PART 200—EMPLOYEE RESPONSIBILITIES AND CONDUCT

Subpart A—General Provisions

Sec.
200.735–101 Purpose.
200.735–102 Definitions.
200.735–103 Counseling service.
200.735–104 Disciplinary and other remedial action.

Subpart B—Provisions Governing Ethical and Other Conduct and Responsibilities of Employees

200.735–104a Proscribed actions.
200.735–105 Gifts, entertainment, and favors.
200.735–106 Outside employment and other activities.
200.735–107 Financial interests.
200.735–110 Indebtedness.
200.735–111 Gambling, betting, and lotteries.
200.735–112 General conduct prejudicial to the Government.
200.735–113 Miscellaneous statutory provisions.

Subpart C—Provisions Governing Statements of Employment and Financial Interests

200.735–114 Employees required to submit statements.
200.735–114a Employees not required to submit statements.
200.735–114b Employee complaints on filing requirements.
200.735–114c Voluntary submission by employees.
200.735–115 Forms—Interests not to be reported.
200.735–116 Time and place for submission of employees' statements.
200.735–117 Supplementary statements.
200.735–118 Interests of employees' relatives.
200.735–119 Information not known by employees.
200.735–120 Information prohibited.
200.735–121 Confidentiality of employees' statements.
200.735–122 Special Government employees.
200.735–123 Effect of employees' and special Government employees' statements on other requirements.

Subpart D—Provisions for Administrative Enforcement of Postemployment Conflict of Interest Restrictions

200.735–124 General.
200.735–125 Exemption from restrictions.
200.735–126 Administrative enforcement proceedings.


SOURCE: 31 FR 2593, Feb. 10, 1966, unless otherwise noted.

Subpart A—General Provisions

§ 200.735–101 Purpose.

The purpose of the regulations in this part is to maintain the highest standards of honesty, integrity, impartiality, and conduct on the part of all employees of the U.S. International Trade Commission and to maintain public confidence that the business of the Commission is being conducted in accordance with such standards.


§ 200.735–102 Definitions.

In this part:
(b) Commissioner means a Commissioner of the U.S. International Trade Commission.
(c) Employee means a Commissioner, employee, or special Government employee of the Commission.
(d) Executive order means Executive Order 11222 of May 8, 1965.
(e) 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.
(f) Special Government employee means a “special Government employee” as defined in section 202 of Title 18 of the United States Code who is employed by the Commission.


§ 200.735–103 Counseling service.

(a) The Chairman shall appoint a Designated Agency Ethics Official (DAEO) who serves as liaison to the Office of Government Ethics and who is responsible for carrying out the Commission’s ethics program. The program shall be designed to implement titles II, IV, and V of the Ethics in Government Act of 1978, Executive Order No. 11222, the regulations in this part, and
other statutes and regulations applicable to agency ethics matters. The DAEO will be a senior Commission employee with experience demonstrating the ability to review financial disclosure reports and counsel employees with regard to resolving conflicts of interest, review the financial disclosures of Presidential nominees to the Commission prior to confirmation hearings, counsel employees with regard to ethics standards, assist supervisors in implementing the Commission’s ethics program, and periodically evaluate the ethics program.

(b) The Chairman shall select an Alternate Agency Ethics Official who will serve as Deputy DAEO to whom any of the DAEO’s statutory and regulatory duties may be delegated.

(c) The DAEO shall coordinate and manage the agency’s ethics program. The DAEO duties shall consist of:

(1) Liaison with the Office of Government Ethics;
(2) Review of financial disclosure reports, including reports filed by Presidential nominees to the Commission;
(3) Initiation and maintenance of ethics education and training programs;
(4) Monitoring administrative actions and sanctions; and
(5) Implementation of the specific program elements listed in Office of Government Ethics regulations, 5 CFR 738.203(b).

§ 200.735–104 Disciplinary and other remedial action.

(a) An employee who violates any of the regulations in this part may be disciplined. The disciplinary action may be in addition to any other penalty prescribed by law for the violation. In addition to, or in lieu of, disciplinary action, remedial action to end conflicts or appearance of conflicts of interest may include, but is not limited to:

(1) Changes in assigned duties;
(2) Divestment by the employee of his conflicting interest; or
(3) Disqualification for a particular assignment.

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

§ 200.735–104a Proscribed actions.

An employee shall avoid any action, whether or not specifically prohibited by this subpart, which might result in, or create the appearance of:

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

§ 200.735–105 Gifts, entertainment, and favors.

(a) Except as provided in paragraph (b) of this section, no employee may solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, loan, or any other thing of monetary value from any person who:

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

(b) The prohibitions set forth under paragraph (a) of this section shall not apply to:

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

§ 200.735–105 Gifts, entertainment, and favors.

(a) Except as provided in paragraph (b) of this section, no employee may solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, loan, or any other thing of monetary value from any person who:

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

(b) The prohibitions set forth under paragraph (a) of this section shall not apply to:

(1) Solicitations or acceptances based on obvious family or personal relationships (such as those between parents, children, or spouse of the employee and the employee) when the circumstances make it clear that it is those relationships rather than the business of the persons concerned which are the motivating factors;
(2) The acceptance of food and refreshments of nominal value on infrequent occasions in the ordinary course