

0

Monday, June 28, 2004

Part XXXV

Office of Government Ethics

Semiannual Regulatory Agenda

OFFICE OF GOVERNMENT ETHICS (OGE)

OFFICE OF GOVERNMENT ETHICS

5 CFR Ch. XVI

Semiannual Regulatory Agenda; Spring 2004

AGENCY: Office of Government Ethics. **ACTION:** Semiannual regulatory agenda.

SUMMARY: The following Office of Government Ethics (OGE) substantive and procedural regulations are scheduled for development or review during the six-month period following publication. This agenda fulfills OGE's responsibility to publish a semiannual regulatory agenda under Executive Order 12866, Regulatory Planning and Review, and has been prepared in accordance with guidance received from the Office of Management and Budget. None of the OGE regulations in this agenda will have a significant economic impact on a substantial number of small entities as defined under the Regulatory Flexibility Act, 5 U.S.C. chapter 6. In addition, none of the listed OGE regulatory actions are procurementrelated.

This publication in the **Federal Register** does not impose a binding obligation on the Office of Government Ethics with respect to any particular item on its agenda. The dates shown for the future steps of each action are estimates and not commitments to act by the date shown. Moreover, other OGE regulatory actions, in addition to the entries listed, are not precluded.

FOR FURTHER INFORMATION CONTACT:

William E. Gressman, Senior Associate General Counsel, Office of Government Ethics, Suite 500, 1201 New York Avenue NW., Washington, DC 20005-3917; Telephone: (202) 482-9245; TDD: (202) 482-9293; Fax: (202) 482-9237.

Approved: May 6, 2004. **Marilyn L. Glynn,** *Acting Director, Office of Government Ethics.*

Office of Government Ethics—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3570	Executive Branch Financial Disclosure, Qualified Trusts, and Certificates of Divestiture	3209–AA00
3571	Standards of Ethical Conduct for Employees of the Executive Branch	3209–AA04
3572	Limitations on Outside Earned Income, Employment, and Affiliations for Certain Noncareer Employees	3209–AA13
3573	Executive Agency Ethics Training Programs	3209–AA07
3574	Interpretation, Exemptions, and Waiver Guidance Concerning 18 U.S.C. 208 (Acts Affecting a Personal Financial	
	Interest)	3209–AA09
3575	Post-Employment Conflict of Interest Restrictions	3209–AA14

Office of Government Ethics—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
3576	Executive Agency Supplemental Standards of Ethical Conduct Regulations Issued Jointly With the Concurrence of the Office of Government Ethics	3209–AA15

Office of Government Ethics (OGE)

3570. EXECUTIVE BRANCH FINANCIAL DISCLOSURE, QUALIFIED TRUSTS, AND CERTIFICATES OF DIVESTITURE

Priority: Other Significant

Legal Authority: 5 USC app (Ethics in Government Act of 1978); EO 12674; EO 12731; 26 USC 1043; 28 USC 2461 note; PL 101–410; PL 104–134, sec 31001

CFR Citation: 5 CFR 2634

Legal Deadline: None

Abstract: Regulation revising the executive branch public and confidential financial disclosure report systems for high-level officials and

certain mid-level employees, respectively, in light of the changes to the Ethics in Government Act effected by the Ethics Reform Act of 1989 (Pub. L. 101-194), as amended. These disclosure provisions apply to public reports filed since January 1, 1991. Subpart I of the regulation, effective October 5, 1992, superseded prior executive branchwide and agencyspecific regulations and established a revised system of confidential reporting, modeled generally on the public reporting system, for executive branch agency mid-level employees with sensitive duties and special Government employees. This regulation also has a subpart dealing with certificates of divestiture.

