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EXHIBIT 4

BY AUTHORITY OF CONGRESS.

THE
Statutes at Large
AND
PROCLAMATIONS
OF THE
UNITED STATES OF AMERICA,
FROM **DECEMBER 1869 TO MARCH 1871,**

AND
TREATIES AND POSTAL CONVENTIONS

*Arranged in Chronological Order and carefully collated with
the Originals at Washington,*

WITH
: REFERENCES TO THE MATTER OF EACH ACT AND TO THE SUBSEQUENT
ACTS ON THE SAME SUBJECT.

EDITED BY
GEORGE P. SANGER,
COUNSELLOR AT LAW.

The rights and interest of the United States in the stereotype plates from which this work is printed are hereby recognized, acknowledged, and declared by the publishers, according to the provisions of the joint resolution of Congress, passed March 8, 1846.

VOL. XVI.

BOSTON:
LITTLE, BROWN, AND COMPANY.
1871.

5210-10-1

FORTY-FIRST CONGRESS. SESS. III. CH. 113, 114. 1871.

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any judicial district within his circuit to hold a district or circuit court in the place or aid of any other district judge within the same circuit; and it shall be the duty of such district judge as shall be for that purpose designated and appointed to hold the district or circuit court as aforesaid without any other compensation than his regular salary as established by law.

No additional pay.

SEC. 4. That the salaries provided for in the foregoing section of this act shall be payable in quarterly instalments on the first days of April, July, October, and January of each year, and an amount sufficient to pay the same is hereby appropriated out of any money in the treasury not otherwise appropriated.

Salaries payable quarterly.

Appropriation.

APPROVED, March 3, 1871.

CHAP. CXIV. — *An Act making Appropriations for sundry civil Expenses of the Government for the fiscal Year ending June thirty, eighteen hundred and seventy-two, and for other Purposes.* March 3, 1871.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, for the objects hereinafter expressed, for the fiscal year ending the thirtieth June, eighteen hundred and seventy-two, viz.:—

Civil expenses appropriation.

STATE DEPARTMENT.

State Department.

For defraying the expenses of defending claims under the convention with Mexico of July four, eighteen hundred and sixty-eight, to be expended under the direction of the Attorney-General, twenty thousand dollars.

Claims convention with Mexico. Vol. xv. p. 679.

For the compensation and expenses of the commission for determining the pending questions between Great Britain and the United States, twenty-five thousand dollars.

Commission upon questions pending with Great Britain; with Spain.

For the compensation and expenses of a commission for determining the questions pending between the United States and Spain, growing out of the acts of the Spanish officials in and about Cuba, fifteen thousand dollars.

For the increase in the expenses of the diplomatic and consular officers of the United States in Paris, caused by a state of war; and also for compensation for extraordinary services performed by such officers during the war; and also for the additional expense caused to the legations and consulates of the United States in Madrid, Paris, Berlin, and London, by reason of the war, and by reason of the protection assumed by the United States of persons, legations, and consulates of other powers in Paris, a sum not to exceed fifty thousand dollars in all, or so much thereof as may be necessary, to be expended under the direction of the Secretary of State, on the approval of the President, and on vouchers to be filed in the Treasury Department, and a statement thereof to be reported to Congress by the Secretary of State.

Expenses of diplomatic and consular officers in Paris caused by the war; in Madrid, Berlin, and London;

To defray the expenses incurred by the United States legation in Paris, in protecting the subjects of the North German Confédération in France during the war between France and Prussia, including extra compensation to the secretaries, messenger, and use of carriage of said legation, four thousand dollars; and the foregoing appropriations are hereby made available immediately upon the passage of this act.

legation in Paris in protecting Germans.

TREASURY DEPARTMENT.

Treasury Department.

Supervising Inspectors of Steam-Vessels. — For carrying out the provisions of the act of thirtieth August, eighteen hundred and fifty-two, for the better protection of the lives of passengers on vessels propelled in whole or in part by steam, and of the acts amendatory thereof, the following sums, viz.:—

Supervising inspectors of steam-vessels. 1852, ch. 106. Vol. x. p. 61.

Persons entitled to refunding of duties under certain acts to be paid. 1870, ch. 255, § 26. *Ante*, p. 269. Pub. Res. No. 18. *Post*, p. 592.

Appropriation for minister, secretary, &c. to German Empire;

for building for court-house and post-office at Columbia, S. C.

State first to relinquish right to tax the site, &c.

Fines, penalties, &c. incurred under acts 1868, ch. 273. Vol. xv. p. 240. 1870, ch. 189. *Ante*, p. 180. to be disposed of according to act 1867, ch. 188. Vol. xiv. p. 646.

Pay of assistant marshals for taking the ninth census may be increased by the Secretary of the Interior. Vol. xvii. pp. 9, 12.

Limit. *Ante*, 380.

President to prescribe rules, &c. for the admission of persons into the civil service. Vol. xvii. p. 7.

Secretary of the Treasury that parties are entitled to refund of duties under the twenty-sixth section of the act of July fourteen, eighteen hundred and seventy, and joint resolution approved January thirtieth, eighteen hundred and seventy-one, it shall be the duty of the Secretary of the Treasury to draw his warrant upon the treasurer, directing said treasurer to refund the same out of any money in the treasury not otherwise appropriated.

SEC. 5. That there be appropriated, out of any money in the treasury not otherwise appropriated, the sum of seventeen thousand five hundred dollars for the salary of an envoy extraordinary and minister plenipotentiary, and twenty-five hundred dollars for the salary of a secretary, and eighteen hundred dollars for that of an assistant secretary of legation to the German Empire.

