part 100) issued under the authority of Executive Order 11222 (May 8, 1965), governing his or her conduct. Copies of these Regulations, the Executive Order, and relevant Federal criminal statutes (P.L. 87-949, Title 18, U.S.C. Sec. 201, et seq.) are also included in the following. Each employee is responsible for conforming his or her conduct to the standards required by these authorities, and is urged to study these additional materials at once and to retain them for his or her future reference.

(c) *Conflicts in General*: A "conflict of interest" refers to any situation in which a government official has an actual or apparent personal interest in the outcome of a matter which he or she is in a position to influence through decision, recommendation, advice or other formal or informal action. A violation of law does not require an intent to favor one's personal interest, and cannot be overcome by a showing of the absence of such an intent. Participation, by itself, in a matter in which you have an interest is unlawful. Whenever even the possible appearance of a conflict is perceived, an employee must disclose this fact to his or her superior and to the Counsel to the President to obtain guidance as to how the matter should be handled. Financial interests most typically giving rise to conflict problems are stocks, bonds, and outside employment (including any continuing interest in or income from a prior employment or partnership relationship). Real estate held as an investment also counts, as do any unusual debt obligations. The interests of *all* members of an employee's family living within his or her household are regarded as his or her own.

(c) *Illustrative Prohibitions*: In order to develop an awareness of our Standards of Conduct

and potential conflicts which may be confronted, a number of illustrations of prohibited conduct may be considered. However, these illustrations are not exhaustive in terms of potential problem areas in their treatment of the issue.

(1) *Regulatory Agencies*: Executive Office personnel should be especially careful about contacts with regulatory agencies, and by directive from the President, should clear in advance any contacts with such agencies or with litigating divisions of the Department of Justice through the office of the Counsel to the President.

(2) *Lobbying*: If carried on with appropriated funds, lobbying is expressly prohibited by law.

(3) *Political Activity*: Political activity by White House personnel is, of course, subject to restrictions. These are treated in the following materials.

(4) *Misuse of Information*: Disclosure of classified or other confidential information is, of course, prohibited. Equally important is to avoid the fact and appearance of using information obtained in the course of an employee's official duties for private gain, especially through investments or speculation. Because of the inevitable appearance of impropriety, White House personnel should avoid engaging in highly speculative activities of any kind.

(5) *Gifts*: Receipt of gifts, payment of travel, lodging, entertainment and other expenses, or the receipt of speaking honoraria are generally prohibited. Gifts to superiors within the White House are also illegal.

(6) *Appearance of Impropriety*: Finally, employees must be ever sensitive to avoid the appearance of acting on behalf of some private interest or of a conflict or other impropriety which can be fully as damaging as the real thing. You should not, for example, be found in constant or suggestive contact with persons having important stakes in government actions for which you have some responsibility.

2. Conflicts of Interest

A conflict of interest may exist whenever a member of the staff has a personal or private interest in a matter which is related to his official duties and responsibilities or the activities of the staff. The major prohibitions to which you are subject in order to avoid such situations may be stated generally as follows:

(a) You may not participate in your official



capacity in any matter in which you, your spouse, minor child, outside business associate or person with whom you are negotiating for employment has a financial interest.

(b) You may not receive any salary, or supplementation of your government salary, from a private source as compensation for your services to the government. You may, however, continue to participate in a bona fide pension, retirement, group life, health, or accident insurance, profit-sharing, stock bonus, or other employee welfare or benefit plan maintained by a former employer. But such a financial interest disqualifies you under paragraph (a) in the absence of a waiver.

(c) You may not, except in the discharge of your official duties, represent anyone else before a government agency or a court in a matter in which the United States is a party or has an interest. This prohibition applies both to paid and unpaid representation of another.

Stated another way, government personnel should not step out of their official role and act in a private capacity to assist private parties in their dealings with the government, whether for compensation or not. Also, a public official must not be in a position of acting for the government where his private interests are involved, nor should he received payments from private sources for the performance of his governmental duties.

You will also note in reading the standards of conduct regulations that there are some specific exceptions to these prohibitions. If you feel they are applicable to your situation, this should be immediately reviewed with the Counsel to the President.

It should be again stressed that it is of utmost importance to the maintenance of public confidence in the government that you avoid not only these specific prohibitions, but also any conduct or activity which would give the appearance of a conflict or use of your position for the furtherance of personal goals or interests.

3. Financial Interests and Activities

As is noted generally above, a White House staff member may not participate in his official capacity in any decision, recommendation or similar activity involving any matter in which he has a "financial interest." Further, a staff member may not have financial interests which are entered into as

a result of information obtained through his employment.

Under this restriction a "financial interest" includes not only that which you may have, but also that of your spouse, minor child, partner, organization in which you have any significant interest, or any person or organization with whom you are negotiating or have any arrangement concerning future employment (including, of course, any company from which you may have a leave of absence).

If you have a financial interest which is involved or may be affected by a matter on which you are to work, you may not so participate until you have reviewed the situation with the Counsel to the President and received a written determination that your interest is not so substantial as to be in conflict with your performance in that matter.

Obviously, most financial interests are in the form of ownership of investment property or stocks and bonds, or a directorship or similar position in a company or organization. Quite often, such interests are not so significant as to be disqualifying. However, you should not take it upon yourself to make such a decision, rather you should submit the matter for review.

Each staff member who is paid at a level equivalent to GS-13 or above, is required to submit to the Counsel to the President, within 30 days after his entrance on duty, or promotion, a confidential statement which discloses all his personal employment and financial interests and activities as well as those of his spouse, minor children and members of his immediate family.

Those filing such statements are required to report any significant changes, and all must file a supplementary statement as of June 30 of each year, even if no changes or additions have occurred.

These statements are reviewed by the Counsel to the President to determine whether a conflict, or appearance of conflict, exists between the interests of the staff member and the performance of his duties, and recommendations for remedial actions are made where appropriate. These statements are held in confidence and no information contained therein may be disclosed except by direction of the President for good cause shown.

If you are required to file such a statement, the appropriate forms should have been supplied to you upon your entrance on duty. Please consult



with the Counsel to the President if you have any questions or need specific advice or guidance regarding the retention of former employee benefits, possible divestiture of holdings, or any problems related to the establishment of trusts or other financial arrangements which might be necessary to avoid a conflict of interest with your position.

Please note that the fact that a staff member might not be required to file such a statement does not relieve him of the obligation to refrain from participation in any matter in which he or his immediate family or business associates may have a financial interest. Also, although these statements are a form of notice of a staff member's financial and employment interests, this should not be considered to relieve him of the requirement to disclose his financial interests in a matter upon which he is called to work and to refrain from any further participation until the question of possible conflict of interest is resolved.

4. Gifts, Loans, Entertainment and Favors

Federal statutes prohibit your acceptance of a gift from a fellow employee receiving less pay than yourself, and it is also contrary to law to solicit contributions for gifts to an employee in a superior official position or to individually give such a gift or donation. These restrictions are designed to remove any question that a person might attempt to gain favor with a superior by the giving of a gift, and also to resolve that no such gifts are expected, and therefore are not interpreted to preclude the exchange of gifts of nominal value between co-workers within a particular office on traditional occasions.

Members of the White House staff may not solicit or accept a gift, favor, entertainment, loan or any other thing of monetary value from any corporation or person who has or is seeking contractual or business dealings with any department or agency in the Executive Branch, or who conducts activities which are regulated by any department or agency in the Executive Branch, or who has any interests which may be substantially affected by the performance of your job. This latter group may include persons in the federal government as well as those outside the government.

There are, of course, some exceptions to these prohibitions. You may consider accepting a reasonable gift or entertainment from a close personal friend or relative who has dealings with

the government, when it is clear that the motivation for the gift is the personal relationship. However, in such a case, due consideration must be given to avoiding an appearance of a conflict of interest. If, for example, the representative of a company having extensive government contracts is a neighbor with whom you have been socially close and exchanged Christmas gifts for years, there would be no real conflict in accepting a gift offered. However, if the appearance created by receipt of such a gift would create a problem, then it would be best not to accept the gift. Again, appearances of conflict often create greater problems than true conflicts.

Any proscribed gift should be returned to the donor, accompanied by a written explanation of the reasons for its necessary return. It is recommended that you retain a copy of this letter in your files. When the return of a gift is not possible for any reason, the gift should be forwarded to the Office of the Counsel to the President with a written explanation of the infeasibility of its return. The gift will then be turned over to charity.

You are not precluded from accepting unsolicited advertising or promotional items of a nominal intrinsic value, such as pens, pencils, note pads, calendars, etc. As a rule of thumb, gifts having a value of \$10 or less are considered to be of "nominal value." Please note that if the item is not of an advertising or promotional nature, it should be returned, *regardless of its value*, unless there is another justification for its retention.

Nor do these rules preclude your acceptance of food or refreshments of nominal value in the ordinary course of a luncheon or dinner meeting, or while in attendance at a function where you are otherwise properly in attendance.

Likewise, you are obviously not precluded from accepting loans from financial institutions on customary terms for use in financing the purchase of a home, automobile or incurring similar expenditures.

5. Reimbursement of Travel, Lodging and Related Expenses While on Official Business

When a staff member is travelling on official business, the general rule is that it is not permissible for him to accept hotel accommodations or reimbursement for transportation or lodging expenses from any person or non-governmental organization. Likewise, it is not permissible to accept transportation in private aircraft. There



are situations, however, in which the staff member may, under limited conditions, accept either transportation reimbursement or accommodations. For example, a staff member could accept an invitation to stay at the private residence of his host if this would be appropriate under the circumstances of his visit. In judging the propriety of staying at the private residence of a close personal friend or any other person, the normal rules apply and the staff member may accept only when this will not create a conflict or appearance of conflict with his position or otherwise be a source of embarrassment to the President.

6. Gifts, Decorations and Awards From Foreign Governments

The Constitution prohibits acceptance from foreign governments, except with the consent of Congress, of any emolument, office, or title. Congress has provided that a staff member may keep courtesy or souvenir gifts of minimal value and that a staff member may accept a gift of more than minimal value on behalf of the U.S. Government, if he concludes that it would cause offense or embarrassment to the donor or adversely affect foreign relations if refused. Any such gift which cannot appropriately be refused becomes the property of the government and should be submitted immediately to the Counsel to the President for transmittal to the State Department.

7. Honoraria and Compensation for Speeches, Teaching and Writing

As a general policy, a White House staff member should not accept an honorarium or compensation for speeches, lectures, teaching or writing on a subject which is in any way related to his official position or to the operations or activities of the White House staff or the Executive Office of the President.

This restriction does not preclude the acceptance of an award for a meritorious public contribution or achievement given by a charitable, professional, religious, nonprofit, educational, civic or similar organization, but you should consult with the Counsel to the President before accepting any such award which entails a monetary grant or which may raise a question of conflict of interest.