Timetable:

Action	Date	FR Cite
NPRM	12/02/86	51 FR 43359
Interim Final Rule	04/07/92	57 FR 11800
Correction	05/22/92	57 FR 21854
Correction	12/31/92	57 FR 62605
Revised Interim Final Rule	07/21/93	58 FR 38911
Proposed Amendment to Interim Final Rule	09/01/93	58 FR 46096
Technical Amendments to Interim Final Rule	11/30/93	58 FR 63023

Final Rule Stage

Action	Date	FR Cite
Technical (Paperwork)	07/07/94	59 FR 34755
Amendments to	01/01/34	5511(54/55
Interim Final Rule		
Proposed	01/15/97	62 FR 2048
Amendments-		
Certificates of No		
New Interests for Confidential Filers		
Final Amendment-	06/24/97	62 FR 33972
Certificates of No	00/24/01	0211030372
New Interests for		
Confidential Filers		
Updating Amendment	09/17/97	62 FR 48746
to Part 2634		
Clarifying Amendment	03/31/98	63 FR 15273
to Section 2634.906		
Minor Amdt. to Part	08/12/98	63 FR 43067
2634 (Transfer of Inactive in Lieu of		
Honoraria		
Charitable Paymts.		
Reporting)		
Paperwork Revisions	11/02/98	63 FR 58619
to Appendixes A, B,		
andC		
Technical	12/18/98	63 FR 69991
Amendments to Part		
2634	~	
Technical Corrections to Part 2634	01/14/99	64 FR 2421
Proposed Gifts	05/12/00	64 FR 25849
Reporting Waiver	03/13/99	04 FK 25049
Amendments		
Inflation Adjustments	08/30/99	64 FR 47095
to Civil Monetary		
Penalties as		
Reflected in Part		
2634	00/44/00	
Final Gifts Reporting	09/14/99	64 FR 49639
Waiver Amendments		
Technical	11/20/00	65 FR 69655
Amendments to	11/20/00	0311000000
Categories of Value		
Reporting and Gifts		
/Reimbursements		
Thresholds		
Final Rule	11/05/01	66 FR 55871
Amendment to		
Confer Additional Agency Confidential		
Report Filing		
Extension Authority		
Final Rule	05/03/02	67 FR 22348
Amendments to		-
Qualified Trusts		
Certificates Notices		
Final Rule Clarifying	05/31/02	67 FR 37965
Amendment on		
Revocable Inter		
Vivos Trust		
Interpretation	00/04/00	
Final Rule	08/01/02	67 FR 49856
Amendments on Filing Exts. & Fee		
Waivers		
Delegations		

•		
Action	Date	FR Cite
Effective Date Correction to Final Rule Amendments on Filing Exts. & Fee Waivers Delegations	09/06/02	67 FR 57063
Final Rule Amendment on Reporting Period for Public Reports	09/13/02	67 FR 57937
Final Rule Amendment on Increased Reporting Thresholds for Gifts & Reimbursements	10/02/02	67 FR 61761
Proposed Rule Amendments to Certificates of Divestiture Provisions (Subpart J)	01/13/04	69 FR 1954
Final Rule Amendments to Certificates of Divestiture Provisions (Subpart J)	08/00/04	
Proposed Rule Amendments to Confidential Financial Disclosure Provisions	09/00/04	
Final Rule Amendment to Clarify OGE Intent on Sole & Exclusive Agency Authority Conferred Under Reg.	10/00/04	
Proposed Rule Amendments to Qualified Trust Provisions	01/00/05	
Final Rule Removal of Obsolete In Lieu/Honoraria Provisions	03/00/05	
Proposed Rule Amendments Re: Excepted Investment Funds	08/00/05	
Final Action	12/00/05	
Regulatory Flexibil Required: No	ity Analy	/sis

Government Levels Affected: Federal

Agency Contact: Judith A. Kim, Deputy General Counsel for Financial Disclosure, Office of Government Ethics, Suite 500, 1201 New York Avenue NW., Washington, DC 20005 Phone: 202 482–9300 TDD Phone: 202 482–9293 Fax: 202 482–9237

RIN: 3209-AA00

Final Rule Stage

3571. STANDARDS OF ETHICAL CONDUCT FOR EMPLOYEES OF THE EXECUTIVE BRANCH

Priority: Other Significant

Legal Authority: 5 USC 7301; 5 USC 7351; 5 USC 7353; 5 USC app, Ethics in Government Act of 1978; EO 12674; EO 12731