SEC. 6. That the appropriation made March three, eighteen hundred and sixty-nine, having been covered into the treasury, the Secretary of the Treasury be, and he is hereby, authorized and directed to cause to be constructed, upon the site already given to and owned by the United States, a suitable building, fire-proof, at Columbia, South Carolina, for the accommodation of the post-office and United States circuit and district courts; and for this purpose there is hereby appropriated, out of any money in the treasury not otherwise appropriated, seventy-five thousand dollars, to be expended under the direction of the Secretary of the Treasury, who shall cause proper plans and estimates to be made, so that no expenditure shall be made or authorized for the full completion of said building beyond the amount herein appropriated: *Provided*, That no money hereby appropriated shall be used or applied for the purposes mentioned until it shall appear that the State has duly released and relinquished to the United States the right to tax or in any way assess the site, or the property of the United States that may be thereon, during the time that the United States shall be or remain the owner thereof.

SEC. 7. That all fines, penalties, and forfeitures, heretofore or that may be hereafter incurred, the acts entitled respectively, "An act to extend the laws of the United States relating to customs, commerce, and navigation over the territory ceded to the United States by Russia, to establish a collection district therein, and for other purposes," approved July twenty-seven, eighteen hundred and sixty-eight, and "An act to prevent the extermination of fur-bearing animals in Alaska," approved July one, eighteen hundred and seventy, shall be disposed of according to the provisions of the act entitled "An act to regulate the disposition of the proceeds of fines, penalties, and forfeitures incurred under the laws relating to the customs, and for other purposes," approved March two, eighteen hundred and sixty-seven.

SEC. 8. That the Secretary of the Interior be, and he hereby is, authorized to increase the compensation of assistant marshals in taking the census of eighteen hundred and seventy, whenever, in his judgment, the same shall be necessary: *Provided*, That in no case shall such increase exceed fifty per centum of the amount of compensation now allowed by law, nor shall the entire compensation be more than eight dollars per day for the time actually employed; and the joint resolution entitled "A resolution in relation to the compensation of assistant marshals for taking the census of eighteen hundred and seventy," approved June nine, eighteen hundred and seventy, be, and the same is hereby, repealed.

SEC. 9. That the President of the United States be, and he is hereby, authorized to prescribe such rules and regulations for the admission of persons into the civil service of the United States as will best promote the efficiency thereof, and ascertain the fitness of each candidate in respect to age, health, character, knowledge, and ability for the branch of service into which he seeks to enter; and for this purpose the President is au-

FORTY-FIRST CONGRESS. SESS. III. CH. 114, 115. 1871.

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thorized to employ suitable persons to conduct said inquiries, to prescribe their duties, and to establish regulations for the conduct of persons who may receive appointments in the civil service.

to appoint persons to conduct inquiries, &c.

APPROVED, March 3, 1871.

CHAP. CXV. — *An Act making Appropriations to supply Deficiencies in the Appropriations for the Service of the Government for the fiscal Years ending June thirty, eighteen hundred and seventy, and June thirty, eighteen hundred and seventy-one and for former Years, and for other Purposes.*

March 3, 1871.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are [or] so much thereof as may be necessary, be, and the same are hereby, appropriated for the objects hereinafter expressed, namely: —

Deficiency appropriations for the years ending June 30, 1870 and 1871.
Senate.
Assistant engineer.

Senate. — To pay an additional assistant engineer authorized by the Senate, at the rate of one thousand four hundred and forty dollars per annum, commencing on the first day of December, eighteen hundred and seventy, for the fiscal year ending the thirtieth day of June, eighteen hundred and seventy-one, eight hundred and forty dollars.

For steam-pump for the heating and ventilating apparatus of the Senate, under the direction of the sergeant-at-arms, one thousand dollars.

Heating and ventilating apparatus.

For expenses of heating and ventilating apparatus of the Senate, one thousand dollars.

House of Representatives. — For cartage, three thousand dollars.

House of Representatives.

For laborers, one thousand six hundred dollars.

For furniture and repairs thereof, two thousand dollars.

For fuel, two thousand dollars.

For paying teller in the office of the sergeant-at-arms, one thousand two hundred and twenty dollars.

For the miscellaneous item of the contingent fund of the House, ten thousand dollars.

Miscellaneous.

For the following sums due under resolutions of the House passed during the first session of the Thirty-ninth Congress, namely: To the late first assistant door-keeper, eight hundred and forty dollars; to the superintendent of the document-room, eight hundred and forty dollars; and to E. Spicer, late superintendent of the folding-room, seven hundred and twenty dollars; to John J. McElhone, Wm. Hineks, W. Blair Lord, D. Wolfe Brown, Theodore F. Andrews, and William Henry Burr, reporters for the Congressional Globe during the first session of the Thirty-ninth Congress, seven hundred dollars each; in all, six thousand four hundred dollars, additional compensation for the Thirty-ninth Congress.

Doorkeeper and superintendents of document and folding rooms.

Reporters for Congressional Globe.

For compensation of the tally-clerk of the House of Representatives, from the first day of February, eighteen hundred and seventy, to the first day of July, eighteen hundred and seventy-one, six hundred and twelve dollars, the same making his compensation equal to that of his predecessor, (R. U. Sherman,) and as fixed in the legislative bill for himself.

Tally-clerk.

To pay Rives and Bailey for the reporting and publication of the debates and proceedings of the Forty-first Congress, under the joint resolution approved March three, eighteen hundred and sixty-nine, and contract of April fourteen, eighteen hundred and sixty-nine, so far as may have been provided for by law, one hundred and twenty thousand dollars, or so much thereof as may be necessary.

Rives and Bailey.
Vol. xv. p. 347.

Public Buildings under the Treasury Department. — For continuing the work on the building for post-office and court-house in New York City, to be applied only to finishing the foundations up to and including the sill course, and receiving and setting the granite of the first story above that course, and subject to no other limitations or restriction, five hundred thousand dollars.

Public buildings under the Treasury Department.
Post office and court-house in New York.

