

**LEGAL**

- 1. REASON FOR ISSUE:** To issue Department of Veterans Affairs (VA) policies regarding various legal topics pertaining to Federal employment.
- 2. SUMMARY OF CONTENT/MAJOR CHANGES:** This directive sets forth policies previously contained in law, Federal regulation, and numerous other issuances. No substantive changes have been made.
- 3. RESPONSIBLE OFFICE:** The Human Resources Management Programs and Policies Service (051), Office of the Deputy Assistant Secretary for Human Resources.
- 4. RELATED HANDBOOK:** VA Handbook 5025, "Legal."
- 5. RESCISSIONS:** Refer to the Transmittal Sheet for VA Directive 5001, "General Introduction and Administration."

**CERTIFIED BY:**

/s/

John A. Gauss  
Assistant Secretary for  
Information and Technology

**BY DIRECTION OF THE SECRETARY  
OF VETERANS AFFAIRS:**

/s/

Jacob Lozada, Ph.D.  
Assistant Secretary for Human  
Resources and Administration

## LEGAL

**1. PURPOSE.** This directive provides Department-wide policies on various legal issues pertaining to Federal employment, such as the Freedom of Information Act, Privacy Act, employee responsibilities and conduct, ethical conduct, political activity under the Hatch Act, claims against the Government, and employment of relatives.

**2. POLICY.** Statutes and regulations establish the policies concerning the matters contained in this directive. (See references below.) These policies are summarized in the accompanying handbook for the convenience and ease of reference for the reader. Users should consult the specific references listed for more definitive information.

### **3. RESPONSIBILITIES**

a. The Office of Human Resources Management shall advise management and operating officials on the policies and procedures contained herein.

b. HRM Officers are responsible for advising facility directors on the policies and procedures contained herein.

c. Additional responsibilities are specified in individual parts of the accompanying handbook.

### **4. REFERENCES**

a. 5 United States Code (U.S.C.) 522, 552, 3110, 7321-7326

b. 18 U.S.C. 201-209

c. 28 U.S.C. 2671-2680

d. 31 U.S.C. 3721

e. 38 U.S.C. 703, 2201, 3301(f), 4132

f. 41 U.S.C. 423

g. 5 Code of Federal Regulations (CFR) 293, 294, 297, 310, 735, 2634, 2635, 2636, 2638, 2640

h. 38 CFR 0.735, 1.218, 1.500, 1.550-1.559, 1.576, 14.664-14.669, 17.115

i. 41 CFR 101

j. Executive Orders 12674 and 12731

k. VA Directive and Handbook 6300.3, Procedures for Processing Request for Records Subject to the Privacy Act

l. VA Directive and Handbook 6300.4, Procedures for Implementing the Freedom of Information Act

m. VHA Handbook 1660.3

- n. Public Law 93-579, Privacy Act of 1974
- o. Public Law 104-262, Veterans Health Care Eligibility Reform Act of 1996
- p. Public Law 95-521, Ethics in Government Act of 1978
- q. W-1, Part 11, Chapter 21
- r. MP-6, Part V, Supplement No. 1.5
- s. Office of Personnel Management (OPM) Operating Manual – The Guide to Personnel Recordkeeping.