CFR Citation: 5 CFR 2635

Legal Deadline: None

Abstract: Regulation implementing certain provisions of Executive Order 12674 on Principles of Ethical Conduct, as modified by Executive Order 12731, and the Ethics Reform Act of 1989 (Pub. L. 101-194), as amended. Effective February 3, 1993, this ethical conduct standards regulation generally superseded executive branch employee conduct and gifts rules, as well as pertinent portions of agency-specific conduct regulations issued under prior Executive Order 11222. For certain existing agency regulatory standards setting forth financial interest prohibitions and prior approval for outside employment/activities, an extended grace period was in effect until November 1, 1996, or until individual concerned agencies issued supplemental regulations (with Office of Government Ethics concurrence), whichever occurred first.

Timetable:

Action	Date	FR Cite
NPRM	07/23/91	56 FR 33778
NPRM Comment Period End	09/20/91	
Final Overall Regulation on Standards of Ethical Conduct	08/07/92	57 FR 35006
Correction	10/27/92	57 FR 48557
Correction	11/04/92	57 FR 52583
5 CFR 2635.403(a) and 2635.803 Grace Period Extension	02/02/94	59 FR 4779
Additional 5 CFR 2635.403(a) and 2635.803 Grace Period Extension	02/02/95	60 FR 6390
NPRM on Widely Attended Gatherings	06/15/95	60 FR 31415
Minor Correction to One Citation	10/03/95	60 FR 51667
Further 5 CFR 2635.403(a) and 2635.803 Grace Period Extension	12/27/95	60 FR 66857