For the building for post-office and sub-treasury in Boston, the unexpended balance of appropriation remaining on the thirtieth June, eighteen

Post-office and sub-treasury in Boston.

SECOND EDITION.

REVISED STATUTES

OF

THE UNITED STATES,

PASSED AT THE

FIRST SESSION OF THE FORTY-THIRD CONGRESS,

1873-'74;

EMBRACING THE STATUTES OF THE UNITED STATES, GENERAL AND PERMANENT IN THEIR NATURE, IN FORCE ON THE FIRST DAY OF DECEMBER, ONE THOUSAND EIGHT HUNDRED AND SEVENTY-THREE, AS REVISED AND CONSOLIDATED BY COMMISSIONERS APPOINTED UNDER AN ACT OF CONGRESS; AND AS REPRINTED, WITH AMENDMENTS, UNDER AUTHORITY OF AN ACT OF CONGRESS APPROVED THE SECOND DAY OF MARCH, IN THE YEAR ONE THOUSAND EIGHT HUNDRED AND SEVENTY-SEVEN,

WITH

AN APPENDIX.

EDITED, PRINTED, AND PUBLISHED UNDER THE AUTHORITY OF AN ACT OF CONGRESS.
AND UNDER THE DIRECTION OF THE SECRETARY OF STATE.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.

1878.

TITLE XIX.

PROVISIONS APPLICABLE TO SEVERAL CLASSES OF OFFICERS.

Sec.	Sec.
1753. President to regulate admissions to the civil service.	1775. Notification of nominations, rejections, &c., to Secretary of Treasury.
1754. Preference of persons disabled in military or naval service.	1776. Removal of office.
1755. Recommendation for employment of such persons.	1777. Preservation of copies of Statutes at Large.
1756. Form of oath of office.	1778. Taking oaths, acknowledgments, &c.
1757. Oath for certain persons.	1779. Restriction upon payments for newspapers, &c.
1758. Who may administer oath.	1780. Failure to make returns or reports.
1759. Custody of oath.	1781. Prohibition upon taking consideration for procuring contracts, offices, &c.
1760. Unauthorized office, no salary for.	1782. Upon taking compensation in matters to which United States is a party.
1761. Appointees to fill vacancies during recess of Senate.	1783. Persons interested not to act as agents of the government.
1762. Salaries to officers improperly holding over.	1784. Prohibition of contributions, presents, &c., to superiors.
1763. Double salaries.	1785. Punishment for aiding, &c., in importing or trading in obscene literature.
1764. Extra services.	1786. Proceedings against persons illegally holding office.
1765. Extra allowances.	1787. Penalty for illegally holding office.
1766. Officer in arrears.	1788. Disbursing officers forbidden to trade in public funds or property.
1767. Tenure of office.	1789. Collecting officers forbidden to trade in public property.
1768. Suspension and filling vacancies.	1790. Restriction on payment for services.
1769. Filling vacancies temporarily.	
1770. Term of office not to be extended.	
1771. Accepting or exercising office contrary to law.	
1772. Removing, appointing, or commissioning officer contrary to law.	
1773. Commissions.	
1774. Notification of appointments to Secretary of Treasury.	

President to regulate admissions to the civil service.

3 March, 1871, c. 114, s. 9, v. 16, p. 514.

Preference of persons disabled in military or naval service.

3 Mar., 1865, Res. No. 27, s. 1, v. 13, p. 571.

Recommendation for employment of such persons.

3 Mar., 1865, Res. No. 27, s. 2, v. 13, p. 571.

Form of oath of office.

2 July, 1862, c. 128, v. 12, p. 502.

Ex parte Garland, 4 Wall., 333.

SEC. 1753. The President is authorized to prescribe such regulations for the admission of persons into the civil service of the United States as may best promote the efficiency thereof, and ascertain the fitness of each candidate in respect to age, health, character, knowledge, and ability for the branch of service into which he seeks to enter; and for this purpose he may employ suitable persons to conduct such inquiries, and may prescribe their duties, and establish regulations for the conduct of persons who may receive appointments in the civil service.

SEC. 1754. Persons honorably discharged from the military or naval service by reason of disability resulting from wounds or sickness incurred in the line of duty, shall be preferred for appointments to civil offices, provided they are found to possess the business capacity necessary for the proper discharge of the duties of such offices.

SEC. 1755. In grateful recognition of the services, sacrifices, and sufferings of persons honorably discharged from the military and naval service of the country, by reason of wounds, disease, or the expiration of terms of enlistment, it is respectfully recommended to bankers, merchants, manufacturers, mechanics, farmers, and persons engaged in industrial pursuits, to give them the preference for appointments to remunerative situations and employments.

SEC. 1756. Every person elected or appointed to any office of honor or profit, either in the civil, military, or naval service, excepting the President and the persons embraced by the section following, shall, before entering upon the duties of such office, and before being entitled to any part of the salary or other emoluments thereof, take and subscribe the following oath: "I, A B, do solemnly swear (or affirm) that I have

