

PART 0—EMPLOYEE RESPONSIBILITIES AND CONDUCT

Subpart A—General Provisions

Sec.

- 0.735-1 Purpose.
- 0.735-2 Cross-references to ethical conduct, financial disclosure, and other applicable regulations.
- 0.735-3 Applicability.
- 0.735-4 Definitions.

Subparts B-C [Reserved]

Subpart D—Regulatory Limitations Upon Employee Conduct

- 0.735-10 Administrative extension of statutory limitations.
- 0.735-10a—0.735-15 [Reserved]
- 0.735-16 Indebtedness.
- 0.735-17 Gambling, betting, and lotteries.
- 0.735-18 General conduct prejudicial to the Government.
- 0.735-19 Reporting undue influence to superiors.

Subpart E [Reserved]

Subpart F—Supplementary Regulations

- 0.735-32 Departmental.
- 0.735-33 Operating units.
- 0.735-34 Effective date of supplementary regulations.

Subpart G—Administration

- 0.735-35 Responsibilities of employees.
- 0.735-36 Responsibilities of operating units.
- 0.735-37 Procedure.
- 0.735-38 Availability for counseling.
- 0.735-39 Authorizations.
- 0.735-40 Disciplinary and other remedial action.
- 0.735-41 Inquiries and exceptions.

Subpart H—Disciplinary Actions Concerning Post-Employment Conflict of Interest Violations

- 0.735-42 Scope.
- 0.735-43 Report of violations and investigation.
- 0.735-44 Initiation of proceedings.
- 0.735-45 Notice.
- 0.735-46 Hearing.
- 0.735-47 Decision absent a hearing.
- 0.735-48 Administrative appeal.
- 0.735-49 Sanctions.
- 0.735-50 Judicial review.

APPENDIX A TO PART 0—STATUTES GOVERNING CONDUCT OF FEDERAL EMPLOYEES

AUTHORITY: 5 U.S.C. 301, 7301, 7353; 5 U.S.C. App. (Ethics in Government Act of 1978); 26

U.S.C. 7214(b); E.O. 12674, 54 FR 15159, 3 CFR 1989 Comp., p. 215, as modified by E.O. 12731, 55 FR 42547, 3 CFR 1990 Comp., p. 306; 5 CFR part 2635.

SOURCE: 32 FR 15222, Nov. 2, 1967, unless otherwise noted.

Subpart A—General Provisions

§ 0.735-1 Purpose.

The purpose of this part is to set forth Department of Commerce policy and procedure relating to employee responsibilities and conduct.

§ 0.735-2 Cross-references to ethical conduct, financial disclosure, and other applicable regulations.

Employees of the Department of Commerce should refer to the executive branch-wide Standards of Ethical Conduct at 5 CFR part 2635 and the executive branch-wide financial disclosure regulations at 5 CFR part 2634.

[68 FR 24879, May 9, 2003]

§ 0.735-3 Applicability.

This part applies to all persons included within the term “employee” as defined in § 0.735-4, except as otherwise provided in this part.

§ 0.735-4 Definitions.

For purposes of this part, except as otherwise indicated in this part:

(a) *Employee*. (1) Shall include: (i) Every officer and employee of the Department of Commerce (regardless of location), including commissioned officers of the Environmental Science Services Administration; and

(ii) Every other person who is retained, designated, appointed, or employed by a Federal officer or employee, who is engaged in the performance of a function of the Department under authority of law or an Executive act, and who is subject to the supervision of a Federal officer or employee while engaged in the performance of the duties of his position not only as to what he does but also as to how he performs his duties, regardless of whether the relationship to the Department is created by assignment, detail, contract, agreement or otherwise.

(2) Shall not include: (i) Members of the Executive Reserve except when they are serving as employees of the