Final Rule Stage

Puttler Additionals 000004 management to management to consistence management to management to consistence management to management to consistence management to consistence <th>Action</th> <th>Date</th> <th>FR Cite</th> <th>Action</th> <th>Date</th> <th>FR Cit</th> <th>е</th> <th>Timetable:</th> <th></th> <th></th>	Action	Date	FR Cite	Action	Date	FR Cit	е	Timetable:		
CFR 2855.403(a) Amendment to Interim Final Rule 01/1791 56 FR 1 Pariad Rule on Weldy 08/20/96 61 FR 42935 Amendment to Data of 5.0 FFR 20005 Carret Cole Intern 2536.205 Additional Deternal of Effective Data of 5.0 FFR 20005 Additional Deternal of 10/11/91 56 FR 1 Final Rule on Weldy 08/20/96 61 FR 42935 Final Rule on Weldy Data of 5.0 FFR 20005 Additional Deternal of 10/11/91 56 FR 1 Final Rule on Weldy 08/20/96 61 FR 42935 Final Rule model Otronal on the Provisions Dot 10/11/91 56 FR 1 Final Rule on Weldy 08/20/96 61 FR 42935 Final Rule model Correction to Final 00/11/97 62 FR 15089 Otronal Provisions Detinition in 5 CFR 200005 Creation to Final 00/17/97 62 FR 43746 Regulatory FickNellity Analysis Fedicate Data of 5 CFR 200005 CFR 2862.005 <t< td=""><td>Further Additional 5</td><td>08/07/96</td><td>61 FR 40950</td><td>Final Rule</td><td>10/00/04</td><td></td><td></td><td>Action</td><td>Date</td><td>FR Cite</td></t<>	Further Additional 5	08/07/96	61 FR 40950	Final Rule	10/00/04			Action	Date	FR Cite
Antional industry Contering Under Gatherings Contering Under Rep. Additional Degrading of Correction to Final Additional Degr	and 2635.803 Grace			Clarify OGE Intent on Sole & Exclusive				Deferral of Effective		
Correction 10 Final Corrections 09/12/96 63 FR 45473 Manendments to Part 2635 / Seeking Employment and Corrections 01/14/99 64 FR 2421 Subpart B Gifts 03/17/97 62 FR 45766 Grant Subpart B Gifts 03/17/97 62 FR 45767 Subpart B Gifts 03/17/97 62 FR 45767 Subpart B Gifts 03/17/97 62 FR 45766 Grant Subpart B Gifts 03/17/97 62 FR 45766 Grant Subpart B Gifts 03/17/97 62 FR 45766 Grant Subpart B Gifts 03/17/97 62 FR 45767 Subpart B Gifts 03/17/97 62 FR 45776 Grant Subpart B Gifts 03/17/97 62 FR 45776 Grant Subpart B Gifts 03/17/97 62 FR 45776 Grant Subpart B Gifts 03/17/97 64 FR 13063 Fried Anendments to 12/18/98 63 FR 69992 Fried Anendments 0 03/17/99 64 FR 13063 Fried Rule Anonthel M 11/20/00 65 FR 56576 Fried Rule Anendments 0 03/17/99 64 FR 13063 Fried Rule Anonthel M 11/20/00 65 FR 56576 Fried Rule Anonthel M 11/20/00 65 FR 56576 Fried Rule Anonthel M 11/20/00 65 FR 56576 Fried Rule Anonthel M 11/20/00 65 FR 56576 Grant Subpart Anothel M 11/20/00 65 FR 56576 Fried Rule Anonthel M 11/20/00	Attended	08/20/96	61 FR 42965	Conferred Under Reg.	02/00/05			Additional Deferral of Effective Date of 5	10/11/91	56 FR 51319
Interim Rule on Gifts09/17/9762 FR 50689Obsolutes28363 (2036)From Political Organizations09/17/9762 FR 12531Regulatory Flexibility Analysis Required: NoFurther Deferral of Standards of Einical Conduct RegulationFurther Deferral of 12/30/9358 FR 6 to Interim Final RuleUpdating Organizations09/17/9762 FR 48746Regulatory Flexibility Analysis Required: NoThe Proposed Amendments to PartGovernment Levels Affected: Federal Agency Contact: Stuart D. Rick, Deputy General Counsel, Office of Government Ethics, Suite 500, 1201Technical Corrections to 11/4/9964 FR 2 60/12/98Proposed Subpart B Gifts Form Outide Subpart B Gifts Form Outide Correction Correction Gifts Outide Correction Correction Correction Correction <td>Rule on Widely Attended</td> <td>09/16/96</td> <td>61 FR 48733</td> <td>Obsolete In Lieu/Honoraria</td> <td>03/00/05</td> <td></td> <td></td> <td>Revision of Honorarium</td> <td>01/08/92</td> <td>57 FR 601</td>	Rule on Widely Attended	09/16/96	61 FR 48733	Obsolete In Lieu/Honoraria	03/00/05			Revision of Honorarium	01/08/92	57 FR 601