8. Lobbying

The direct or indirect use of appropriated funds for lobbying activities without express authoriza-

tion by Congress is prohibited by law. This includes use of appropriated funds to pay for personal services, advertisements, communications or devices of any kind to influence a Member of Congress in acting upon legislation. Violators of this prohibition may be criminally prosecuted or removed from office. This prohibition obviously is not intended to prevent staff members from communicating with Members of Congress and providing information about legislation to Members of Congress. However, the line between proper informational publicity in legislative matters and improper lobbying activities should always be kept in mind. Although the sanctions under this law have rarely if ever been used, care should be taken in this regard to avoid criticism by Members of Congress and the Comptroller General.

9. Disclosure or Use of Official Information

There are many types of information to which staff members become privy. With some of this sensitive information, legal and ethical restrictions are imposed upon your disclosure, handling and use of it. The following paragraphs highlight some of the problems of which you should be aware in this regard.

(a) National Security Information

The disclosure of classified national security information to unauthorized persons is strictly prohibited by law, and violators may be prosecuted and discharged. The term "national security information" refers to defense information classified pursuant to Executive Order 10501 which bears the markings "Confidential," "Secret" or "Top Secret," restricted data classified under the Atomic Energy Act of 1954 which bears the marking "Restricted Data Atomic Energy Act of 1954," and classified cryptomaterial which bears markings as authorized by the appropriate agencies. Materials classified in this manner involve information concerning national defense, international relations and cryptology, the unauthorized disclosures of which could be prejudicial or damaging to United States security interests.

It should be noted that the terms designated to identify such classified information (e.g., "Confidential," "Secret," and "Top Secret") should not be used on documents which do not fall within the respective definitions.



(b) *Confidential Business and Personal Information*

A number of statutes and regulations restrict the disclosure by federal officials to unauthorized persons of certain confidential information which businesses or individuals disclose officially to a federal agency or employee. Such information is not formally classified but still must be treated in a confidential manner. Types of this information include trade secrets, business operations and statistics, personal and business financial data, tax returns, investigative reports of law enforcement agencies, and personnel and medical information.

Staff members are subject to criminal sanctions if they do not protect this information from use by unauthorized personnel. Care should be exercised in passing any such information to make certain that only authorized persons receive it.

(c) *Administratively Restricted Information*

When it is desired to control materials administratively; i.e., where the contents are not of a national security nature covered by the definitions for security classifications, but are to be restricted to the view of only certain officials, there are administrative classifications which you may use. They are "For Official Use Only," "Administratively Confidential" or "For The Eyes of (particular official or officials) Only." In certain cases, it also may be desirable to classify confidential business and personal information in this manner. These classifications may also be employed in regard to proposed policies or similar sensitive matters when a limited dissemination is desired. Each staff member must use his own discretion in classifying information administratively.

(d) *Official Inside Information*

White House staff members are prohibited from using for private gain or personal interest any information obtained as a result of their position which is not available to the public.

Each staff office should establish adequate internal procedures to assure that classified and sensitive documents and related materials are protected at all times. A specific person in each office should be given this responsibility, but it should be made clear that the last person in an office assumes the responsibility for the security of classified material. Such materials should not be taken from the White House or EOB except when op-

erationally necessary, and then only when appropriate measures are taken to safeguard it.

The Executive Protective Service (EPS) has been instructed to conduct a thorough after-hours security inspection of each staff office in the White House and EOB on a nightly basis. Their authority to inspect extends to all exposed classified or sensitive documents, as well as all other related materials not properly secured. Classified material should never be left unattended on desks, and when an office is closed or vacant, materials should be locked in a secure cabinet. In the event of a serious security violation, EPS will file a formal report with the office concerned.

All classified and sensitive materials to be destroyed should be separated from other office trash and waste materials and either destroyed in a shredder or placed in "burn bags" which are collected under EPS supervision and are disposed of in the secure macerator located in the EOB.

10. Political Activities

Federal law, primarily through the Hatch Act, limits the political activity of federal employees. White House Office staff members (i.e., on the White House payroll) are exempt from the Hatch Act prohibitions against engaging in political activity and management.

There are other federal laws dealing with political activity which apply without exception to the White House Office staff. The principal activities prohibited by these criminal statutes are:

(1) Solicitation or receipt of political contributions by one federal employee from another (18 USC 602).

(2) The giving or handing over of a political contribution by one federal employee to another (18 USC 607).

(3) Solicitation or receipt of political contributions in a federal building by any person, whether or not an employee of the government (18 USC 603).

(4) Solicitation or receipt of anything of value, either for personal reward or as a political contribution, in return for the promise to use, or the use of, influence to secure an appointive office (18 USC 211).

(5) Promising employment, compensation or other benefits made possible by act of Congress as consideration or reward for political activity (18 USC 600).

(6) Discrimination by a federal employee in



favor of or against another officer or employee on account of political contributions (18 USC 606).

11. Contact With Independent Regulatory Agencies and Procurement Agencies

You should also be familiar with the standards of conduct governing the activities of the White House staff in its contacts with the regulatory agencies and Executive Branch departments and agencies with procurement responsibilities.

Regulatory Agencies: The cases that come before these agencies are of two general types: rule-making and adjudicative. Both are normally extremely complicated, extremely important to the parties concerned, and involve large amounts of money. While there are exceptional occasions when White House staff contact with agency personnel is justified in rule-making proceedings, there is no justification for involvement in adjudicative proceedings. As a general rule, no member of the staff should make an ex parte contact with a regulatory agency involving any matter pending before that agency, regardless of whether the proceedings are deemed to be rule-making or adjudicative, when such a contact may imply preferential treatment or the use of influence on the decision-making process.

Should you receive inquiries with regard to such matters, you should refer the inquiring party to the agency involved, and express no opinion on the issues raised. In short, White House staff members should avoid even the mere appearance of interest or influence—and the easiest way to do so is to avoid discussing matters pending before the independent regulatory agencies with interested parties and avoid making ex-parte contacts with agency personnel. Should an occasion arise in the course of your duties where it appears necessary to discuss general policy matters with the staff of an independent regulatory agency, to avoid any appearance of impropriety, you should first consult with the office of the Counsel to the President to determine whether such contact would be appropriate under the circumstances.

Procurement Agencies: In recent years the public has become increasingly sensitive to the allegations of improper influence in the awarding of government contracts. Obviously no member of the White House staff should contact any procurement officer about a contract in which he has a personal financial interest or in which a relative, friend, or

business associate has a financial interest. This is true not only as to calls or contacts in which influence is directly exerted, but also as to so-called "status" calls or other communications which might direct the attention of the procurement officer to the fact that the White House staff member has an interest.

There are likely to be occasions when the White House has a legitimate interest in information about procurement matters; in such instances, the communication should be made by persons who have no direct interest themselves, and whose friends or associates have no such interests. It is advisable that the lack of such interest be made known to those receiving the communication so that unintended inferences do not arise. To the extent that it can be done, information should be obtained *after* the contracting procedure is completed, or from persons not involved in the decision-making process. To avoid the appearance of conflict and subsequent embarrassment, White House staff members who must contact procurement agencies with regard to pending contracts should also first contact the Counsel to the President.

12. Standards for Departing Personnel

All departing White House staff members are obligated to observe the following statutory standards of conduct:

(a) *Disqualification in matters connected with former duties or official responsibilities.*

A former staff member is *permanently* barred from acting as an *agent or attorney* for anyone other than the United States in connection with a particular matter in which the United States is a party or has an interest and in which he *participated personally and substantially* for the government.

A former full-time staff member may not for a period of *one year* after the termination of his government employment appear personally before any court, department or agency as agent or attorney for anyone other than the United States in connection with any particular matter in which the United States is a party or has an interest and which was *under the official responsibility* of the former staff member during the last year of his government service.

(b) *Prohibition against receipt of compensation for representative services performed before government agencies by former staff members or*



others during the period of employment as a staff member.

A former staff member as well as a present staff member is prohibited from receiving or soliciting any compensation for services rendered before any *department, agency or commission* by himself or *any other* person while he was a staff member in relation to a particular matter in which the United States is a party or has an interest. It should be noted that the representative services covered do not include appearances before courts—only agencies, departments or commissions.

This prohibition affects the circumstances under which a former staff member may join or rejoin a firm which is engaged in his particular business. The statute makes it unlawful for a former employee to share in any fees received by the firm for services in relation to a particular matter, in which the United States is a party or has an interest, performed by the firm at any time during the period of his government employment. This is so even though the matter was not ever before his particular department or

agency and did not come to his attention before his separation from the government.

The new firm member and the firm must make an arrangement whereby his share of its income is attributed to sources other than fees of the firm derived from activities covered by this prohibition.

(c) *Restrictions on partners of former staff members.*

Partners of former staff members are as such not within the scope of the conflict of interest statutes discussed in paragraphs (a) and (b). Partnership with the former staff member does not legally disqualify them in matters in which the staff member is disqualified. However, as indicated above, the law prohibits the partners of a former staff member from sharing compensation with him for certain services rendered during his period of government service.

In addition to the foregoing, departing staff personnel with a legal background who have served on the staff in a legal capacity should also familiarize themselves with additional restrictions imposed by the Code of Professional Responsibility of the American Bar Association.



THE WHITE HOUSE

Executive Order 11222

PRESCRIBING STANDARDS OF ETHICAL CONDUCT FOR GOVERNMENT OFFICERS AND EMPLOYEES

By virtue of the authority vested in me by Section 301 of Title 3 of the United States Code, and as President of the United States, it is hereby ordered as follows:

PART I—POLICY

SECTION 101. Where government is based on the consent of the governed, every citizen is entitled to have complete confidence in the integrity of his government. Each individual officer, employee, or adviser of government must help to earn and must honor that trust by his own integrity and conduct in all official actions.

PART II—STANDARDS OF CONDUCT

SECTION 201. (a) Except in accordance with regulations issued pursuant to subsection (b) of this section, no employee shall solicit or accept, directly or indirectly, any gift, gratuity favor, entertainment, loan, or any other thing of monetary value, from any person, corporation, or group which—

(1) has, or is seeking to obtain, contractual or other business or financial relationships with his agency;

(2) conducts operations or activities which are regulated by his agency; or

(3) has interests which may be substantially affected by the performance or nonperformance of his official duty.

(b) Agency heads are authorized to issue regulations, coordinated and approved by the Civil Service Commission, implementing the provisions of subsection (a) of this section and to provide for such exceptions therein as may be necessary and appropriate in view of the nature of their agency's work and the duties and responsibilities of their employees. For example, it may be appropriate to provide exceptions (1) governing obvious family or personal relationships where the circumstances make it clear that it is those relationships rather than the business of the person concerned which are the motivating factors—the clearest illustration being the parents, children or spouses of federal employees; (2) permitting acceptance of food and refreshments available in the ordinary course of a luncheon or dinner or other meeting or on inspection tours where an employee may properly be in attendance; or (3) permitting 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. This section shall be effective upon issuance of such regulations.