Date.	C.	S.	V.	P.	Sec.R.S.	Date.	C.	S.	V.	P.	Sec.R.S.
3 March, 1871,	113	3	16	492	416	20 April, 1871,	21	16	17	10	2287
				494	596			27		12	4243
				494	607					12	4244
		4		495	607	20 "	22	1		13	563
3 "	114	1		500	1816					13	629
				506	2038					13	699
		4		514	3689					13	1979
		9		514	1753			2		13	563
3 "	115	1		517	3789					13	629
		2		521	3687					13	699
3 "	116	5		525	3689					13	1980
		6		525	3689					13	5336
3 "	117	3		535	3723					13	5406
		5		535	1368					13	5407
				536	1370					13	5518
				535	1474					13	5519
				535	1556					13	5520
		6		536	1376			3		14	5299
				536	1385			5		15	800
				536	1475					15	801
				536	1556					15	822
		7		536	1390					15	629
				536	1476			6		15	1981
		8		536	1392	20 "	24			16	2683
		9		536	1402	1 February, 1872,	10			27	572
				536	1477					27	658
				536	1478	2 "	11	1		28	20
				536	1479			2		28	23
		10		537	421			3		28	25
				537	1436			4		28	26
				537	1485			6		29	22
				537	1486	2 "	12	1		29	300
				537	1487					29	3646
		11		537	1481			2		29	300
				537	1482					29	3647
		12		537	1468	1 March,	22			32	5191
				537	1469	1 "	24	1		32	2474
				537	1470			2		33	2475
				537	1471	1 "	25			33	2568
				537	1472					33	2569
				537	1473					33	2700
				537	1489	5 "	29			35	2512
				537	1565	5 "	30	1		35	5543
3 "	120	1		566	2079					35	5545
				568	2107					35	5546
		3		570	2103					35	5547
3 "	125			570	2105					35	5549
3 "	127			580	2496			2		35	5550
3 "	130	1		581	2403					35	353
				583	2582	5 "	31	1		35	1973
				583	2583					35	1974
				583	2698					35	1975
		2		583	2585			3		35	1976
		3		583	2583	5 "	33			36	3419
				583	2698	5 "	34			36	2990
				583	2824					36	2997
3 "	132			583	4895	5 "	35			36	597
3 "	136			584	91	12 "	47			40	1168
2 "	1		17	1	5579	18 "	56	1		40	902
				1	5580			2		41	903
24 "	2	1		1	995			3		41	964
				1	5504	18 "	57			41	2997
		2		1	996	30 "	72			44	644
		3		2	798	2 April,	79	3		47	54
		4		2	5504	2 "	80			47	2543
		5		2	5505	2 "	81			48	5572
24 "	5	1		2	492					48	5574
		2		3	493	5 "	86			50	2994
				3	4934	5 "	88	2		51	3689
30 "	7			3	2518	9 "	90			51	4250
19 April,	16			4	4720	13 "	99			52	572
19 "	17	1		4	2552					52	658
		2		4	2553	17 "	103			53	2578
				4	2699	22 "	114			55	3689
		3		5	2552	30 "	129			58	3004
20 "	21	15		10	2600	1 May,	131			59	2505
				10	2990					59	2775

OF THE

UNITED STATES OF AMERICA

OF A GENERAL AND PERMANENT CHARACTER

IN FORCE

DECEMBER 7, 1925

AND APPENDIX WITH LAWS TO DECEMBER 6, 1926

CONSOLIDATED, CODIFIED, SET FORTH, AND PUBLISHED IN 1926,
IN THE ONE HUNDRED AND FIFTIETH YEAR OF THE REPUBLIC,
AT ITS FIRST SESSION, BY THE SIXTY-NINTH CONGRESS

[WITH ANCILLARIES AND INDEX]

VOLUME 44 - PART 1

OF THE

UNITED STATES STATUTES AT LARGE



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON

1926 ..

613. Second Assistant Secretary; appointment; duties.—There shall be in said department an additional Secretary, who shall be known and designated as Second Assistant Secretary of Labor. He shall be appointed by the President. He shall perform such duties as shall be prescribed by the Secretary of Labor, or required by law, and in case of the death, resignation, absence, or sickness of the Assistant Secretary shall, until a successor is appointed or such absence or sickness shall cease, perform the duties devolving upon the Assistant Secretary by reason of section 4 of this title, unless otherwise directed by the President, as provided by section 6 of this title. (June 30, 1922, c. 254, § 1, 42 Stat. 766; Feb. 27, 1925, c. 364, Title IV, 43 Stat. 1048.)

614. Private secretary to Second Assistant Secretary.—There shall be in said Department of Labor one private secretary to the Second Assistant Secretary of Labor. (June 30, 1922, c. 254, § 2, 42 Stat. 766; Feb. 27, 1925, c. 364, Title IV, 43 Stat. 1048.)

615. Chief clerk; disbursing clerk.—There shall be in said department a chief clerk and a disbursing clerk. (Mar. 4, 1913, c. 141, § 2, 37 Stat. 736.)

616. Bureaus and offices in department.—The following-named offices, bureaus, divisions, and branches of the public service, and all that pertains to the same, shall be under the jurisdiction and supervision of the Department of Labor.

1. The office of the Commissioner General of Immigration, the Bureau of Immigration and the Bureau of Naturalization, the Commissioners of Immigration, the Division of Information, and the Immigration Service at Large.

2. The Bureau of Labor Statistics and the office of the Commissioner of Labor Statistics.

3. The Children's Bureau.

4. The Women's Bureau. (Feb. 14, 1903, c. 552, § 4, 32 Stat. 826; Mar. 4, 1913, c. 141, § 3, 37 Stat. 737; June 5, 1920, c. 248, § 1, 41 Stat. 987.)

617. Library, records, etc., of department.—The Secretary of Labor shall have charge in the buildings or premises occupied by or appropriated to the Department of Labor, of the library, furniture, fixtures, records, and other property pertaining to it or acquired for use in its business. He shall be allowed to expend for periodicals and the purposes of the library and for rental of appropriate quarters for the accommodation of the Department of Labor within the District of Columbia, and for all other incidental expenses, such sums as Congress may provide from time to time. (Mar. 4, 1913, c. 141, § 6, 37 Stat. 738.)

618. Rented quarters.—Where any office, bureau, or branch of the public service transferred to the Department of Labor is occupying rented buildings or premises, it may continue to do so until other suitable quarters are provided for its use. (Mar. 4, 1913, c. 141, § 6, 37 Stat. 738.)