Final Rule on Gifts03/17/9762 FR 12531Regulatory Flexibility Analysis Required: NoTechnical Correction to therm Final Rule12/30/9358 FR 6Organizations09/17/9762 FR 48746 Amendments to Part 2635Government Levels Affected: Federal Amendments to Part 2636Government Levels Affected: Federal Amendments to Part 2636Government Levels Affected: Federal Amendments to Part 2636How York Avenue NW., Washington, DC 20005Interim Final Rule amendments to Part 2636Further Minor Proposed Amendments to Part 263508/26/9863 FR 45415 Proposed TDD Phone: 202 482–9292 Fax: 202 482–9293Final Rule Amendment to Drone: 202 482–9293Technical Corrections Prome: 202 482–9293Cutside Activities From Outside Sources01/14/9964 FR 2421 For Outside SourcesFinal Rule Regulatory Flexibility Analysis Frait Technical Orderred Under Rost Expenses for Correction01/14/9964 FR 2 Phone: 202 482–9293Final Amendment to Part 263501/14/9964 FR 2 Phone: 202 482–9293Fax: 202 482–9293Final Rule Part 263501/14/9964 FR 2 Phone: 202 482–9293Fax: 202 482–9293Final Rule Part 263501/14/9964 FR 2 Phone: 202 482–9293Fax: 202 482–9204Final Rule Part 263501/14/9964 FR 2 Phone: 202 482–9203Final Rule Regulatory Flexibility Analysis Regulatory Flexibility AnalysisFinal Rule Part 263509/05/0065 FR 55076Exgenses for CorrectionCFR Citation: 5 CFR 2636Federal PhoisionsFinal Rule	Interim Rule on Gifts From Political	09/27/96	61 FR 50689	Amendments to Standards of Ethical	1			2636.203(a) Further Deferral of Effective Date of 5	02/14/92	57 FR 5369
OrganizationsOp/17/9762 FR 48764 Amendments to PartRequired: No2635OB/04/9863 FR 41476Government Levels Affected: Federal Amendments to PartAgency Contact: Stuart D. Rick, Deputy General Counsel, Office of Government Ethics, Suite 500, 1201 New York Avenue NW., Washington, DC 20005Technical (Paperwork) 07/07/9459 FR 3Proposed08/04/9863 FR 45415 Dc 20005Meet York Avenue NW., Washington, DC 20005Technical (Paperwork) 07/07/9459 FR 3ProposedAmendments to ProposedDeputy General Counsel, Office of Government 202 482–9292Technical Corrections 01/14/9964 FR 4Outside Activities From Outside12/18/9863 FR 69992TibD Phone: 202 482–9293Final RuleSources12/18/9863 FR 69992Final Rule10/00/04Amendments to Outside Activities11/14/9964 FR 2421 Form OutsideSourcesSeekingFinal Amendments to Outside Activities03/17/9964 FR 13063Final Rule10/00/04Amendments to Outside Activities03/17/9964 FR 2421 Form OutsideNoNCAREER EMPLOYEESFinal Rule Removal of 03/00/05Final Rule on Travel Expenses for Gertain Unofficial Teachnical Git Dollar Ceiling09/12/0065 FR 59676Legal Deadline: NoneFinal Rule Mining Git Dollar Ceiling Final Rule Ceiling Except. for Certain Unofficial FeakIng, and Withing10/02/0267 FR 61761Final Rule Correction10/02/0267 FR 61761Abstract: The regulation nontixe to montaria (now declared en	Final Rule on Gifts From Political	03/17/97	62 FR 12531	Regulatory Flexibi		sis		Technical Correction	12/30/93	58 FR 69176
Agency Contact: Stuart D. Rick, Deputy General Counsel, Office of Government Ethics, Suite 500, 1201Removal of Subpart B08/12/98 63 FR 4Amendments Re: Gifts (Subpart B)08/26/98 63 FR 45415New York Avenue NW., Washington, 	Updating		62 FR 48746	-	Is Affected	l: Federa		Technical (Paperwork) Amendments to	07/07/94	59 FR 34755
Gifts (Subpart B)Government Ethics, Suite 500, 1201 to Part 2635Technical Corrections 01/14/99 64 FR 2 to Part 2635ToD Phone: 202 482–9292 Phone: 202 482–9293Technical Corrections 06/20/99 64 FR 4 	Proposed	08/04/98	63 FR 41476					Removal of Subpart B	08/12/98	63 FR 43067