(c) It is the intent of this section that employees avoid any action, whether or not specifically prohibited by subsection (a), which might result in, or create the appearance of—

(1) using public office for private gain;

(2) giving preferential treatment to any organization or person;

(3) impeding government efficiency or economy;

(4) losing complete independence or impartiality of action;

(5) making a government decision outside official channels; or

(6) affecting adversely the confidence of the public in the integrity of the Government.

SEC. 202. An employee shall not engage in any outside employment, including teaching, lecturing, or writing, which might result in a



conflict, or an apparent conflict, between the private interests of the employee and his official government duties and responsibilities, although such teaching, lecturing, and writing by employees are generally to be encouraged so long as the laws, the provisions of this order, and the Civil Service Commission and agency regulations covering conflict of interest and outside employment are observed.

SEC. 203. Employees may not (a) have direct or indirect financial interests that conflict substantially, or appear to conflict substantially, with their responsibilities and duties as Federal employees, or (b) engaging in, directly or indirectly, financial transactions as a result of, or primarily relying upon, information obtained through their employment. Aside from these restrictions, employees are free to engage in lawful financial transactions to the same extent as private citizens. Agencies may, however, further restrict such transactions in the light of the special circumstances of their individual missions.

SEC. 204. An employee shall not use Federal property of any kind for other than officially approved activities. He must protect and conserve all Federal property, including equipment and supplies, entrusted or issued to him.

SEC. 205. An employee shall not directly or indirectly make use of, or permit others to make use of, for the purpose of furthering a private interest, official information not made available to the general public.

SEC. 206. An employee is expected to meet all just financial obligations, especially those—such as Federal, State, or local taxes—which are imposed by law.

PART III—STANDARDS OF ETHICAL CONDUCT FOR SPECIAL GOVERNMENT EMPLOYEES

SECTION 301. This part applies to all "special Government employees" as defined in Section 202 of Title 18 of the United States Code, who are employed in the Executive Branch.

SEC. 302. A consultant, adviser or other special Government employee must refrain from any use of his public office which is motivated by, or gives the appearance of being motivated by, the desire for private gain for himself or other persons, including particularly those with whom he has family, business, or financial ties.

SEC. 303. A consultant, adviser, or other special Government employee shall not use any inside information obtained as a result of his government service for private personal gain, either by direct action on his part or by counsel, recommendations or suggestions to others, including particularly those with whom he has family, business, or financial ties.

SEC. 304. An adviser, consultant, or other special Government employee shall not use his position in any way to coerce, or give the appearance of coercing, another person to provide any financial benefit to him or persons with whom he has family, business, or financial ties.

SEC. 305. An adviser, consultant, or other special Government employee shall not receive or solicit from persons having business with his agency anything of value as a gift, gratuity, loan or favor for himself or persons with whom he has family, business, or financial ties while employed by the government or in connection with his work with the government.

SEC. 306. Each agency shall, at the time of employment of a consultant, adviser, or other special Government employee require him to supply it with a statement of all other employment. The statement shall list the names of all the corporations, companies, firms, State or local government organizations, research organizations and educational or other institutions in which he is serving as employee, officer, member, owner, director, trustee, adviser, or consultant. In addition, it shall list such other financial information as the appointing department or agency shall decide is relevant in the light of the duties the



appointee is to perform. The appointee may, but need not, be required to reveal precise amounts of investments. The statement shall be kept current throughout the period during which the employee is on the Government rolls.

PART IV—REPORTING OF FINANCIAL INTERESTS

SECTION 401. (a) Not later than ninety days after the date of this order, the head of each agency, each Presidential appointee in the Executive Office of the President who is not subordinate to the head of an agency in that Office, and each full time member of a committee, board, or commission appointed by the President, shall submit to the Chairman of the Civil Service Commission a statement containing the following:

(1) A list of the names of all corporations, companies, firms, or other business enterprises, partnerships, nonprofit organizations, and educational or other institutions—

(A) with which he is connected as an employee, officer, owner, director, trustee, partner, adviser, or consultant; or

(B) in which he has any continuing financial interests, through a pension or retirement plan, shared income, or otherwise, as a result of any current or prior employment or business or professional association; or

(C) in which he has any financial interest through the ownership of stocks, bonds, or other securities.

(2) A list of the names of his creditors other than those to whom he may be indebted by reason of a mortgage on property which he occupies as a personal residence or to whom he may be indebted for current and ordinary household and living expenses.

(3) A list of his interests in real property or rights in lands, other than property which he occupies as a personal residence.

(b) Each person who enters upon duty after the date of this order in an office or position as to which a statement is required by this section shall submit such a statement not later than thirty days after the date of his entrance on duty.

(c) Each statement required by this section shall be kept up to date by submission of amended statements of any changes in, or additions to, the information required to be included in the original statement, on a quarterly basis.

SEC. 402. The Civil Service Commission shall prescribe regulations, not inconsistent with this part, to require the submission of statements of financial interests by such employees, subordinate to the heads of agencies, as the Commission may designate. The Commission shall prescribe the form and content of such statements and the time or times and places for such submission.

SEC. 403. (a) The interest of a spouse, minor child, or other member of his immediate household shall be considered to be an interest of a person required to submit a statement by or pursuant to this part.

(b) In the event any information required to be included in a statement required by or pursuant to this part is not known to the person required to submit such statement but is known to other persons, the person concerned shall request such other persons to submit the required information on his behalf.

(c) This part shall not be construed to require the submission of any information relating to any person's connection with, or interest in, any professional society or any charitable, religious, social fraternal, educational, recreational, public service, civic, or political organization or any similar organization not conducted as a business enterprise and which is not engaged in the ownership or conduct of a business enterprise.

SEC. 404. The Chairman of the Civil Service Commission shall report to the President any information contained in statements required by



Section 401 of this part which may indicate a conflict between the financial interests of the official concerned and the performance of his services for the Government. The Commission shall report, or by regulation require reporting, to the head of the agency concerned any information contained in statements submitted pursuant to regulations issued under Section 402 of this part which may indicate a conflict between the financial interests of the officer or employee concerned and the performance of his services for the Government.

SEC. 405. The statements and amended statements required by or pursuant to this part shall be held in confidence, and no information as to the contents thereof shall be disclosed except as the Chairman of the Civil Service Commission or the head of the agency concerned may determine for good cause shown.

SEC. 406. The statements and amended statements required by or pursuant to this part shall be in addition to, and not in substitution for, or in derogation of, any similar requirement imposed by law, regulation, or order. The submission of a statement or amended statements required by or pursuant to this part shall not be deemed to permit any person to participate in any matter in which his participation is prohibited by law, regulation, or order.

PART V—DELEGATING AUTHORITY OF THE PRESIDENT UNDER SECTIONS 205 AND 208 OF TITLE 18 OF THE UNITED STATES CODE RELATING TO CONFLICTS OF INTEREST

SECTION 501. As used in this part, "department" means an executive department, "agency" means an independent agency or establishment or a Government corporation, and "head of an agency" means, in the case of an agency headed by more than one person, the chairman or comparable member of such agency.

SEC. 502. There is delegated, in accordance with and to the extent prescribed in Sections 503 and 504 of this part, the authority of the President under Sections 205 and 208(b) of Title 18, United States Code, to permit certain actions by an officer or employee of the Government, including a special Government employee, for appointment to whose position the President is responsible.

SEC. 503. Insofar as the authority of the President referred to in Section 502 extends to any appointee of the President subordinate to or subject to the chairmanship of the head of a department or agency, it is delegated to such department or agency head.

SEC. 504. Insofar as the authority of the President referred to in Section 502 extends to an appointee of the President who is within or attached to a department or agency for purposes of administration, it is delegated to the head of such department or agency.

SEC. 505. Notwithstanding any provision of the preceding sections of this part to the contrary, this part does not include a delegation of the authority of the President referred to in Section 502 insofar as it extends to:

- (a) The head of any department or agency in the Executive Branch;
- (b) Presidential appointees in the Executive Office of the President who are not subordinate to the head of an agency in that Office; and
- (c) Presidential appointees to committees, boards, commissions, or similar groups established by the President.

PART VI—PROVIDING FOR THE PERFORMANCE BY THE CIVIL SERVICE COMMISSION OF CERTAIN AUTHORITY VESTED IN THE PRESIDENT BY SECTION 1753 OF THE REVISED STATUTES

SECTION 601. The Civil Service Commission is designated and empowered to perform, without the approval, ratification, or other action of the President, so much of the authority vested in the President by Section 1753 of the Revised Statutes of the United States (5 U.S.C. 631) as relates to establishing regulations for the conduct of persons in the civil service.



SEC. 602. Regulations issued under the authority of Section 601 shall be consistent with the standards of ethical conduct provided elsewhere in this order.

PART VII—GENERAL PROVISIONS

SECTION 701. The Civil Service Commission is authorized and directed, in addition to responsibilities assigned elsewhere in this order:

(a) To issue appropriate regulations and instructions implementing Parts II, III, and IV of this order;

(b) To review agency regulations from time to time for conformance with this order; and

(c) To recommend to the President from time to time such revisions in this order as may appear necessary to ensure the maintenance of high ethical standards within the Executive Branch.

SEC. 702. Each agency head is hereby directed to supplement the standards provided by law, by this order, and by regulations of the Civil Service Commission with regulations of special applicability to the particular functions and activities of his agency. Each agency head is also directed to assure (1) the widest possible distribution of regulations issued pursuant to this section; and (2) the availability of counseling for those employees who request advice or interpretation.

SEC. 703. The following are hereby revoked:

(a) Executive Order No. 10939 of May 5, 1961.

(b) Executive Order No. 11125 of October 29, 1963.

(c) Section 2(a) of Executive Order No. 10530 of May 10, 1954.

(d) White House memorandum of July 20, 1961, on "Standards of Conduct for Civilian Employees."

(e) The President's Memorandum of May 2, 1963, "Preventing Conflicts of Interest on the Part of Special Government Employees." The effective date of this revocation shall be the date of issuance by the Civil Service Commission of regulations under Section 701(a) of this order.

SEC. 704. All actions heretofore taken by the President or by his delegates in respect of the matters affected by this order and in force at the time of the issuance of this order, including any regulations prescribed or approved by the President or by his delegates in respect of such matters, shall, except as they may be inconsistent with the provisions of this order or terminate by operation of law, remain in effect until amended, modified, or revoked pursuant to the authority conferred by this order.

