**APPLICABLE STANDARDS OF CONDUCT**

**PROVISIONS AND CONFLICT OF INTEREST FORM**

A. A State or local government employee on assignment to an executive agency, whether by appointment or on detail, is subject to a number of provisions or law governing the ethical and other conduct of Federal employees. Title 18, United States Code, prohibits certain kinds of activity:

- receiving compensation from outside sources for matters affecting the

Government (Section 203)

- Acting as agent or attorney for anyone in matters affecting the Government

(Section 205)

- acting or participating in any matter in which he or she, the immediate family, partner or the organization with which he or she is connected has a financial interest (Section 208)

- receiving salaries or contributions from other than Government sources for his or her Government services (Section

209)

- soliciting of political contributions

(Sections 602 and 603)

- intimidating to secure political contributions (Section 606)

- failing to account for public money

(Section 643)

- converting property of an other

(Section 654)

- disclosing confidential information

(Section 1905), and

- lobbying with appropriated funds

(Section 1913)

B. State and local employees assigned to a Federal agency are also covered by Section 638a of Title 31, United States Code, which prohibits the misuse of Government vehicles. For more complete summaries of these and other pertinent sections see FPM chapter 735, appendix A. They are also subject to Executive Order 11222. Assistance Act, Federal employees on assignment to an Indian tribal government are exempt conflict-of-interest provisions concerning representation activities, provided the employee meets notification requirements. Federal assignees may act as agents or attorneys for or appear on behalf of such tribes in connection with any matter pending before any Prescribing Standards of Ethical Conduct for Government officers and Employees: The Ethics in Government Act of 1978, part 735 of the OPM’s government wide regulations governing employee responsibilities and conduct and the more particular standards of conduct regulations of the Federal agency to which they are assigned as well as any special statutory requirements relating to employee conduct.

C. The IPA does not exempt a Federal employee whether on detail or on leave without pay from Federal conflict of interest statutes when assigned to a State or local government.

D. The Federal employee may not act as an agent or attorney on behalf of the State or local government before a Federal agency or a court in connection with any proceeding application, or other matter in which the Federal Government as a party, or has a direct and substantial interest. The conflict of- interest statutes do not prevent an assigned Federal employee form engaging in nonrepresentational activities such as organizational assignments, personnel management, and internal administration where those activities would not violate other standards or conduct. When a Federal agency develops a specific intergovernmental assignment for a Federal employee it should be particularly alert to any possible conflicts-of-interests, or the appearance thereof, which may be inherent in the proposed assignment. Conflicts-of interest rules should be reviewed with the employee to assure the potential conflicts of-interest situations do no inadvertently arise during the assignment.

E. Under the terms of the Indian Self-Determination and Educational Assistance Act, Federal employees on assignment to an Indian tribal government are exempt from conflict-of-interest provisions concerning representational activities, provided the employee meets notification requirements. Federal assignees may act as agents or attorneys for or appear on behalf of such tribes in connection with any matter pending before any department, agency, court, or commission, including any matter in which the United States is a party or has a direct and substantial interest. The Federal assignee must advise in writing, the head of the department, agency, court, or commission with which he or she is dealing or appearing on behalf of the tribal government of any personal and substantial involvement he or she may have had as an officer or employee of the United States in connection with the matter involved.

F. State and local government employee on assignment are subject to the provisions of Chapter 73 of Title 5, United States Code (Suitability, Security and Conduct, including restrictions on political activity), and any applicable local or State prohibitions.

G. Before the agreement is signed, the Federal agency must inform the employee of the provisions of all appropriate statues and regulation or must provide copies of the information to the employee. The employee must acknowledge receipt of this information in the assignment agreement.

**I HAVE READ AND UNDERSTAND THE ABOVE STANDARDS.**

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**SIGNATURE**

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**PRINT NAME**

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**DATE**