Proposed Amendments to Part Amendments Outside ActivitiesPhone: 202 482–9292 TDD Phone: 202 482–9293 Fax: 202 482–9237Civil Moretary Penalty As Reflected in Part 2836Amendments to Subpart B Gits From Outside Sources12/18/98 63 FR 69992RIN: 3209–AA04Clarify OGE Intent on Sole & Exclusive Amendment to Cartain Unofficial Teaching, Speaking, and Writing10/14/99 64 FR 130633572. LIMITATIONS ON OUTSIDE EARNED INCOME, EMPLOYMENT, AD AFFILIATIONS FOR CERTAIN NONCAREER EMPLOYEES5772. LIMITATIONS ON OUTSIDE EARNED INCOME, EMPLOYMENT, AD AFFILIATIONS FOR CERTAIN NONCAREER EMPLOYEES61/10/00/04 Amendment to Cartain Unofficial Teaching, Speaking, and Writing3572. LIMITATIONS ON OUTSIDE EARNED INCOME, EMPLOYMENT, AD AFFILIATIONS FOR CERTAIN NONCAREER EMPLOYEESCivil Morietary Penalty As Reflected in Part 2836Final Amendments to Outside Activities01/14/99 64 FR 130633572. LIMITATIONS FOR CERTAIN NONCAREER EMPLOYEESFinal Rule AD AFFILIATIONS FOR CERTAIN NONCAREER EMPLOYEESFinal Rule Amendment to Cartain Unofficial Teaching, Gitt Dollar CeilingFinal Action 11/20/00 65 FR 55076Legal Authority: 5 USC 2461 note; PL 101–410; PL 104–134, sec 31001Final Action ProvisionsOylou/05Final Rule on Travel Taraking, Speaking, and Writing11/20/00 65 FR 59673Legal Deadline: None Abstract: The regulation had, in pertinent part, implemented, effective anuary 1, 1991, the prohibition on honoraria (now declared unconstitutional by the Office of Legal Coursel of the Justice Department). In addition, the regulation continues to projeyees by the Office of Legal Coursel of the Ju	Gifts (Subpart B)	08/26/98	63 FR 45415	New York Avenue			,	to Part 2636		
Amendments to Subpart B Gifts From Outside Sources12/18/98 63 FR 69992RIN: 3209–AA04Final Rule mendment to Clarify OGE Intent on Sole & Exclusive Amendment to Clarify OGE Intent on Sole & Exclusive And AFFILIATIONS FOR CERTAIN NONCAREER EMPLOYEESFinal Rule mendment to Clarify OGE Intent on Sole & Exclusive Agency AuthorityFinal Amendments to Dutside Activities03/17/99 64 FR 130633572. LIMITATIONS FOR CERTAIN NONCAREER EMPLOYEESFinal Rule and AfFILIATIONS FOR CERTAIN NONCAREER EMPLOYEESFinal Amendments to Outside Activities03/17/99 64 FR 13063Priority: Other SignificantConferred Under Reg.Interim Rule on Travel Certain Unofficial Teaching, Speaking, and Writing09/05/00 65 FR 55076Legal Authority: 5 USC app, Ethics in Government Act of 1978; EO 12674; EO 12731; 28 USC 2461 note; PL 101–410; PL 104–134, sec 31001Final Action Disorder Provisions09/00/05Certain Unofficial Teaching, Speaking, and Writing11/20/00 65 FR 55076Legal Deadline: None Abstract: The regulation had, in pertiment part, implemented, effective January 1, 1991, the prohibition on honoraria (now declared unconstitutional by the courts as to most rank and file executive branch employees by the Office of Legal Counsel of the Justice Department). In addition, the regulation continues to implement the limitation on outside employment as provided in the 19893573. EXECUTIVE AGENCY ETHIC TRAINING PROGRAMSFinal Rule Dolar Ceiling Except. for10/02/02 67 FR 61761 Addition, the regulation continues to implement the limitation on outside employment as provided in the 19893573. EXECUTIVE AGENCY ET	Amendments to Part 2635 / Seeking Employment and			Phone: 202 482–92 TDD Phone: 202 4	82–9293			Civil Monetary Penalty As Reflected in Part	08/30/99	64 FR 47095