SEC. 705. As used in this order, and except as otherwise specifically provided herein, the term "agency" means any executive department, or any independent agency or any Government corporation; and the term "employee" means any officer or employee of an agency.

LYNDON B. JOHNSON

THE WHITE HOUSE,
May 8, 1965.



CHAPTER V—EXECUTIVE OFFICE OF THE PRESIDENT

Part

100 Standards of conduct.

PART 100—STANDARDS OF CONDUCT**Subpart A—General Standards**

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Subpart B—Special Procedures; Counsel to the President

100.735-31	Members of part-time committees, boards, and commissions.
100.735-32	Special delegation of authority to the Counsel to the President.

AUTHORITY: The provisions of this Part 100 issued under E.O. 11222 of May 8, 1965, 30 F.R. 6469, 3 CFR, 1965 Supp.; 5 CFR 735.104.

SOURCE: The provisions of this Part 100 appear at 33 F.R. 3602, Feb. 29, 1968, unless otherwise noted.

Subpart A—General Standards**§ 100.735-1 Purpose and scope.**

(a) The maintenance of the highest standards of honesty, integrity, impartiality, and conduct by regular employees and special Government employees is essential to assure the proper performance of Government business and the maintenance of confidence by citizens in their Government. The avoidance of misconduct and conflicts of interest on the part of regular employees and special Government employees through informed judgment is indispensable to the maintenance of these standards.

(b) This part is intended to foster the foregoing concepts. It is issued in compliance with the requirements of Executive Order No. 11222 of May 8, 1965, and is based upon the provisions of that order, the regulations of the Civil Service Commission issued thereunder (Part 735 of 5 CFR Ch. I), and the statutes cited elsewhere in this part.

(c) This part, among other things, reflects prohibitions and requirements imposed by the criminal and civil laws of the United States. However, the paraphrased restatements of criminal and civil statutes contained in this part are designed for informational purposes only and in no way constitute an interpretation or construction thereof that is binding upon the Federal Government. Moreover, this part does not purport to paraphrase or enumerate all restrictions or requirements imposed by statutes, Executive orders, regulations or otherwise upon Federal employees and former Federal employees. The omission of a reference to any such restriction or requirement in no way alters the legal effect of that restriction or requirement and any such restriction or requirement, as the case may be, continues to be applicable to employees and former employees in accordance with its own terms. Furthermore, attorneys employed by an agency are subject to the canons of professional ethics of the American Bar Association.



§ 100.735-2 Definitions.

In this subpart:

(a) "Agency" means the following agencies in the Executive Office of the President: The White House Office, the Council of Economic Advisers, the National Security Council, the National Aeronautics and Space Council, the Office of Science and Technology, and the Office of the Special Representative for Trade Negotiations, and any committee, board, commission, or similar group established in the Executive Office of the President.

(b) "Agency head" means the President for the White House Office, the Chairman of the Council of Economic Advisers for the Council of Economic Advisers, the Executive Secretary of the National Security Council for the National Security Council, the Executive Secretary of the National Aeronautics and Space Council for the National Aeronautics and Space Council, the Director of the Office of Science and Technology for the Office of Science and Technology, and the Special Representative for Trade Negotiations for the Office of the Special Representative for Trade Negotiations, and the Chairman or comparable member of any committee, board, commission, or similar group established by the President.

(c) "Employee" or "regular employee" means an officer or employee of an agency but does not include a special Government employee.

(d) "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.

(e) The term "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.

§ 100.735-3 Special Government employees.

Except where specifically provided otherwise, or where limited in terms or by the context to regular employees, all provisions of this subpart relating to employees are applicable also to special Government employees.

§ 100.735-4 General standards of conduct.

(a) All employees shall conduct themselves on the job in such a manner that the work of their

agency is efficiently accomplished and courtesy, consideration, and promptness are observed in dealings with the Congress, the public, and other governmental agencies.

(b) All employees shall conduct themselves off the job in such a manner as not to reflect adversely upon their agency or the Federal service.

(c) In all circumstances employees shall conduct themselves so as to exemplify the highest standards of integrity. 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.

§ 100.735-5 Responsibilities of employees.

(a) The Executive Clerk for the White House Office and the Counselor for each other agency shall distribute copies of this subpart to each employee and special Government employee within 30 days after the effective date thereof. In the case of a new employee or special Government employee entering on duty after the date of such distribution, a copy shall be furnished at the time of his entrance on duty. All employees and special Government employees shall familiarize themselves with the contents of this subpart.

(b) Copies of Executive Order 11222, regulations, and statutes referred to in § 100.735-1, together with various explanatory materials, are available for inspection in the Office of the Executive Clerk for the White House Office and the Counselor for each other agency at any time during regular business hours. Employees are encouraged to consult these basic materials in any case of doubt as to the proper application or interpretation of the provisions of this subpart.

(c) Attention of all employees is directed to House Concurrent Resolution 175, 85th Congress, 2d session, 72 Stat. B12, the "Code of Ethics for Government Service", which is attached to this subpart as Appendix A.



§ 100.735-6 Interpretation and advisory service; counseling.

(a) The agency head shall appoint a Counselor for the agency who shall serve also as the agency's designee to the Civil Service Commission on matters covered by this part. Communications between the Counselor and an employee shall be confidential, except as otherwise determined by the agency head.

(b) The Counselor for the agency shall notify all employees and special Government employees of the availability of counseling services, and of how and where such services are available. Such notification shall be made within 90 days after the effective date of this subpart, and periodically thereafter. In the case of a new employee or special Government employee appointed after the date of such notification, notification shall be given at the time of his entrance on duty.

§ 100.735-7 Disciplinary action.

(a) A violation of any provision of this subpart by an employee may be cause for appropriate disciplinary action which may be in addition to any penalties prescribed by law. (As to remedial action in cases where an employee's financial interests result in a conflict or apparent conflict of interest, see § 100.735-26.)

(b) Any disciplinary or remedial action taken pursuant to this subpart shall be effected in accordance with any applicable laws, Executive orders, and regulations.

§ 100.735-8 Conflicts of interest.

(a) A conflict of interest may exist whenever an employee has a substantial personal or private interest in a matter which involves his duties and responsibilities as an employee. The maintenance of public confidence in Government clearly demands that an employee take no action which would constitute the use of his official position to advance his personal or private interests. It is equally important that each employee avoid becoming involved in situations which present the possibility, or even the appearance, that his official position might be used to his private advantage.

(b) Neither the pertinent statutes nor the standards of conduct prescribed in this subpart are to be regarded as entirely comprehensive. Each employee must, in each instance involving a personal or private interest in a matter which also involves his duties and responsibilities as an employee, make

certain that his actions do not have the effect or the appearance of the use of his official position for the furtherance of his own interests or those of his family or his business associates.

(c) The principal statutory provisions relating to bribery, graft, and conflicts of interest are contained in Chapter 11 of the Criminal Code, 18 U.S.C. 201-224. Severe penalties are provided for violations, including variously fine, imprisonment, dismissal from office, and disqualification from holding any office of honor, trust, or profit under the United States.

§ 100.735-9 Disqualification because of private financial interests.

(a) Unless authorized to do so as provided hereafter in this section, no employee shall participate personally and substantially as a Government employee in a particular matter in which, to his knowledge, he has a financial interest (18 U.S.C. 208).

(1) For the purposes of this section—

(i) An employee participates personally and substantially in a particular matter through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise;

(ii) A particular matter is a judicial or other proceeding, application, request for ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter; and

(iii) A financial interest is the interest of the employee himself or his spouse, minor child, partner, organization in which he is serving as officer, director, trustee, partner, or employee, or any person or organization with whom he is negotiating or has any arrangement concerning prospective employment.

(b) An employee who has a financial interest (other than a financial interest exempted under paragraph (c) of this section) in a particular matter which is within the scope of his official duties shall make a full disclosure of that interest to the Counselor for the agency in writing. He shall not participate in such matter unless and until he receives a written determination by the agency head pursuant to section 203 of Title 18, United States Code, that the interest is not so substantial as to be deemed likely to affect the integrity of the services which the Government may expect of him. If the agency head does not make such a determination, he shall direct such remedial action as may be appropriate under the provisions of § 100.735-26.



(c) The financial interests described in this paragraph are hereby exempted, pursuant to the provisions of section 208 of Title 18, United States Code, from the restrictions of paragraph (a) of this section and of section 208 of Title 18 as being too remote or inconsequential to affect the integrity of an employee's services in a matter:

(1) Stocks, bonds, policies, properties, or interests in a mutual fund, investment company, trust, bank, or insurance company, as to which the employee has no managerial control or directorship. In the case of a mutual fund or investment company, this exemption applies only where the assets of the fund or company are diversified; it does not apply where the fund or company advertises that it specializes in a particular industry or commodity.

(2) Interest in an investment club: *Provided*, That the fair value of the interest involved does not exceed \$5,000, and that the interest does not exceed one-fourth of the total assets of the investment club.

§ 100.735-10 Additional prohibitions—regular employees.

(a) In addition to the disqualification described in § 100.735-9, a regular employee is subject to the following major prohibitions.

(1) He may not, except in the discharge of his official duties, represent anyone else before a court or Government agency in a matter in which the United States is a party or has an interest. This prohibition applies both to paid and unpaid representation of another (18 U.S.C. 203 and 205).

(2) He may not, after his Government employment has ended represent anyone other than the United States in connection with a matter in which the United States is a party or has an interest and in which he participated personally and substantially for the Government (18 U.S.C. 207(a)).

(3) He may not, for 1 year after his Government employment has ended, represent anyone other than the United States in connection with a matter in which the United States is a party or has an interest and which was within the boundaries of his official responsibility during the last year of his Government service (18 U.S.C. 207(b)). This temporary restraint is permanent if the matter is one in which he participated personally and substantially. See subparagraph (2) of this paragraph.

(4) He may not receive any salary, or supplementation of his Government salary, from a private source as compensation for his services to the Government (18 U.S.C. 229). (See § 100.735-13.)

(b) Exemptions or exceptions from the prohibitions described in paragraph (a) of this section are permitted under certain circumstances. For the method of obtaining such exemptions or exceptions, see paragraph (d) of § 100.735-12.

§ 100.735-11 Additional prohibitions—special Government employees.

(a) In addition to the disqualification described in § 100.735-9, a special Government employee is subject to the following major prohibitions.

(1) He may not, except in the discharge of his official duties—

(i) Represent anyone else before a court or Government agency in a matter in which the United States is a party or has an interest and in which he has at any time participated personally and substantially for the Government (18 U.S.C. 203 and 205), or

(ii) Represent anyone else in a matter pending before his agency unless he served there no more than 60 days during the previous 365 (18 U.S.C. 203 and 205). He is bound by this restraint despite the fact that the matter is not one in which he has ever participated personally and substantially.

