

B, title III, §3002(a)(3), Nov. 2, 2002, 116 Stat. 1805.)

HISTORICAL AND REVISION NOTES

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
.....	5 U.S.C. 47 (less so much as relates to removal).	Aug. 23, 1912, ch. 350, §5 (less so much as relates to removal), 37 Stat. 414.
.....	5 U.S.C. 50 (2d sentence, less so much as relates to removal).	

The statement of the acts prohibited is supplied from section 4 of the Act of Aug. 5, 1882, ch. 389, 22 Stat. 255, as amended June 22, 1906, ch. 3514, §§6, 8, 34 Stat. 449, and Sept. 23, 1950, ch. 1010, §7, 64 Stat. 986, which is codified in sections 3103 and 5501 of title 5, United States Code.

The words "upon conviction thereof" are omitted as unnecessary because punishment can be imposed only after conviction.

Editorial Notes

AMENDMENTS

2002—Pub. L. 107-273 inserted ", or both" after "year" in concluding provisions.

1996—Pub. L. 104-294 substituted "fined under this title" for "fined not more than \$1,000" in concluding provisions.

§ 1917. Interference with civil service examinations

Whoever, being a member or employee of the United States Office of Personnel Management or an individual in the public service, willfully and corruptly—

(1) defeats, deceives, or obstructs an individual in respect of his right of examination according to the rules prescribed by the President under title 5 for the administration of the competitive service and the regulations prescribed by such Office under section 1302(a) of title 5;

(2) falsely marks, grades, estimates, or reports on the examination or proper standing of an individual examined;

(3) makes a false representation concerning the mark, grade, estimate, or report on the examination or proper standing of an individual examined, or concerning the individual examined; or

(4) furnishes to an individual any special or secret information for the purpose of improving or injuring the prospects or chances of an individual examined, or to be examined, being appointed, employed, or promoted;

shall, for each offense, be fined under this title not less than \$100 or imprisoned not less than ten days nor more than one year, or both.

(Added Pub. L. 89-554, §3(d), Sept. 6, 1966, 80 Stat. 609; amended Pub. L. 103-322, title XXXIII, §330010(2), Sept. 13, 1994, 108 Stat. 2143; Pub. L. 104-294, title VI, §601(a)(9), Oct. 11, 1996, 110 Stat. 3498.)

HISTORICAL AND REVISION NOTES

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
.....	5 U.S.C. 637.	Jan. 16, 1883, ch. 27, §5, 22 Stat. 405.

The section is rewritten to conform to the style of title 18. The words "a member or employee of the United States Civil Service Commission" are coextensive with and substituted for "Civil Service Commissioner, examiner, copyist, or messenger".

The references to actions in concert with others to violate this section are omitted in view of the crime of conspiracy contained in chapter 19 of title 18.

In paragraph (1), the words "the rules prescribed by the President under title 5 for the administration of the competitive service and the regulations prescribed by the Commission under section 1302(a) of title 5" are substituted for "any such rules or regulations" to provide the basis of reference.

The words "be deemed guilty of a misdemeanor" are omitted as unnecessary in view of the definitive section 1 of this title. (See reviser's note under 18 U.S.C. 212, 1964 ed.)

The words "and upon conviction thereof" are omitted as unnecessary because punishment can be imposed only after conviction.

The words "or both" are substituted for "or by both such fine and imprisonment".

Editorial Notes

AMENDMENTS

1996—Pub. L. 104-294 substituted "fined under this title not less than \$100" for "fined not less than \$100 nor more than \$1,000" in concluding provisions.

1994—Pub. L. 103-322 substituted "Office of Personnel Management" for "Civil Service Commission" in introductory provisions and "such Office" for "the Commission" in par. (1).

§ 1918. Disloyalty and asserting the right to strike against the Government

Whoever violates the provision of section 7311 of title 5 that 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;

shall be fined under this title or imprisoned not more than one year and a day, or both.

(Added Pub. L. 89-554, §3(d), Sept. 6, 1966, 80 Stat. 609; amended Pub. L. 104-294, title VI, §601(a)(8), Oct. 11, 1996, 110 Stat. 3498.)

HISTORICAL AND REVISION NOTES

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
.....	5 U.S.C. 118r. [Uncodified.]	Aug. 9, 1955, ch. 690, §3, 69 Stat. 625. June 29, 1956, ch. 479, §3 (as applicable to the Act of Aug. 9, 1955, ch. 690, §3, 69 Stat. 625), 70 Stat. 453.

The section is rewritten to conform to the style of title 18. The statement of the acts prohibited is sup-