SourcesAgency AuthorityTechnical Corrections01/14/9964 FR 2421Agency AuthorityTechnical Corrections03/17/9964 FR 2421AnD AFFILIATIONS FOR CERTAIN NONCAREER EMPLOYEESAgency AuthorityFinal Amendments to03/17/9964 FR 13063Priority: Other SignificantAgency AuthorityCorrection09/05/0065 FR 53650Priority: Other SignificantDobsolet In Legal Authority: 5 USC app. Ethics in Government Act of 1978; EO 12674; EO 12731; 28 USC 2461 note; PL 101–410; PL 104–134, sec 31001Final Action09/00/05Speaking, and Writing09/12/0065 FR 55076Legal Deadline: NoneRegulatory Flexibility Analysis Required: NoFinal Fechnical Attended Gatering Gift Dollar Ceiling11/20/0065 FR 59673CFR Citation: 5 CFR 2636Government Levels Affected: FeddFinal Rule on Travel Miting11/30/0166 FR 59673Abstract: The regulation had, in pertinent part, implemented, effective January 1, 1991, the prohibition on monoraria (now declared unconstitutional by the courts as to most rank and file executive branch 	Amendments to Subpart B Gifts From Outside	12/18/98	63 FR 69992			SIDE		Amendment to Clarify OGE Intent	10/00/04	
Final Amendments to Part 2635 / Seeking Employment and Outside ActivitiesONOCAREER EMPLOTEESFinal Rule Removal of 03/00/05 Obsolete In Lieu/HonorariaPriority: Other Significant Legal Authority: 5 USC app, Ethics in Government Act of 1978; EO 12674; EO 12731; 28 USC 2461 note; PL 101-410; PL 104-134, sec 31001Final Action 	Technical Corrections	01/14/99	64 FR 2421	EARNED INCOME AND AFFILIATION	, EMPLOY IS FOR CE	MENT,		Agency Authority Conferred Under		
Interim Rule on Travel09/05/0065 FR 53650Correction09/02/0065 FR 53650Final Action09/02/05Expenses for Certain Unofficial Teaching, Speaking, and Writing09/12/0065 FR 55076CFR Citation: 5 CFR 2636Final Action09/02/05Correction09/12/0065 FR 55076Legal Deadline: NoneAgency Contact: Elizabeth A. Hort Attended Gathering Gift Dollar CeilingLegal Deadline: NoneAgency Contact: Elizabeth A. Hort Attorney Advisor, Office of Govern Intert part, implemented, effective January 1, 1991, the prohibition on 	Part 2635 / Seeking Employment and	03/17/99	64 FR 13063	Priority: Other Sig	nificant	Ethios i		Final Rule Removal of Obsolete In Lieu/Honoraria	03/00/05	
Teaching, Speaking, and WritingCFR Citation: 5 CFR 2636Government Levels Affected: Fede Agency Contact: Elizabeth A. Hort Attorney Advisor, Office of Govern Ethics, Suite 500, 1201 New York Attended Gathering Gift Dollar CeilingAbstract: The regulation had, in pertinent part, implemented, effective January 1, 1991, the prohibition on 	Interim Rule on Travel Expenses for	09/05/00	65 FR 53650	Government Act of 12731; 28 USC 246	f 1978; ÉO 31 note; PL	12674;	EO .0;	Final Action Regulatory Flexibil		ysis
Correction09/12/00 65 FR 55076Legal Deadline: NoneAgency Contact: Elizabeth A. Horr Attorney Advisor, Office of Govern Ethics, Suite 500, 1201 New York Avenue NW., Washington, DC 2000 Phone: 202 482–9300Final Rule on Travel Expenses for Certain Unofficial Teaching, Speaking, and Writing11/30/01 66 FR 59673 Teaching, Speaking, and Writing11/30/01 66 FR 59673 	Speaking, and							-	s Affecte	ed: Federal
Final Technical Amendment to Nonsponsor Widely Attended Gathering Gift Dollar Ceiling11/20/0065 FR 69655Abstract: The regulation had, in pertinent part, implemented, effective January 1, 1991, the prohibition on honoraria (now declared unconstitutional by the courts as to most rank and file executive branch employees and hence determined to be eviscerated as to all other Federal employees by the Office of Legal Counsel of the Justice Department). In addition, the regulation continues to implement the limitation on outside employment as provided in the 1989Attorney Advisor, Onice of Govern Ethics, Suite 500, 1201 New York Avenue NW., Washington, DC 2000 Phone: 202 482–9300 TDD Phone: 202 482–9237Final Rule AmendIncreased Dollar Ceiling Except. for10/02/02 67 FR 61761 AmendIncreased Dollar Ceiling Except. for10/02/02 67	•	09/12/00	65 FR 55076	Legal Deadline: N	one					
