

UNITED STATES HOLOCAUST MEMORIAL MUSEUM

Federal Statutes on Employee Conduct

Gifts, Entertainment, and Favors from Outside Sources

18 U.S.C. §201(b)(2) prohibits an employee from seeking, accepting, or agreeing to receive or accept anything of value in return for being influenced in the performance of an official act or for being induced to take or omit to take any action in violation of his or her official duty.

18 U.S.C. §201(c)(1)(B) prohibits an employee from seeking, accepting, or agreeing to receive or accept anything of value personally for or because of any official act performed or to be performed by the employee, otherwise than as provided by law.

18 U.S.C. §209 prohibits an employee from receiving any salary or contribution to or supplementation of salary from any outside source as compensation for official services as an employee.

Outside Activities

18 U.S.C. §203 prohibits an employee from seeking, accepting, or agreeing to receive or accept compensation for any representational services, rendered personally or by another, in relation to any particular matter in which the United States is a party or has a direct and substantial interest, before any department, agency, or other specified entity of the Federal government.

18 U.S.C. §205 prohibits an employee from acting as an agent or attorney for anyone in a claim against the United States or from acting as an agent or attorney for anyone before an agency, department, or other specified entity of the Federal government, in any particular matter in which the United States is a party or has a direct and substantial interest. This restriction applies regardless of whether the employee's service is compensated. It also prohibits the receipt of any gratuity or any share of or interest in a claim against the United States in consideration for assisting in the prosecution of such claim.

18 U.S.C. §209 prohibits an employee from receiving any contribution to or supplementation of salary, as compensation for his or her services as an employee, from any source other than the United States.

The Emoluments Clause of the United States Constitution, art.1, §9, cl.8, prohibits anyone holding an office of profit or trust under the United States from accepting any gift, office, title, or emolument, including any salary or compensation, from any foreign government, except as authorized by Congress.

5 C.F.R. §2635.805 prohibits an employee from serving as an expert witness, other than on behalf of the United States, with or without compensation, in any proceeding before a court or agency of the United States in which the United States is a party or has a direct and substantial interest, unless the employee's participation has been properly authorized.

Restrictions on Activities after Leaving Museum Employment

18 U.S.C. §207(a)(1) prohibits a former Museum employee from representing a private party before an entity or agency of the United States (including the Museum) in connection with a particular matter in which the United States is a party or has a direct and substantial interest, in which the employee participated personally and substantially while employed by the Museum, and which involved a specific party or parties during the period of the employee's involvement.

18 U.S.C. § 207(a)(2) prohibits a former Museum employee, for a period of two years after his or her Museum employment has ended, from representing a private party before the United States (including the Museum) in connection with a matter in which the United States is a party or has a direct and substantial interest, which was under the employee's official responsibility during the last year of his or her Museum employment, and which involved a specific party or parties during the period of the employee's responsibility.

Use of Museum Property and Funds

18 U.S.C. §641 prohibits the conversion or disposition of public money, property, or records for one's own or another's benefit.

18 U.S.C. §643 prohibits the failure to account for the unauthorized receipt of public funds.

18 U.S.C. §654 prohibits the misuse of money or property of an outside party that is in an employee's possession or under his or her control by reason of his or her employment.

18 U.S.C. §1030 prohibits the unauthorized access and use of computers.

18 U.S.C. §1719 prohibits the misuse of the franking privilege – the privilege accorded to the government to send certain mail free of charge.

18 U.S.C. §508 prohibits the unauthorized making of a government transportation request.

18 U.S.C. §2071 prohibits removing, concealing, mutilating, or destroying a public record, report, or other item and having custody of the same.

Use of Museum Time and Information

41 U.S.C. §423 prohibits the unauthorized disclosure and receipt of contractor bid or proposal information or source selection information.

18 U.S.C. §1905 prohibits the unauthorized disclosure of proprietary or other confidential information or data received, reviewed, or examined in the course of employment.

Other Statutes Affecting Employee Conduct

18 U.S.C. §1913 prohibits lobbying with appropriated funds.

Standards of Ethical Conduct
Appendix 2

18 U.S.C. §1918 prohibits an employee's disloyalty and striking.

5 U.S.C. §7352 prohibits the excessive and habitual use of intoxicants.

18 U.S.C. §1917 prohibits deceit and obstruction in an examination or personnel action in connection with Federal employment.

18 U.S.C. §1001 prohibits fraud or false statements in a matter involving the United States.

18 U.S.C §285 prohibits the unauthorized taking and use of documents relating to claims involving Federal funds.