619. Mediation of labor disputes; duties, powers, etc., transferred to department.—The Secretary of Labor shall have power to act as mediator and to appoint commissioners of conciliation in labor disputes whenever in his judgment the interests of industrial peace may require it to be done; and all duties performed and all power and authority on March 4, 1913, possessed or exercised by the head of any executive department in and over any bureau, office, officer, board, branch, or division of the public service transferred to the Department of Labor, or any business arising therefrom or pertaining thereto, or in relation to the duties performed by and authority conferred by law upon such bureau, officer, office, board, branch, or division of the public service, whether of an appellate or revisory character or otherwise, shall be vested in and exercised by the head of the said Department of Labor. (Mar. 4, 1913, c. 141, § 8, 37 Stat. 738.)

620. Report and investigations.—The Secretary of Labor shall annually, at the close of each fiscal year, make a report

in writing to Congress, giving an account of all moneys received and disbursed by him and his department and describing the work done by the department. He shall also, from time to time, make such special investigations and reports as he may be required to do by the President, or by Congress, or which he himself may deem necessary. (Mar. 4, 1913, c. 141, § 9, 37 Stat. 738.)

621. Same; records and papers and furniture transferred to department.—The official records and papers on file in and pertaining exclusively to the business of any bureau, office, department, or branch of the public service transferred to the Department of Labor, together with the furniture in use in such bureau, office, department, or branch of the public service, are transferred to the Department of Labor. (Mar. 4, 1913, c. 141, § 5, 37 Stat. 737.)

622. Same; laws operative.—All laws prescribing the work and defining the duties of the several bureaus, offices, departments, or branches of the public service transferred to and made a part of the Department of Labor shall, so far as the same are not in conflict with the provisions of this chapter, remain in full force and effect, to be executed under the direction of the Secretary of Labor. (Mar. 4, 1913, c. 141, § 6, 37 Stat. 738.)

Chapter 12.—CIVIL SERVICE COMMISSION AND CLASSIFIED CIVIL SERVICE.

Sec.

631. Regulation of admissions to civil service.

632. Civil Service Commission; appointment; removal.

633. Rules.

(1) Preparation of.

(2) Provisions of.

1. Competitive examinations.

2. Selection of officers, etc., according to results of examinations.

3. Apportionment of appointments; applications for examinations.

4. Probation before absolute appointment.

5. Contributions for political purposes.

6. Political coercion by officers.

7. Noncompetitive examinations in certain cases.

8. Notice of appointments, rejections, transfers, resignations, and removals; exceptions to be set forth with rules.

(3) Regulations for examinations, and records.

(4) Investigations and reports.

(5) Annual reports.

634. Oaths to witnesses.

635. Chief examiner; secretary; employees; boards of examiners.

636. Detail of employees.

637. Violation of duties by commissioners or officers, etc.

638. Appointments and promotions in classified service; examinations.

639. Deputy collectors of internal revenue and deputy marshals.

640. Habitual users of intoxicants.

641. Members of same family.

642. Recommendations by Senators or Representatives.

643. Applications for examinations; certificate of residence.

644. Place of examinations; persons afflicted with tuberculosis; certificate of health; appointments from same family.

645. Civil service status of soldiers, sailors, and marines.

646. Bureau of Efficiency.

647. Same; chief of bureau reports.

648. Same; efficiency ratings for classified service in executive departments.

649. Same; reports as to needs of personnel in departments.

650. Same; information furnished to by departments.

651. Same; records, and papers transferred to.

652. Removals from classified civil service only for cause.

Section 631. Regulation of admissions to civil service.—The President is authorized to prescribe such regulations for the admission of persons into the civil service of the United States as may best promote the efficiency thereof, and ascertain the fitness of each candidate in respect to age, health, character, knowledge, and ability for the branch of service into which he seeks to enter; and for this purpose he may employ suitable persons to conduct such inquiries, and may prescribe their

duties, and establish regulations for the conduct of persons who may receive appointments in the civil service. (R. S. § 1753.)

632. Civil Service Commission; appointment; removal.—The President is authorized to appoint, by and with the advice and consent of the Senate, three persons, not more than two of whom shall be adherents of the same party, as civil service commissioners, and said three commissioners shall constitute the United States Civil Service Commission. Said commissioners shall hold no other official place under the United States.

The President may remove any commissioner; and any vacancy in the position of commissioner shall be so filled by the President, by and with the advice and consent of the Senate, as to conform to said conditions for the first selection of commissioners.

Each of said commissioners shall be paid, in addition to his salary, his necessary traveling expenses incurred in the discharge of his duty as a commissioner. (Jan. 16, 1883, c. 27, § 1, 22 Stat. 403.)

633. Rules.—It shall be the duty of said commissioners:

(1) **Preparation of.**—First. To aid the President, as he may request, in preparing suitable rules for carrying this section and sections 632, 635, 637, 638, and 640 to 642 of this title, into effect, and when said rules shall have been promulgated it shall be the duty of all officers of the United States in the departments and offices to which any such rules may relate to aid, in all proper ways, in carrying said rules, and any modification thereof, into effect.

(2) **Provisions of.**—Second. Among other things, said rules shall provide and declare, as nearly as the conditions of good administration will warrant, as follows:

1. Competitive examinations.

First. For open, competitive examinations for testing the fitness of applicants for the public service classified on January 16, 1883, or thereafter, or to be classified hereunder. Such examinations shall be practical in their character, and so far as may be shall relate to those matters which will fairly test the relative capacity and fitness of the persons examined to discharge the duties of the service into which they seek to be appointed.

2. Selection of officers, etc., according to results of examinations.

Second. All the offices, places, and employments so arranged or to be arranged in classes shall be filled by selections according to grade from among those graded highest as the results of such competitive examinations.

3. Apportionment of appointments; applications for examinations.

Third. Appointments to the public service aforesaid in the departments at Washington shall be apportioned among the several States and Territories and the District of Columbia upon the basis of population as ascertained at the last preceding census. Every application for an examination shall contain, among other things, a statement, under oath, setting forth his or her actual bona fide residence at the time of making the application, as well as how long he or she has been a resident of such place.