(2) He may not, after his Government employment has ended, represent anyone other than the United States in connection with a matter in which the United States is a party or has an interest and in which he participated personally and substantially for the Government (18 U.S.C. 207(a)).

(3) He may not, for 1 year after his Government employment has ended, represent anyone other than the United States in connection with a matter in which the United States is a party or has an interest and which was within the boundaries of his official responsibility during the last year of his Government service (18 U.S.C. 207(b)). (This temporary restraint is permanent if the matter is one in which he participated personally and substantially. See subparagraph (2) of this paragraph.)

(b) Exemptions or exceptions from the prohibitions described in paragraph (a) of this section are permitted under certain circumstances; for the method of obtaining such exemptions or exceptions, see paragraph (d) of § 100.735-12.



§ 100.735-12 Exemptions and exceptions from prohibitions of conflict of interest statutes.

(a) Nothing in this subpart shall be deemed to prohibit an employee, if it is not otherwise inconsistent with the faithful performance of his duties, from acting without compensation as agent or attorney for any person in a disciplinary, loyalty, or other Federal personnel administration proceeding involving such person.

(b) Nothing in this subpart shall be deemed to prohibit an employee from acting, with or without compensation, as agent or attorney for his parents, spouse, child, or any person for whom, or for any estate for which, he is serving as guardian, executor, administrator, trustee, or other personal fiduciary, except in those matters in which he has participated personally and substantially as a Government employee, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, or which are the subject of his official responsibility, as defined in section 202(b) of Title 18 of the United States Code, provided that the agency head approves.

(c) Nothing in this subpart shall be deemed to prohibit an employee from giving testimony under oath or from making statements required to be made under penalty for perjury or contempt.

(d) In addition to the exemptions and exceptions described in this section and in § 100.735-9, the conflict of interest statutes permit certain exemptions and exceptions in specific circumstances. The procedure for effecting such exemptions or exceptions is as follows:

(1) Any regular employee or special Government employee who desires approval or certification of his activities as provided for by section 205 of Title 18, United States Code, shall make application therefor in writing to the Counselor for the agency.

(2) A former employee, including a former special Government employee, who desires certification with regard to his activities under section 207 of Title 18, United States Code, shall make application therefor in writing to the Counselor for the agency.

(3) The Counselor for the agency shall report promptly to the agency head all matters reported to him under this subpart which require consideration of approvals, certifications, or determinations provided for in sections 205, 207, or 208 of Title 18, United States Code.

§ 100.735-13 Salary of employee payable only by United States.

(a) No employee, other than a special Government employee or an employee serving without compensation, shall receive any salary, or any contribution to or supplementation of salary, as compensation for his services as an employee, from any source other than the Government of the United States, except as may be contributed out of the treasury of any State, county, or municipality (18 U.S.C. 209).

(b) Nothing in this subpart shall be deemed to prohibit an employee from continuing to participate in a bona fide pension, retirement, group life, health, or accident insurance, profit-sharing, stock bonus, or other employee welfare or benefit plan maintained by a former employer, nor from accepting contributions, awards, or other expenses under Chapter 41 of Title 5, United States Code (the former Government Employees Training Act).

§ 100.735-14 Gifts, entertainment, and favors.

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

(1) Has, or is seeking to obtain, contractual or other business or financial relations with his agency;

(2) Conducts operations or activities which are regulated by his agency; or

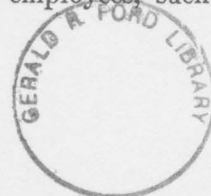
(3) Has interests which may be substantially affected by the performance or nonperformance of his official duty.

(b) Notwithstanding paragraph (a) of this section, an employee may:

(1) Accept a gift, gratuity, favor, entertainment, loan, or other thing of monetary value from a friend, parent, spouse, child, or other close relative when the circumstances make it clear that the family or personal relationships involved are the motivating factors;

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



(4) Accept unsolicited advertising or promotional materials such as pens, pencils, note pads, calendars, or other items of nominal intrinsic value.

(c) 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 (5 U.S.C. 7251). 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) The Constitution (Art. 1, sec. 9, par. 8) prohibits acceptance from foreign governments, except with the consent of Congress of any emolument, office, or title. The Congress has provided for the receipt and disposition of foreign gifts and decorations in 5 U.S.C. 7342. See also Executive Order 11320, 31 F.R. 13739, and the regulations pursuant thereto in 22 CFR Part 3 (as added, 32 F.R. 6569). Any such gift or thing which cannot appropriately be refused shall be submitted to the Counselor for transmittal to the State Department.

§ 100.735-15 Outside employment and other 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 in which acceptance may result in, or create the appearance of, a conflict of interests; or

(2) Outside employment which tends to impair the employee's mental or physical capacity to perform his Government duties and responsibilities in an acceptable manner.

(b) Within the limitations imposed by this section, employees are encouraged to engage in teaching, lecturing, and writing. 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 agency head gives written authorization for the 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 Executive Order No. 11222 of May 8, 1965, 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) An employee shall not engage in outside employment under a State or local government, except in accordance with applicable regulations of the Civil Service Commission (Part 334 of 5 CFR Ch. I).

(d) Neither this section nor § 100.735-14 precludes 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 subpart and 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, nor does it allow an employee to be reimbursed by a person for travel on official business under agency orders when reimbursement is proscribed by Decision B-128527 of the Comptroller General dated March 7, 1967.

(2) Participation in the activities of national or State political parties not proscribed by law. (See paragraph (o) of § 100.735-22 regarding proscribed political activities.)

(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 or recreational, public service, or civic organization.

(e) An employee who intends to engage in outside employment shall obtain the approval, through his official superior, of his agency head. A record of each approval under this paragraph shall be filed in the employee's official personnel folder.



(f) This section does not apply to special Government employees, who are subject to the provisions of § 100.735-23.

§ 100.735-16 Financial interests.

(a) An employee may not have financial interests which—

(1) Establish a substantial personal or private interest in a matter which involves his duties and responsibilities as an employee (an employee may not have financial interests, except as permitted by § 100.735-9(c) or authorized pursuant to § 100.735-12(d)); or

(2) Are entered into in reliance upon, or as a result of, information obtained through his employment; or

(3) Result from active and continuous trading (as distinguished from the making of bona fide investments) which is conducted on such a scale as to interfere with the proper performance of his duties.

(b) Aside from the restrictions prescribed or cited in this subpart, employees are free to engage in lawful financial transactions to the same extent as private citizens. Employees should be aware that the financial interests of their wives or minor children and blood relatives who are full-time residents of their households may be regarded, for the purposes of this section, as financial interests of the employees themselves.

(c) This section does not apply to special Government employees, who are subject to the provisions of § 100.735-23.

§ 100.735-17 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.

§ 100.735-18 Misuse of information.

For the purpose of furthering a private interest, an employee shall not, except as provided in paragraph (b) of § 100.735-15, 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.

§ 100.735-19 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 his agency determines 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.

§ 100.735-20 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.

§ 100.735-21 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.

§ 100.735-22 Miscellaneous statutory provisions.

Each employee shall acquaint himself with each statute that relates to his ethical and other conduct as an employee of his agency and of the Government. In particular, attention of employees is directed to the following statutory provisions:

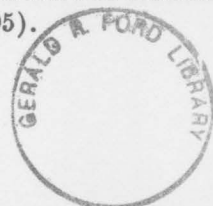
(a) Chapter 11 of Title 18, United States Code, relating to bribery, graft, and conflicts of interest, as appropriate to the employees concerned (see §§ 100.735-9, 100.735-10, and 100.735-11).

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

(c) The prohibitions against disloyalty and striking (5 U.S.C. 7311, 18 U.S.C. 1918).

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

(e) 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).



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

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

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

(i) The prohibition against the use of deceit in an examination or personnel action in connection with Government employment (5 U.S.C. 1917).

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

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

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

(m) 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).

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

(o) The prohibition 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.

(p) 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).

§ 100.735-23 Conduct and responsibilities of special Government employees.

(a) 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.

(b) 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 whether 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 purposes of this section, "inside information" means information obtained under Government

authority which has not become part of the body of public information.

(c) A special Government employee who engages in teaching, lecturing, or writing, whether for or without compensation, shall not for such purposes make use of 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 the use of nonpublic information on the basis that such use is in the public interest.

(d) A special Government 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.

(e) Except as provided in paragraph (f) 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.

(f) Notwithstanding paragraph (e) of this section, a special Government employee shall be allowed the same latitude as is authorized for regular Government employees by paragraph (b) of § 100.735-14.

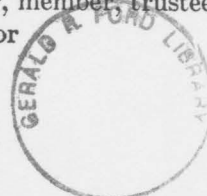
(g) Attention of special Government employees is directed to the provisions of § 100.735-3, making the provisions of this subpart generally applicable to their activities.

§ 100.735-24 Reporting of employment and financial interests—regular employees.

(a) Not later than 90 days after the effective date of this subpart, an employee designated in paragraph (d) of this section shall submit to his agency head a statement, on a form made available in the office of the Executive Clerk for the White House Office and the Counselor for each other agency, setting forth the following information:

(1) A list of the names of all corporations, companies, firms, or other business enterprises, partnerships, nonprofit organizations, and educational or other institutions with or in which he, his spouse, minor child or other member of his immediate household has—

(i) Any connection as an employee, officer, owner, director, member, trustee, partner, adviser or consultant; or



(ii) Any continuing financial interest, through a pension or retirement plan, shared income, or other arrangement as a result of any current or prior employment or business or professional association; or

(iii) Any financial interest through the ownership of stock, stock options, bonds, securities, or other arrangements including trusts.

However, an employee need not report any financial interest exempted under § 100.735-9(c) as too remote or inconsequential to affect the integrity of an employee's services in a matter.

(2) A list of the names of his creditors and the creditors of his spouse, minor child or other member of his immediate household, other than those creditors to whom they may be indebted by reason of a mortgage on property which he occupies as a personal residence or to whom they may be indebted for current and ordinary household and living expenses such as those incurred for household furnishings, an automobile, education, vacations, or the like.

(3) A list of his interests and those of his spouse, minor child or other member of his immediate household in real property or rights in lands, other than property which he occupies as a personal residence.

(b) For the purpose of this section "member of his immediate household" means a full-time resident of the employee's household who is related to him by blood.

(c) Each employee designated in paragraph (d) of this section who enters on duty after the effective date of this subpart shall submit such statement not later than 30 days after the date of his entrance on duty, but not earlier than 90 days after the effective date of this subpart.

(d) Statements of employment and financial interests are required of the following:

(1) Employees paid at a level of the Executive Schedule in subchapter II of chapter 53 of title 5, United States Code, except a Presidential appointee required to file a statement of financial interests under section 401 of Executive Order No. 11222 of May 8, 1965.

