

§ 706.402

employment and financial interest to the Director:

(1) Employees in Grade GS-16 or above of the General Schedule established by the Classification Act of 1949, as amended;

(2) The General Counsel and Administrative Officer;

(3) The Staff Specialists assigned to review applications by States for planning grants under Title III of the Water Resources Planning Act;

(4) Special Government employees, as defined in § 706.102; and

(5) Employees classified at GS-13 or above under 5 U.S.C. 5332, or at a comparable pay level under another authority, who are in positions which the Director may determine have duties and responsibilities which require the incumbent to report employment and financial interests in order to avoid involvement in possible conflicts-of-interest situation and carry out the purpose of law, Executive order, and Council regulations.

(b) A statement of employment and financial interest is required from the Director and shall be submitted by the Director to the Chairman of the Council.

§ 706.402 Employee's complaint on filing requirements.

An employee who feels that his position has been improperly included in the list in § 706.401 as one requiring the submission of a statement of employment and financial interests may obtain a review of his complaint under the Council's internal grievance procedure.

§ 706.403 Form of statements.

An employee required to submit a statement of employment and financial interests shall submit that statement in the format prescribed by the Division of Management.

§ 706.404 Time for submission of statements.

An employee required to submit a statement of employment and financial interests by § 706.401 shall submit that statement no later than 30 days after the date of entrance on duty in the position covered by § 706.401.

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§ 706.405 Supplementary statements.

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, in the format prescribed by the Division of Management, 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 section, 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 section 18 U.S.C. 208, or subpart B of this part.

§ 706.406 Interests of employees' relatives.

The interests of a spouse, minor child, or other member of an employee's immediate household are considered to be interests of the employee. For the purpose of this section, "member of a employee's immediate household" means those blood relations who are residents of the employee's household.

§ 706.407 Information not known by employees.

If any information required to be included on a statement of employment and financial interests or on a 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.

§ 706.408 Information not required.

An employee is not required to submit on a statement of employment and financial interests, or on a supplementary statement, any information relating to the employee's 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.

§ 706.409 Opportunity for explanation of conflict or appearance of conflict.

When a statement submitted under § 706.401 indicates a conflict or an appearance of conflict, between the interests of an employee and the performance of his services for the Government, the employee concerned shall be given an opportunity to explain the conflict or appearance of conflict before remedial action is initiated.

§ 706.410 Confidentiality of statements.

Each statement of employment and financial interests, and each supplementary statement, shall be held in confidence and retained in limited access files of the reviewing official. The use of information on the statements shall be limited to that necessary to carry out the purposes of this part. Information from a statement or a supplementary statement shall not be disclosed except by decision of the Director for good cause shown: *Provided*, That information from a statement or a supplementary statement of the Director shall not be disclosed except by decision of the Chairman for good cause shown.

§ 706.411 Effect of statements on other requirements.

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 or supplementary statement by an employee does not permit him or any other person to participate in a matter in which he or the other person's participation is prohibited by law, order, or regulation.

§ 706.412 Submission of statements by special Government employees.

(a) Each special Government employee shall submit a statement of employment and financial interests not later than the time of his employment.

Each special Government employee shall keep his statement current throughout his period of employment by the submission of supplementary statements.

(b) A special Government employee shall submit his statement of employment and financial interests in the format prescribed by the Division of Management. The statement will be filed with the Division of Management and is accorded the confidentiality prescribed in § 706.410.

(c) The provisions of §§ 706.406 through 706.411 apply to special Government employees in the same manner as to employees.

(d) The Director may waive the requirement in paragraph (a) of this section for the submission of a statement of employment and financial interests in the case of a special Government employee who is not a consultant or an expert when he finds that the duties of the position held by that special Government employee are of a nature and at such a level of responsibility that the submission of the statement by the incumbent is not necessary to protect the integrity of the Government. For the purposes of this paragraph "consultant" and "expert" have the meanings given those terms by Chapter 304 of the Federal Personnel Manual.

§ 706.413 Submission of statements by River Basin Commission Chairmen.

A statement of employment and financial interest is not required under this part from Chairmen of River Basin Commissions created by the President pursuant to Title II of the U.S. Water Resources Planning Act. The Commission Chairmen are subject to section 401 of Executive Order 11222, as amended, and are required to file a statement with the Chairman of the Civil Service Commission.

PART 707—COMPLIANCE WITH THE NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)

Subpart A—General

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