4. Probation before absolute appointment.

Fourth. There shall be a period of probation before any absolute appointment or employment aforesaid.

5. Contributions for political purposes.

Fifth. No person in the public service is for that reason under any obligations to contribute to any political fund, or to render any political service, and that he will not be removed or otherwise prejudiced for refusing to do so.

6. Political coercion by officers.

Sixth. No person in said service has any right to use his official authority or influence to coerce the political action of any person or body.

7. Noncompetitive examinations in certain cases.

Seventh. There shall be noncompetitive examinations in all proper cases before the commission, when competent persons do not compete, after notice has been given of the existence of the vacancy, under such rules as may be prescribed by the commissioners as to the manner of giving notice.

8. Notice of appointments, rejections, transfers, resignations, and removals; exceptions to be set forth with rules.

Eighth. Notice shall be given in writing by the appointing power to said commission of the persons selected for appointment or employment from among those who have been examined, of the place of residence of such persons, of the rejection of any such persons after probation, of transfers, resignations, and removals, and of the date thereof, and a record of the same shall be kept by said commission. Any necessary exceptions from said eight fundamental provisions of the rules shall be set forth in connection with such rules, and the reasons therefor shall be stated in the annual reports of the commission.

(3) **Regulations for examinations, and records.**—Third. Said commission shall, subject to the rules that may be made by the President, make regulations for, and have control of, such examinations, and, through its members or the examiners, it shall supervise and preserve the records of the same; and said commission shall keep minutes of its own proceedings.

(4) **Investigations and reports.**—Fourth. Said commission may make investigations concerning the facts, and may report upon all matters touching the enforcement and effects of said rules and regulations, and concerning the action of any examiner or board of examiners hereinafter provided for, and its own subordinates, and those in the public service, in respect to the execution of this section and sections 632, 635, 637, 638, and 640 to 642 of this title.

(5) **Annual reports.**—Fifth. Said commission shall make an annual report to the President for transmission to Congress, showing its own action, the rules and regulations and the exceptions thereto in force, the practical effects thereof, and any suggestions it may approve for the more effectual accomplishment of the purposes of sections 632, 633, 635, 637, 638 and 640 to 642. (Jan. 16, 1883, c. 27, § 2, 22 Stat. 403.)

634. Oaths to witnesses.—Members of the Civil Service Commission and its duly authorized representatives are authorized to administer oaths to witnesses in any matter depending before the Civil Service Commission. (Aug. 23, 1912, c. 350, § 1, 37 Stat. 372.)

635. Chief examiner; secretary; employees; boards of examiners.—Said commission is authorized to employ a chief examiner, a part of whose duty it shall be, under its direction, to act with the examining boards, so far as practicable, whether at Washington or elsewhere, and to secure accuracy, uniformity, and justice in all their proceedings, which shall be at all times open to him. The chief examiner shall be paid in addition to his salary, his necessary traveling expenses incurred in the discharge of his duty. The commission shall have a secretary, to be appointed by the President. It may, when necessary, employ a stenographer, and a messenger. The commission shall, at Washington, and in one or more places in each State and Territory where examinations are to take place, designate and select a suitable number of persons, not less than three, in the official service of the United States, residing in said State or Territory, after consulting the head of the department or office in which such persons serve, to be members of boards of