(2) Employees in classified positions of grade GS-13 or above, or the equivalent thereof.

(e) 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 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 paragraph, 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 18 U.S.C. 208 or this subpart.

(f) 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 the information in his behalf.

(g) Paragraph (a) of this section does not require an employee to submit any information relating to his 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.

(h) Each agency shall hold each statement of employment and financial interests in confidence. Each person designated to review a statement of employment and financial interests under section 100.735-26 is responsible for maintaining the statement in confidence and shall not allow access to, or allow information to be disclosed from, a statement except to carry out the purpose of this subpart. An agency may not disclose information from a statement except as the Civil Service Commission or the agency head may determine for good cause shown.

(i) 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 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.

(j) An employee who believes that his position has been improperly included as one requiring the submission of a statement of employment and financial interests is entitled to obtain a review of



his complaint under his agency's grievance procedure.

(k) This section does not apply to special Government employees, who are subject to the provisions of § 100.735-25.

§ 100.735-25 Reporting of employment and financial interests—special Government employees.

(a) A special Government employee shall submit to the agency head a statement of employment and financial interests which reports (1) all current Federal Government employment, (2) the names of all corporations, companies, firms, State or local governmental organizations, research organizations, and educational or other institutions in or for which he is an employee, officer, member, owner, trustee, director, adviser, or consultant, with or without compensation, (3) those financial interests which the agency determines are relevant in the light of the duties he is to perform, and (4) the names of all partnerships in which he is engaged.

(b) A statement required under this section shall be submitted at the time of employment and shall be kept current throughout the term of a special Government employee's service with an agency. A supplementary statement shall be submitted at the time of any reappointment; a negative report will suffice if no changes have occurred since the submission of the last statement.

§ 100.735-26 Reviewing statements of financial interests.

(a) A designee of the agency head shall review the statements required by §§ 100.735-24 and 100.735-25 to determine whether there exists a conflict, or appearance of conflict, between the interests of the employee or special Government employee concerned and the performance of his service for the Government. If the designee determines that such a conflict or appearance of conflict exists, he shall provide the employee with an opportunity to explain the conflict or appearance of conflict. If he concludes that remedial action should be taken, he shall refer the statement to the agency head, through the Counselor for the agency designated pursuant to § 100.735-6, with his recommendation for such action. The agency head, after consideration of the employee's explanation and such investigation as he deems appropriate,

shall direct appropriate remedial action if he deems it necessary.

(b) Remedial action pursuant to paragraph (a) of this section may include, but is not limited to:

(1) Changes in assigned duties.

(2) Divestment by the employee of his conflicting interest.

(3) Disqualification for a particular action.

(4) Exemption pursuant to paragraph (b) of § 100.735-9 or paragraph (d) of § 100.735-12.

(5) Disciplinary action.

§ 100.735-27 Supplemental regulations or instructions.

An agency head may issue supplemental and implementing regulations or instructions not inconsistent with this subpart as necessary to carry out the full purpose and intent of Executive Order 11222 and this subpart as may be required by the particular circumstances of his agency. Such regulations or instructions may include, but are not limited to, delegations of any authority allowed by law pertaining to the functions placed upon the agency head by this subpart. Such regulations or instructions must be made available to employees and special Government employees in the same manner as this subpart (see § 100.735-5).

Subpart B—Special Procedures; Counsel to the President

§ 100.735-31 Members of part-time committees, boards, and commissions.

(a) This section applies to each part-time member of a committee, board, or commission appointed by the President (referred to in this section as a Member).

(b) When the Counsel to the President determines that the functions and responsibilities of a committee, board, or commission are such that consistent with the policy and purpose of Executive Order 11222 the Members thereof should submit statements of employment and financial interests, he shall request each Member thereof to submit such a statement to the Chairman of the Civil Service Commission.

(c) A statement of employment and financial interests required under this section shall be submitted not later than 30 days after the Member's receipt of the request therefor from the Counsel to the President, and shall be kept up to date by sub-



mission of amended statements of any changes in, or additions to, the information required to be included in the original statement, on a quarterly basis. The statement shall be submitted in the format prescribed by the Chairman of the Civil Service Commission.

(d) The Chairman of the Civil Service Commission shall review each statement of employment and financial interests and any amendment thereto submitted under this section and shall report to the Counsel to the President any information contained in a statement which may indicate a conflict between the financial interests of the Member con-

cerned and the performance of his services for the Government.

§ 100.735-32 Special delegation of authority to the Counsel to the President.

The authority of the President under sections 205 and 208(b) of Title 18, United States Code, to permit certain actions by an officer or employee of the Government, including a special Government employee, for appointment to whose position the President is responsible, reserved to the President by section 505(c) of Executive Order 11222, is delegated to the Counsel to the President.



Public Law 87-849
87th Congress, H. R. 8140
October 23, 1962



An Act

76 STAT. 1119.

To strengthen the criminal laws relating to bribery, graft, and conflicts of interest, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) so much of chapter 11 of title 18 of the United States Code as precedes section 214 is amended to read as follows:

Bribery, graft,
and conflicts
of interest.
18 USC 201
et seq.

"CHAPTER 11—BRIBERY, GRAFT, AND CONFLICTS OF INTEREST

"Sec.

- "201. Bribery of public officials and witnesses.
- "202. Definitions.
- "203. Compensation of Members of Congress, officers and others, in matters affecting the Government.
- "204. Practice in Court of Claims by Members of Congress.
- "205. Activities of officers and employees in claims against and other matters affecting the Government.
- "206. Exemption of retired officers of the uniformed services.
- "207. Disqualification of former officers and employees in matters connected with former duties or official responsibilities; disqualification of partners.
- "208. Acts affecting a personal financial interest.
- "209. Salary of Government officials and employees payable only by United States.
- "210. Offer to procure appointive public office.
- "211. Acceptance or solicitation to obtain appointive public office.
- "212. Offer of loan or gratuity to bank examiner.
- "213. Acceptance of loan or gratuity by bank examiner.
- "214. Offer for procurement of Federal Reserve bank loan and discount of commercial paper.
- "215. Receipt of commissions or gifts for procuring loans.
- "216. Receipt or charge of commissions or gifts for farm loan, land bank, or small business transactions.
- "217. Acceptance of consideration for adjustment of farm indebtedness.
- "218. Voiding transactions in violation of chapter; recovery by the United States.

"§ 201. Bribery of public officials and witnesses

"(a) For the purpose of this section:

"'public official' means Member of Congress, or Resident Commissioner, either before or after he has qualified, or an officer or employee or person acting for or on behalf of the United States, or any department, agency or branch of Government thereof, including the District of Columbia, in any official function, under or by authority of any such department, agency, or branch of Government, or a juror; and

Definitions.

"'person who has been selected to be a public official' means any person who has been nominated or appointed to be a public official, or has been officially informed that he will be so nominated or appointed; and

"'official act' means any decision or action on any question, matter, cause, suit, proceeding or controversy, which may at any time be pending, or which may by law be brought before any public official, in his official capacity, or in his place of trust or profit.

"(b) Whoever, directly or indirectly, corruptly gives, offers or promises anything of value to any public official or person who has been selected to be a public official, or offers or promises any public official or any person who has been selected to be a public official to give anything of value to any other person or entity, with intent—

"(1) to influence any official act; or

"(2) to influence such public official or person who has been selected to be a public official to commit or aid in committing, or collude in, or allow, any fraud, or make opportunity for the commission of any fraud, on the United States; or



October 23, 1962

"(3) to induce such public official or such person who has been selected to be a public official to do or omit to do any act in violation of his lawful duty, or

"(c) Whoever, being a public official or person selected to be a public official, directly or indirectly, corruptly asks, demands, exacts, solicits, seeks, accepts, receives, or agrees to receive anything of value for himself or for any other person or entity, in return for:

"(1) being influenced in his performance of any official act; or

"(2) being influenced to commit or aid in committing, or to collude in, or allow, any fraud, or make opportunity for the commission of any fraud, on the United States; or

"(3) being induced to do or omit to do any act in violation of his official duty; or

"(d) Whoever, directly or indirectly, corruptly gives, offers, or promises anything of value to any person, or offers or promises such person to give anything of value to any other person or entity, with intent to influence the testimony under oath or affirmation of such first-mentioned person as a witness upon a trial, hearing, or other proceeding, before any court, any committee of either House or both Houses of Congress, or any agency, commission, or officer authorized by the laws of the United States to hear evidence or take testimony, or with intent to influence such person to absent himself therefrom; or

"(e) Whoever, directly or indirectly, corruptly asks, demands, exacts, solicits, seeks, accepts, receives, or agrees to receive anything of value for himself or for any other person or entity in return for being influenced in his testimony under oath or affirmation as a witness upon any such trial, hearing, or other proceeding, or in return for absenting himself therefrom—

"Shall be fined not more than \$20,000 or three times the monetary equivalent of the thing of value, whichever is greater, or imprisoned for not more than fifteen years, or both, and may be disqualified from holding any office of honor, trust, or profit under the United States.

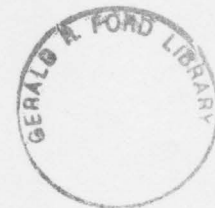
"(f) Whoever, otherwise than as provided by law for the proper discharge of official duty, directly or indirectly gives, offers, or promises anything of value to any public official, former public official, or person selected to be a public official, for or because of any official act performed or to be performed by such public official, former public official, or person selected to be a public official; or

"(g) Whoever, being a public official, former public official, or person selected to be a public official, otherwise than as provided by law for the proper discharge of official duty, directly or indirectly asks, demands, exacts, solicits, seeks, accepts, receives, or agrees to receive anything of value for himself for or because of any official act performed or to be performed by him; or

"(h) Whoever, directly or indirectly, gives, offers, or promises anything of value to any person, for or because of the testimony under oath or affirmation given or to be given by such person as a witness upon a trial, hearing, or other proceeding, before any court, any committee of either House or both Houses of Congress, or any agency, commission, or officer authorized by the laws of the United States to hear evidence or take testimony, or for or because of his absence therefrom; or

"(i) Whoever, directly or indirectly, asks, demands, exacts, solicits, seeks, accepts, receives, or agrees to receive anything of value for himself for or because of the testimony under oath or affirmation given or to be given by him as a witness upon any such trial, hearing, or other proceeding, or for or because of his absence therefrom—

"Shall be fined not more than \$10,000 or imprisoned for not more than two years, or both.



“(j) Subsections (d), (e), (h), and (i) shall not be construed to prohibit the payment or receipt of witness fees provided by law, or the payment, by the party upon whose behalf a witness is called and receipt by a witness, of the reasonable cost of travel and subsistence incurred and the reasonable value of time lost in attendance at any such trial, hearing, or proceeding, or, in the case of expert witnesses, involving a technical or professional opinion, a reasonable fee for time spent in the preparation of such opinion, and in appearing and testifying.

