

PART 0—DEPARTMENT OF THE TREASURY EMPLOYEE RULES OF CONDUCT

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otherwise noted.

Subpart A—General Provisions

§ 0.101 Purpose.

(a) The Department of the Treasury Employee Rules of Conduct (Rules) are separate from and additional to the Standards of Ethical Conduct for Em-

ployees of the Executive Branch (Execu-
tive Branch-wide Standards) (5 CFR
part 2635) and the Supplemental Stand-
ards of Ethical Conduct for Employees
of the Department of the Treasury
(Treasury Supplemental Standards) (to
be codified at 5 CFR part 3101). The
Rules prescribe employee rules of con-
duct and procedure and provide for dis-
ciplinary action for the violation of the
Rules, the Treasury Supplemental
Standards, the Executive Branch-wide
Standards, and any other rule, regula-
tion or law governing Department em-
ployees.

(b) The Rules are not all-inclusive
and may be modified by interpretive
guidelines and procedures issued by the
Department's bureaus. The absence of
a specific published rule of conduct
covering an action does not constitute
a condonation of that action or indi-
cate that the action would not result
in corrective or disciplinary action.

§ 0.102 Policy.

(a) All employees and officials of the
Department are required to follow the
rules of conduct and procedure con-
tained in the Rules, the Treasury Sup-
plemental Standards, the Executive
Branch-wide Standards of Ethical Con-
duct, the Employee Responsibilities
and Conduct (5 CFR part 735), and any
bureau issued rules.

(b) Employees found in violation of
the Rules, the Treasury Supplemental
Standards, the Executive Branch-wide
Standards or any applicable bureau
rule may be instructed to take reme-
dial or corrective action to eliminate
the conflict. Remedial action may in-
clude, but is not limited to:

- (1) Reassignment of work duties;
- (2) Disqualification from a particular
assignment;
- (3) Divestment of a conflicting inter-
est; or
- (4) Other appropriate action.

(c) Employees found in violation of
the Rules, the Treasury Supplemental
Standards, the Executive Branch-wide
Standards or any applicable bureau
rule may be disciplined in proportion
to the gravity of the offense com-
mitted, including removal. Discipi-
nary action will be taken in accordance
with applicable laws and regulations

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and after consideration of the employee's explanation and any mitigating factors. Further, disciplinary action may include any additional penalty prescribed by law.

§0.103 Definitions.

The following definitions are used throughout this part:

(a) Adviser means a person who provides advice to the Department as a representative of an outside group and is not an employee or special Government employee as those terms are defined in §0.103.

(b) Bureau means:

- (1) Bureau of Alcohol, Tobacco and Firearms;
- (2) Bureau of Engraving and Printing;
- (3) Bureau of the Public Debt;
- (4) Departmental Offices;
- (5) Federal Law Enforcement Training Center;
- (6) Financial Management Service;
- (7) Internal Revenue Service;
- (8) Legal Division;
- (9) Office of the Comptroller of the Currency;
- (10) Office of the Inspector General;
- (11) Office of Thrift Supervision;
- (12) United States Customs Service;
- (13) United States Mint;
- (14) United States Secret Service; and
- (15) Any organization designated as a bureau by the Secretary pursuant to appropriate authority.

(c) *Person* means an individual, corporation and subsidiaries it controls, company, association, firm, partnership, society, joint stock company, or any other organization or institution as specified in 5 CFR 2635.102(k).

(d) *Regular employee* or *employee* means an officer or employee of the Department of the Treasury but does not include a special Government employee.

(e) *Special Government employee* means an officer or employee who is retained, designated, appointed, or employed to perform temporary duties either on a full-time or intermittent basis, with or without compensation, for a period not to exceed 130 days during any consecutive 365-day period. See 18 U.S.C. 202(a).

31 CFR Subtitle A (7-1-10 Edition)

RESPONSIBILITIES

§0.104 Designated Agency Ethics Official and Alternate Designated Agency Ethics Official.

The Deputy General Counsel is the Department's Designated Agency Ethics Official (DAEO). The DAEO is responsible for managing the Department's ethics program, including coordinating ethics counseling and interpreting questions of conflicts of interest and other matters that arise under the Executive Branch-wide Standards and Treasury Supplemental Standards and Rules. See 5 CFR 2638.203. The Senior Counsel for Ethics is the Alternate Designated Agency Ethics Official.

§0.105 Deputy Ethics Official.

The Chief Counsel or Legal Counsel for a bureau, or a designee, is the Deputy Ethics Official for that bureau. The Legal Counsel for the Financial Crimes Enforcement Network is the Deputy Ethics Official for that organization. It is the responsibility of the Deputy Ethics Official to give authoritative advice and guidance on conflicts of interest and other matters arising under the Executive Branch-wide Standards, Treasury Supplemental Standards, and the Rules.

§0.106 Bureau Heads.

Bureau heads or designees are required to:

(a) Provide all employees with a copy of Executive Order 12674, as amended by Executive Order 12731, the Executive Branch-wide Standards, the Treasury Supplemental Standards and the Rules; provide all new employees with an explanation of the contents and application of the Executive Branch-wide Standards, Treasury Supplemental Standards and the Rules; and provide all departing employees with an explanation of the applicable post-employment restrictions contained in 18 U.S.C. 207 and 5 CFR part 2641 and any other applicable law or regulation.

(b) Provide guidance and assistance to supervisors and employees in implementing and adhering to the rules and procedures included in the Executive Branch-wide Standards and Treasury