R. S.			U. S. C.			R. S.			U. S. C.			R. S.			U. S. C.			R. S.			U. S. C.			R. S.			U. S. C.		
Sec.	Title	Sec.	Sec.	Title	Sec.	Sec.	Title	Sec.	Sec.	Title	Sec.	Sec.	Title	Sec.	Sec.	Title	Sec.	Sec.	Title	Sec.	Sec.	Title	Sec.	Sec.	Title	Sec.	Sec.	Title	Sec.
856	28	599	971	28	819	1108	10	282	1325	10	1104	1495	34	273	1709	22	75	1495	34	273	1709	22	75	1495	34	273	1709	22	75
857	28	609	972	28	820	1111	10	1140	1327	10	1051	1496	34	274	1710	22	76	1496	34	274	1710	22	76	1496	34	274	1710	22	76
858	28	631	973	28	821			1161	1328	10	1053	1498	34	275	1711	22	77	1498	34	275	1711	22	77	1498	34	275	1711	22	77
859	28	634	974	28	822	1112	10	611	1330	10	1144	1499	34	276	1712	22	80	1499	34	276	1712	22	80	1499	34	276	1712	22	80
861	28	635	975	28	823	1116	10	621	1331	10	1041	1500	34	277	1713	22	82	1500	34	277	1713	22	82	1500	34	277	1713	22	82
862	28	637	976	28	824	1118	10	622	1333	10	1080	1501	34	278	1714	22	71	1501	34	278	1714	22	71	1501	34	278	1714	22	71
863	28	639	977	28	825	1122	10	235	1334	10	1131	1502	34	279	1715	22	83	1502	34	279	1715	22	83	1502	34	279	1715	22	83
864	28	640	978	28	826	1125	10	238	1335	10	1132	1503	34	281	1716	22	85	1503	34	281	1716	22	85	1503	34	281	1716	22	85
865	28	641	979	28	827	1127	10	239	1336	10	1133	1504	34	282	1717	22	87	1504	34	282	1717	22	87	1504	34	282	1717	22	87
866	28	644	981	28	828	1132	10	7	1337	10	1135	1505	34	283	1718	22	88	1505	34	283	1718	22	88	1505	34	283	1718	22	88
867	28	645	982	28	829	(2d ed.)			1338	10	1085	1506	34	341	1719	22	90	1506	34	341	1719	22	90	1506	34	341	1719	22	90
868	28	646	983	28	830	1135	10	76	1341	10	1142	1507	34	342	1722	22	91	1507	34	342	1722	22	91	1507	34	342	1722	22	91
869	28	647	984	28	831	1135	34	541	1362	34	1	1508	34	345	1723	22	92	1508	34	345	1723	22	92	1508	34	345	1723	22	92
870	28	648	985	28	838	1136	10	1339	1367	34	111	1509	34	346	1724	22	93	1509	34	346	1724	22	93	1509	34	346	1724	22	93
871	28	649	986	28	839	1138	10	1315	1369	34	11, 21	1510	34	347	1725	22	94	1510	34	347	1725	22	94	1510	34	347	1725	22	94
872	28	650	987	28	840	1143	10	75	1370	34	23	1511	34	1021	1726	22	95	1511	34	1021	1726	22	95	1511	34	1021	1726	22	95
873	28	651	988	28	841	1143	34	541	1373	34	24	1512	34	1031	1727	22	95, 96	1512	34	1031	1727	22	95, 96	1512	34	1031	1727	22	95, 96
874	28	652	989	28	842	1145	10	1232	1374	34	25	1515	34	1043	1728	22	97	1515	34	1043	1728	22	97	1515	34	1043	1728	22	97
875	28	653	990	28	843	1150	10	1315	1375	5	451	1516	34	1044	1731	22	101	1516	34	1044	1731	22	101	1516	34	1044	1731	22	101
876	28	654	991	28	844	1153	10	185	1378	34	11	1517	34	1045	1732	22	102	1517	34	1045	1732	22	102	1517	34	1045	1732	22	102
877	28	655	992	28	845	1156	10	182	1379	34	61	1518	34	1046	1735	22	103	1518	34	1046	1735	22	103	1518	34	1046	1735	22	103
878	28	656	993	28	846	1157	10	184	1380	34	323	1519	34	1053	1736	22	103	1519	34	323	1736	22	103	1519	34	323	1736	22	103
879	28	657	994	28	850	1158	10	183	1381	34	62	1520	34	1054	1737	22	104	1520	34	62	1737	22	104	1520	34	62	1737	22	104
880	28	658	995	28	851	1164	10	192	1382	34	63	1521	34	1057	1738	22	105	1521	34	63	1738	22	105	1521	34	63	1738	22	105
881	28	659	996	28	852	1165	10	193	1383	34	64	1526	34	1056	1740	22	121	1526	34	64	1740	22	121	1526	34	64	1740	22	121
882	28	661	997	28	862	1166	10	194	1384	34	65	1527	34	1057	1742	22	123	1527	34	65	1742	22	123	1527	34	65	1742	22	123
883	28	662	998	28	867	1167	10	195, 196	1385	34	66	1528	34	1072	1743	22	125	1528	34	66	1743	22	125	1528	34	66	1743	22	125
884	28	663	999	28	868	1169	10	95	1389	34	67	1532	34	462	1744	22	33	1532	34	67	1744	22	33	1532	34	67	1744	22	33
885	28	664	1000	28	869	1174	10	104	1393	34	76	1533	34	463	1745	22	127	1533	34	76	1745	22	127	1533	34	76	1745	22	127
886	28	665	1001	28	870	1175	10	726	1395	34	11	1534	34	452	1746	22	128	1534	34	11	1746	22	128	1534	34	11	1746	22	128
887	28	668	1003	28	871	1176	38	247	1396	34	91	1535	34	453	1748	22	129	1535	34	91	1748	22	129	1535	34	91	1748	22	129
888	28	669	1004	28	872	1177	38	248	1397	34	95	1536	14	53	1749	22	130	1536	14	95	1749	22	130	1536	14	95	1749	22	130
889	28	671	1005	28	873	1178	38	249	1398	34	96	1536	34	471	1750	22	131	1536	34	96	1750	22	131	1536	34	96	1750	22	131
890	28	670	1006	34	1146	1183	10	176	1401	34	102	1537	34	483	1752	22	132	1537	34	102	1752	22	132	1537	34	102	1752	22	132
891	28	672	1007	28	874	1189	10	862	1402	34	11	1538	34	484	1753	22	132	1538	34	11	1753	22	132	1538	34	11	1753	22	132
892	28	673	1008	28	350	1191	10	1312	1403	34	81	1539	34	485	1754	22	35	1539	34	81	1754	22	35	1539	34	81	1754	22	35
893	28	674	1010	28	878	1192	10	1314	1404	34	223	1542	34	501	1755	22	16	1542	34	223	1755	22	16	1542	34	223	1755	22	16
894	28	675	1011	28	879	1199	10	62	1405	34	122	1543	34	502	1757	22	16	1405	34	122	1757	22	16	1405	34	122	1757	22	16
895	28	676	1013	28	864	1201	10	63	1406	34	121	1544	34	507	1758	22	18	1406	34	121	1758	22	18	1406	34	121	1758	22	18
896	28	677	1014	18	591	1209	10	521	1407	34	134, 351	1546	34	510	1759	22	21	1407	34	134, 351	1759	22	21	1407	34	134, 351	1759	22	21
897	28	678	1015	18	596	1210	10	522	1408																				

Public Law 89-554

AN ACT

September 6, 1966
[H. R. 10 104]

To enact **title 5, United States Code**, "Government Organization and Employees", codifying the general and permanent laws relating to the organization of the Government of the United States and to its civilian officers and employees.

Title 5, USC,
Government Or-
ganization and
Employees.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the laws relating to the organization of the Government of the United States and to its civilian officers and employees, generally, are revised, codified, and enacted as title 5 of the United States Code, entitled "Government Organization and Employees", and may be cited as "5 U.S.C., § ", as follows:

TITLE 5—GOVERNMENT ORGANIZATION AND EMPLOYEES

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II. THE UNITED STATES CIVIL SERVICE COMMISSION.....	1101
III. EMPLOYEES.....	2101

PART I—THE AGENCIES GENERALLY

CHAPTER	Sec.
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5. ADMINISTRATIVE PROCEDURE.....	501
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CHAPTER 1—ORGANIZATION

Sec.
101. Executive departments.
102. Military departments.
103. Government corporation.
104. Independent establishment.
105. Executive agency.