“(k) The offenses and penalties prescribed in this section are separate from and in addition to those prescribed in sections 1503, 1504, and 1505 of this title.

62 Stat. 769.

“§ 202. Definitions

“(a) For the purpose of sections 203, 205, 207, 208, and 209 of this title the term ‘special Government employee’ shall mean an officer or employee of the executive or legislative branch of the United States Government, of any independent agency of the United States or of the District of Columbia, who is retained, designated, appointed, or employed to perform, with or without compensation, for not to exceed one hundred and thirty days during any period of three hundred and sixty-five consecutive days, temporary duties either on a full-time or intermittent basis, or a part-time United States Commissioner. Notwithstanding the next preceding sentence, every person serving as a part-time local representative of a Member of Congress in the Member’s home district or State shall be classified as a special Government employee. Notwithstanding section 29 (c) and (d) of the Act of August 10, 1956 (70A Stat. 632; 5 U.S.C. 30r (c) and (d)), a Reserve officer of the Armed Forces, or an officer of the National Guard of the United States, unless otherwise an officer or employee of the United States, shall be classified as a special Government employee while on active duty solely for training. A Reserve officer of the Armed Forces or an officer of the National Guard of the United States who is voluntarily serving a period of extended active duty in excess of one hundred and thirty days shall be classified as an officer of the United States within the meaning of section 203 and sections 205 through 209 and 218. A Reserve officer of the Armed Forces or an officer of the National Guard of the United States who is serving involuntarily shall be classified as a special Government employee. The terms ‘officer or employee’ and ‘special Government employee’ as used in sections 203, 205, 207 through 209, and 218, shall not include enlisted members of the Armed Forces.

“(b) For the purposes of sections 205 and 207 of this title, the term ‘official responsibility’ means the direct administrative or operating authority, whether intermediate or final, and either exercisable alone or with others, and either personally or through subordinates, to approve, disapprove, or otherwise direct Government action.

“§ 203. Compensation to Members of Congress, officers, and others in matters affecting the Government

“(a) Whoever, otherwise than as provided by law for the proper discharge of official duties, directly or indirectly receives or agrees to receive, or asks, demands, solicits, or seeks, any compensation for any services rendered or to be rendered either by himself or another—

“(1) at a time when he is a Member of Congress, Member of Congress Elect, Resident Commissioner, or Resident Commissioner Elect; or

“(2) at a time when he is an officer or employee of the United States in the executive, legislative, or judicial branch of the Government, or in any agency of the United States, including the District of Columbia,



in relation to any proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter in which the United States is a party or has a direct and substantial interest, before any department, agency, court-martial, officer, or any civil, military, or naval commission, or

"(b) Whoever, knowingly, otherwise than as provided by law for the proper discharge of official duties, directly or indirectly gives, promises, or offers any compensation for any such services rendered or to be rendered at a time when the person to whom the compensation is given, promised, or offered, is or was such a Member, Commissioner, officer, or employee—

"Shall be fined not more than \$10,000 or imprisoned for not more than two years, or both; and shall be incapable of holding any office of honor, trust, or profit under the United States.

"(c) A special Government employee shall be subject to subsection (a) only in relation to a particular matter involving a specific party or parties (1) in which he has at any time participated personally and substantially as a Government employee or as a special Government employee through decision, approval, disapproval, recommendation, the rendering of advice, investigation or otherwise, or (2) which is pending in the department or agency of the Government in which he is serving: *Provided*, That clause (2) shall not apply in the case of a special Government employee who has served in such department or agency no more than sixty days during the immediately preceding period of three hundred and sixty-five consecutive days.

"§ 204. Practice in Court of Claims by Members of Congress

"Whoever, being a Member of Congress, Member of Congress Elect, Resident Commissioner, or Resident Commissioner Elect, practices in the Court of Claims, shall be fined not more than \$10,000 or imprisoned for not more than two years, or both, and shall be incapable of holding any office of honor, trust, or profit under the United States.

"§ 205. Activities of officers and employees in claims against and other matters affecting the Government

"Whoever, being an officer or employee of the United States in the executive, legislative, or judicial branch of the Government or in any agency of the United States, including the District of Columbia, otherwise than in the proper discharge of his official duties—

"(1) acts as agent or attorney for prosecuting any claim against the United States, or receives any gratuity, or any share of or interest in any such claim in consideration of assistance in the prosecution of such claim, or

"(2) acts as agent or attorney for anyone before any department, agency, court, court-martial, officer, or any civil, military, or naval commission in connection with any proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter in which the United States is a party or has a direct and substantial interest—

"Shall be fined not more than \$10,000 or imprisoned for not more than two years, or both.

"A special Government employee shall be subject to the preceding paragraphs only in relation to a particular matter involving a specific party or parties (1) in which he has at any time participated personally and substantially as a Government employee or as a special Government employee through decision, approval, disapproval, recommendation, the rendering of advice, investigation or otherwise, or (2) which is pending in the department or agency of the Government in which he is serving: *Provided*, That clause (2) shall not apply in the



case of a special Government employee who has served in such department or agency no more than sixty days during the immediately preceding period of three hundred and sixty-five consecutive days.

"Nothing herein prevents an officer or employee, if not inconsistent with the faithful performance of his duties, from acting without compensation as agent or attorney for any person who is the subject of disciplinary, loyalty, or other personnel administration proceedings in connection with those proceedings.

"Nothing herein or in section 203 prevents an officer or employee, including a special Government employee, from acting, with or without compensation, as agent or attorney for his parents, spouse, child, or any person for whom, or for any estate for which, he is serving as guardian, executor, administrator, trustee, or other personal fiduciary except in those matters in which he has participated personally and substantially as a Government employee, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, or which are the subject of his official responsibility, provided that the Government official responsible for appointment to his position approves.

"Nothing herein or in section 203 prevents a special Government employee from acting as agent or attorney for another person in the performance of work under a grant by, or a contract with or for the benefit of, the United States provided that the head of the department or agency concerned with the grant or contract shall certify in writing that the national interest so requires.

"Such certification shall be published in the Federal Register.

Publication in
F. R.

"Nothing herein prevents an officer or employee from giving testimony under oath or from making statements required to be made under penalty for perjury or contempt.

§ 206. Exemption of retired officers of the uniformed services

"Sections 203 and 205 of this title shall not apply to a retired officer of the uniformed services of the United States while not on active duty and not otherwise an officer or employee of the United States, or to any person specially excepted by Act of Congress.

§ 207. Disqualification of former officers and employees in matters connected with former duties or official responsibilities; disqualification of partners

"(a) Whoever, having been an officer or employee of the executive branch of the United States Government, of any independent agency of the United States, or of the District of Columbia, including a special Government employee, after his employment has ceased, knowingly acts as agent or attorney for anyone other than the United States in connection with any judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other 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 an officer or employee, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, while so employed, or

"(b) Whoever, having been so employed, within one year after his employment has ceased, appears personally before any court or department or agency of the Government as agent, or attorney for, anyone other than the United States in connection with any proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter involving a specific party or parties in which the United States is a party or directly and substantially interested, and which was under



his official responsibility as an officer or employee of the Government at any time within a period of one year prior to the termination of such responsibility—

“Shall be fined not more than \$10,000 or imprisoned for not more than two years, or both: *Provided*, That nothing in subsection (a) or (b) prevents a former officer or employee, including a former special Government employee, with outstanding scientific or technological qualifications from acting as attorney or agent or appearing personally in connection with a particular matter in a scientific or technological field if the head of the department or agency concerned with the matter shall make a certification in writing, published in the Federal Register, that the national interest would be served by such action or appearance by the former officer or employee.

Publication in
F. R.

“(c) Whoever, being a partner of an officer or employee of the executive branch of the United States Government, of any independent agency of the United States, or of the District of Columbia, including a special Government employee, acts as agent or attorney for anyone other than the United States, in connection with any judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter in which the United States is a party or has a direct and substantial interest and in which such officer or employee of the Government or special Government employee participates or has participated personally and substantially as a Government employee through decision, approval, disapproval, recommendation, the rendering of advice, investigation or otherwise, or which is the subject of his official responsibility—

“Shall be fined not more than \$5,000, or imprisoned not more than one year, or both.

“A partner of a present or former officer or employee of the executive branch of the United States Government, of any independent agency of the United States, or of the District of Columbia or of a present or former special Government employee shall as such be subject to the provisions of sections 203, 205, and 207 of this title only as expressly provided in subsection (c) of this section.

“§ 208. Acts affecting a personal financial interest

“(a) Except as permitted by subsection (b) hereof, whoever, being an officer or employee of the executive branch of the United States Government, of any independent agency of the United States, or of the District of Columbia, including a special Government employee participates personally and substantially as a Government officer or employee, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, in a judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter in which, to his knowledge, he, his spouse, minor child, partner, organization in which he is serving as officer, director, trustee, partner or employee, or any person or organization with whom he is negotiating or has any arrangement concerning prospective employment, has a financial interest—

“Shall be fined not more than \$10,000, or imprisoned not more than two years, or both.

“(b) Subsection (a) hereof shall not apply (1) if the officer or employee first advises the Government official responsible for appointment to his position of the nature and circumstances of the judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter and makes full disclosure of the financial interest and receives in advance a written determination made by such



official that the interest is not so substantial as to be deemed likely to affect the integrity of the services which the Government may expect from such officer or employee, or (2) if, by general rule or regulation published in the Federal Register, the financial interest has been exempted from the requirements of clause (1) hereof as being too remote or too inconsequential to affect the integrity of Government officers' or employees' services.

Publication in
P. R.

“§ 209. Salary of Government officials and employees payable only by United States

“(a) Whoever receives any salary, or any contribution to or supplementation of salary, as compensation for his services as an officer or employee of the executive branch of the United States Government, of any independent agency of the United States, or of the District of Columbia, from any source other than the Government of the United States, except as may be contributed out of the treasury of any State, county, or municipality; or

“Whoever, whether an individual, partnership, association, corporation, or other organization pays, or makes any contribution to, or in any way supplements the salary of, any such officer or employee under circumstances which would make its receipt a violation of this subsection—

“Shall be fined not more than \$5,000 or imprisoned not more than one year, or both.

“(b) Nothing herein prevents an officer or employee of the executive branch of the United States Government, or of any independent agency of the United States, or of the District of Columbia, from continuing to participate in a bona fide pension, retirement, group life, health or accident insurance, profit-sharing, stock bonus, or other employee welfare or benefit plan maintained by a former employer.

“(c) This section does not apply to a special Government employee or to an officer or employee of the Government serving without compensation, whether or not he is a special Government employee, or to any person paying, contributing to, or supplementing his salary as such.

Exception.

“(d) This section does not prohibit payment or acceptance of contributions, awards, or other expenses under the terms of the Government Employees Training Act (Public Law 85-507, 72 Stat. 327; 5 U.S.C. 2301-2319, July 7, 1958).”

(b) Sections 214 and 215 of chapter 11 of title 18 of the United States Code are respectively redesignated sections 210 and 211;

(c) Sections 216 and 223 of chapter 11 of title 18 of the United States Code are repealed;

Repeal.

(d) Sections 217, 218, 219, 220, 221, and 222 of chapter 11 of title 18 of the United States Code are respectively redesignated sections 212, 213, 214, 215, 216, and 217;

(e) Chapter 11 of title 18 of the United States Code is further amended by adding at the end thereof the following new section:

18 USC 201
et seq.

“§ 218. Voiding transactions in violation of chapter; recovery by the United States

“In addition to any other remedies provided by law the President or, under regulations prescribed by him, the head of any department or agency involved, may declare void and rescind any contract, loan, grant, subsidy, license, right, permit, franchise, use, authority, privilege, benefit, certificate, ruling, decision, opinion, or rate schedule awarded, granted, paid, furnished, or published, or the performance of any service or transfer or delivery of any thing to, by or for any agency of the United States or officer or employee of the United States or person acting on behalf thereof, in relation to which there



October 23, 1962

has been a final conviction for any violation of this chapter, and the United States shall be entitled to recover in addition to any penalty prescribed by law or in a contract the amount expended or the thing transferred or delivered on its behalf, or the reasonable value thereof."

Repeal.

Sec. 2. Sections 281 and 283 (except as they may apply to retired officers of the armed forces of the United States), 282 and 284 of chapter 15 of title 18, section 434 of chapter 23 of title 18, and section 1914 of chapter 93 of title 18 of the United States Code are repealed and will, respectively, be supplanted by sections 203, 205, 204, 207, 208, and 209 of title 18 of the United States Code as set forth in section 1 of this Act. All exemptions from the provisions of sections 281, 282, 283, 284, 434, or 1914 of title 18 of the United States Code heretofore created or authorized by statute which are in force on the effective date of this Act shall, on and after that date, be deemed to be exemptions from sections 203, 204, 205, 207, 208, or 209, respectively, of title 18 of the United States Code except to the extent that they affect officers or employees of the executive branch of the United States Government, of any independent agency of the United States, or of the District of Columbia, as to whom they are no longer applicable.

Exemptions.

Repeal.

Sec. 3. Section 190 of the Revised Statutes (5 U.S.C. 99) is repealed.

Effective date.

Sec. 4. This Act shall take effect ninety days after the date of its enactment.

Approved October 23, 1962.



CONFIDENTIAL STATEMENT OF EMPLOYMENT AND FINANCIAL INTERESTS
(FOR USE BY GOVERNMENT EMPLOYEES)

1. NAME (last, first, initial)		2. TITLE OF POSITION	
3. DATE OF APPOINTMENT IN PRESENT POSITION		4. AGENCY AND MAJOR ORGANIZATIONAL SEGMENT	

PART I. EMPLOYMENT AND FINANCIAL INTERESTS. List the names of all corporations, companies, firms, or other business enterprises, partnerships, nonprofit organizations, and educational, or other institutions: (a) with which you are connected as an employee, officer, owner, director, member, trustee, partner, adviser, or consultant; or (b) in which you have any continuing financial interests, through a pension or retirement plan, shared income, or other arrangement as a result of any current or prior employment or business or professional association; or (c) in which you have any financial interest through the ownership of stock, stock options, bonds, securities, or other arrangements including trusts. If none, write NONE.

NAME & KIND OF ORGANIZATION (USE PART I DESIGNATIONS WHERE APPLICABLE.)	ADDRESS	POSITION IN ORGANIZATION. (USE PART I(a) DESIGNATIONS, IF APPLICABLE.)	NATURE OF FINANCIAL INTEREST, e.g., STOCK, PRIOR BUSINESS INCOME. (USE PART I(b) & (c) DESIGNATIONS, IF APPLICABLE.)

PART II. CREDITORS. List the names of your creditors other than those to whom you may be indebted by reason of a mortgage on property which you occupy as a personal residence or to whom you may be indebted for current and ordinary household and living expenses such as household furnishings, automobile, education, vacation, and similar expenses. If none, write NONE.

NAME AND ADDRESS OF CREDITOR	CHARACTER OF INDEBTEDNESS, e.g., PERSONAL LOAN, NOTE, SECURITY

PART III. INTERESTS IN REAL PROPERTY. List your interest in real property or rights in lands, other than property which you occupy as a personal residence. If none, write NONE.

NATURE OF INTEREST, e.g., OWNERSHIP, MORTGAGE, LIEN, INVESTMENT TRUST	TYPE OF PROPERTY, e.g., RESIDENCE, HOTEL, APARTMENT, FARM, UNDEVELOPED LAND	ADDRESS. (IF RURAL, GIVE RFD, OR COUNTY AND STATE.)

PART IV. INFORMATION REQUESTED OF OTHER PERSONS. If any information is to be supplied by other persons, e.g., trustee, attorney, accountant, relative, please indicate the name and address of such persons, the date upon which you requested that the information be supplied, and the nature of subject matter involved. If none, write NONE.

NAME AND ADDRESS	DATE OF REQUEST	NATURE OF SUBJECT MATTER



I certify that the statements I have made are true, complete, and correct to the best of my knowledge and belief.

(Date)

(Signature)

CONFIDENTIAL STATEMENT OF EMPLOYMENT AND FINANCIAL INTERESTS

For use by an officer or employee as required by section 402 of Executive Order 11222, dated May 8, 1965, Prescribing Standards of Ethical Conduct for Government Officers and Employees.

GENERAL REQUIREMENTS.

The information to be furnished in this statement is required by Executive Order 11222 and the regulations of the Civil Service Commission issued thereunder and may not be disclosed except as the Commission or the agency head may determine for good cause shown.

The Order does not require the submission of any information relating to an employee's connection with, or interest in, a professional society or a charitable, religious, social, fraternal, recreational, public service, civic, or political organization or any similar organization not conducted as a business enterprise and which is not engaged in the ownership or conduct of a business enterprise. Educational and other institutions doing research and development or related work involving grants of money from or contracts with the Government are deemed to be "business enterprises" for purposes of this report and should be included.

The information to be listed does not require a showing of the amount of financial interest, indebtedness, or the value of real property.

In the event any of the required information, including holdings placed in trust, is not known to you but is known to another person, you should request that other person to submit the information on your behalf and should report such request in Part IV of your statement.

The interest, if any, of a spouse, minor child, or other member of your immediate household shall be reported in this statement as your interest. If that information is to be supplied by others, it should be so indicated in Part IV. "Member of your immediate household" includes only those blood relations who are full-time residents of your household.



CONFIDENTIAL STATEMENT OF EMPLOYMENT AND FINANCIAL INTERESTS (FOR USE BY SPECIAL GOVERNMENT EMPLOYEES)

PART I.—TO BE COMPLETED BY AGENCY

1. NAME (last, first, initial) 2. AGENCY AND MAJOR ORGANIZATIONAL SEGMENT 3. BIRTH DATE (month, day, year) 4. PERIOD OF APPOINTMENT, THIS AGENCY— FROM: TO: 5a. Estimated number of days on which services are expected to be performed— (1) with this agency; (2) with other Federal Agencies; Sum of (1) and (2) b. Number of days already worked for this and other Federal agencies during applicable 365-day period c. Total number of days (sum of a and b)

PART II.—TO BE COMPLETED BY APPOINTEE

1. FEDERAL GOVERNMENT EMPLOYMENT.—List all other Federal agencies and other organizational segments of this Agency in which you are presently employed. If none, write NONE.

Table with 4 columns: AGENCY AND LOCATION, TITLE OR KIND OF POSITION, APPOINTMENT PERIOD (FROM, TO), ESTIMATED NO. OF DAYS

2. NON-FEDERAL EMPLOYMENT.— Name all corporations, companies, firms, State or local Governmental organizations, research organizations, and educational or other institutions in which you are serving as employee, officer, member, owner, trustee, director, expert, adviser, or consultant, with or without compensation. If none, write NONE.

Table with 3 columns: NAME AND KIND OR ORGANIZATION (e.g., manufacturing, research, insurance), LOCATION (City, State), TITLE OR KIND OF POSITION

3. FINANCIAL INTERESTS.— (See Instructions On Reverse)



Table with 3 columns: NAME OF ORGANIZATION, KIND OF ORGANIZATION (manufacturing, storage, public utilities, etc.), NATURE OF INTEREST AND IN WHOSE NAME HELD

I CERTIFY that the statements I have made are true, complete, and correct to the best of my knowledge and belief. I UNDERSTAND that if, during the period of my appointment, I undertake a new employment, I must promptly file an amended statement, and I must also report any new financial interests acquired during this period if required by the agency.

(Date)

(Signature)

CONFIDENTIAL STATEMENT OF EMPLOYMENT AND FINANCIAL INTERESTS

For use by a special Government employee as required by section 306 of Executive Order 11222, dated May 8, 1965, Prescribing Standards of Ethical Conduct for Government Officers and Employees.

GENERAL REQUIREMENTS.

The information to be furnished in this statement is required by Executive Order 11222 and the regulations of the Civil Service Commission issued thereunder and may not be disclosed except as the Commission or the agency head may determine for good cause shown.

The Order does not require the submission of any information relating to an employee's connection with, or interest in, a professional society or a charitable, religious, social, fraternal, recreational, public service, civic, or political organization or any similar organization not conducted as a business enterprise and which is not engaged in the ownership or conduct of a business enterprise. Educational and other institutions doing research and development or related work involving grants of money from or contracts with the Government are deemed to be "business enterprises" for purposes of this report and should be included.

PART 3. FINANCIAL INTERESTS.

List the names of all corporations, companies, firms, or other business enterprises, partnerships, nonprofit organizations, and educational, or other institutions: (a) in which you have any continuing financial interests, through a pension or retirement plan, shared income, or other arrangement as a result of any current or prior employment or business or professional association; or (b) in which you have any financial interest through the ownership of stock, stock options, bonds, securities, or other arrangements including trusts. If none, write NONE.



JOB DESCRIPTION FORM

Enclosure E-4

Name and Title

Name and Title of Immediate Supervisor

Grade or Salary

A. Brief description of your substantive duties and responsibilities e. g. , programs and agencies concerned.

B. Personal evaluation of any potential overlap between you: financial interests, direct or indirect, and your official duties.

C. Kindly indicate: (1) if you are a consultant and expect to be on the rolls for a period of three (3) months or more or (2) if you expect to handle top secret information and materials.



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