§ 101. Executive departments

The Executive departments are:

The Department of State.
The Department of the Treasury.
The Department of Defense.
The Department of Justice.
The Post Office Department.
The Department of the Interior.
The Department of Agriculture.
The Department of Commerce.
The Department of Labor.
The Department of Health, Education, and Welfare.

§ 102. Military departments

The military departments are:

The Department of the Army.
The Department of the Navy.
The Department of the Air Force.

§ 103. Government corporation

For the purpose of this title—

(1) "Government corporation" means a corporation owned or controlled by the Government of the United States; and

CHAPTER 73—SUITABILITY, SECURITY, AND CONDUCT**SUBCHAPTER I—REGULATION OF CONDUCT**

Sec.

7301. Presidential regulations.**SUBCHAPTER II—LOYALTY, SECURITY, AND STRIKING**

Sec.

7311. Loyalty and striking.**7312. Employment and clearance; individuals removed for national security.****SUBCHAPTER III—POLITICAL ACTIVITIES**

Sec.

7321. Political contributions and services.**7322. Political use of authority or influence; prohibition.****7323. Political contributions; prohibition.****7324. Influencing elections; taking part in political campaigns; prohibitions; exceptions.****7325. Penalties.****7326. Nonpartisan political activity permitted.****7327. Political activity permitted; employees residing in certain municipalities.****SUBCHAPTER IV—FOREIGN DECORATIONS**

Sec.

7341. Receipt and display of foreign decorations.**SUBCHAPTER V—MISCONDUCT**

Sec.

7351. Gifts to superiors.**7352. Excessive and habitual use of intoxicants.****SUBCHAPTER I—REGULATION OF CONDUCT****§ 7301. Presidential regulations**

The President may prescribe regulations for the conduct of employees in the executive branch.

SUBCHAPTER II—LOYALTY, SECURITY, AND STRIKING**§ 7311. Loyalty and striking**

An individual may not accept or hold a position in the Government of the United States or the government of the District of Columbia if he—

(1) advocates the overthrow of our constitutional form of government;

(2) is a member of an organization that he knows advocates the overthrow of our constitutional form of government;

(3) participates in a strike, or asserts the right to strike, against the Government of the United States or the government of the District of Columbia; or

(4) is a member of an organization of employees of the Government of the United States or of individuals employed by the government of the District of Columbia that he knows asserts the right to strike against the Government of the United States or the government of the District of Columbia.

§ 7312. Employment and clearance; individuals removed for national security

Removal under section 7532 of this title does not affect the right of an individual so removed to seek or accept employment in an agency of the United States other than the agency from which removed. However, the appointment of an individual so removed may be made only after the head of the agency concerned has consulted with the Civil

TITLE 5—GOVERNMENT ORGANIZATION AND EMPLOYEES

This title was enacted by Pub. L. 89-554, §1, Sept. 6, 1966, 80 Stat. 378

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II.	Civil Service Functions and Re-	
	sponsibilities	1101
III.	Employees	2101

AMENDMENTS

1979—Pub. L. 96-54, §2(a)(1), Aug. 14, 1979, 93 Stat. 381, substituted “Civil Service Functions and Responsibilities” for “The United States Civil Service Commission” in item for part II.

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630g-1	T. 40 § 757 (See Rev. T. 40 Table)
630g-2	T. 40 § 759 Rep.
630h	T. 40 § 758 (See Rev. T. 40 Table)
630i	Elim.
630j	Rep.
631	3301, 7301
631a, 631b(a)	Elim.
631b(b), (c)	3304
632 (1st par.)	1101
632 (2d-4th pars.)	1102
632 (5th par.)	1103
633(1)	1301, 3302
633(2)1	3304
633(2)2	3318
633(2)3	3306
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633(2)6	7152, 7322
633(2)7	1302, 3304
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633(3)	1302, 1307
633(4)	1303
633(5)	1308
633a-633e	Rep.
634	1306
635 (1st 5 sentences)	1104, 1105
635 (6th sentence)	1105, 3305
635 (7th sentence)	3304
636	Rep.
637	T. 18 § 1917
638	2102, 3304, 3361
638a	Rep.
638b	3307, 3322
639	Rep.
640	7352
641	3319
642	3303
642a	2953
643-645b	Rep.
645c-645e	Elim.
646-651b	Rep.
652(a)	7501
652(b)	5591-5593
652(c)	7101
652(d)	7102
652a-652c	5596
653, 654	Rep.
655-657	1304
658	Elim.
659	3327
661-663b, 664-669a, 670-672c, 673-673b.	Rep.
673c (1st par., less provisos)	Rep.
673c (1st proviso)	6102
673c (2d, 3d provisos)	5544
673c (2d par.), 674-678b	Rep.
679	Elim.
680-684, 691, 691a, 692-692d, 693 to 693-2, 693a-693d, 694, 649a, 695, 695a, 696, 696a, 697, 697a, 698-698b, 699, 699a, 700, 700a, 701, 701a, 702, 702a, 703, 703a, 704, 704a, 705, 705a, 706, 706a, 707, 707a, 708, 708a, 709-615.	Rep.
715a	3323
715b-715d, 716-718a, 719, 719-1, 719a, 719b, 720-729a, 730-736c, 737-739b, 740, 740a.	Rep.
740b-740i	(See former 2281-2288)
745-745r	Rep.
751	8102
752	8117
753	8105
754	8106
755(a), (b)	8107
755(c)	8108
755(d)	8109
756(a)	8110
756(b)	8111