Expenses for Certain Unofficial Teaching, Speaking, and Writingmost rank and file executive branch employees and hence determined to be eviscerated as to all other Federal employees by the Office of Legal Counsel of the Justice Department). In addition, the regulation continues to implement the limitation on outside employment as provided in the 1989 Except. forRIN: 3209–AA13Final Rule Dollar Ceiling Except. for10/02/02 67 FR 61761 Memodel and the securities of t	Final Technical Amendment to Nonsponsor Widely Attended Gathering Gift Dollar Ceiling	11/20/00	65 FR 69655	Abstract: The regu pertinent part, imp January 1, 1991, th honoraria (now de	ulation had blemented, he prohibiti clared	effectiv ion on	e	Ethics, Šuite 500, 1 Avenue NW., Wash Phone: 202 482–93 TDD Phone: 202 48	201 New iington, 1 00	/ York
Speaking, and Writingemployees by the Office of Legal Counsel of the Justice Department). In addition, the regulation continues to implement the limitation on outside employment as provided in the 1989 Except. for3573. EXECUTIVE AGENCY ETHIC TRAINING PROGRAMSSpeaking, and Writing10/02/02 67 FR 61761 addition, the regulation continues to implement the limitation on outside employment as provided in the 1989 Ethics Reform Act revisions to the3573. EXECUTIVE AGENCY ETHIC TRAINING PROGRAMSUnderstand Dollar Ceiling Except. for10/02/02 67 FR 61761 implement the limitation on outside employment as provided in the 1989 Ethics Reform Act revisions to the3573. EXECUTIVE AGENCY ETHIC TRAINING PROGRAMS	Expenses for Certain Unofficial	11/30/01	0011(00070	most rank and file employees and her	executive	branch ined to		RIN: 3209–AA13		
Amend.–Increased Dollar Ceiling Except. for Except. fo	Speaking, and Writing	10/00/00	67 ED 64704	employees by the Counsel of the Just	Office of Le tice Depart	egal ment). I	n	TRAINING PROGR	AMS	(ETHICS
Ethics in Covernment Act as emended	Amend.–Increased Dollar Ceiling Except. for Nonsponsor Widely	10/02/02	07 FK 61761	implement the lim employment as pro Ethics Reform Act	itation on ovided in t revisions t	outside he 1989 to the		Legal Authority: 5	USC app	
Attended Gatherings Gifts The regulation has now been amended in light of the above-noted litigation and other pertinent developments. CFR Citation: 5 CFR 2638.701 to 2638.704 Legal Deadline: None				The regulation has in light of the above	now been /e-noted lit	amende	ed	2638.704		'01 to

Abstract: Regulation specifying the responsibilities of executive branch agencies and their designated agency ethics officials to develop and implement orientation and annual ethics training courses and to distribute appropriate guidance materials to their employees under section 301(b) and (c) of Executive Order 12674, as modified by Executive Order 12731.

Timetable:

Action	Date	FR Cite
NPRM	09/18/90	55 FR 38335
NPRM Comment	11/17/90	
Period End		
Final Rule on	04/07/92	57 FR 11886
Executive Agency Ethics Training		
Programs		
Correction	04/27/92	57 FR 15219
Amendment	12/10/92	57 FR 58399
Correction	12/28/92	57 FR 61612
Interim Amendments to Liberalize Certain Training Requirements	03/16/94	59 FR 12145
Interim Final Rule Comment Period End	05/16/94	
Interim Amendments to Refine Certain Training	03/12/97	62 FR 11307
Requirements Correction to Interim Training Reg. Amendments	03/19/97	62 FR 13213
Correction to Interim Training Reg. Amendments	03/27/97	62 FR 14737
Interim Amendments to Refine Certain Training Requirements Comment Period End	04/11/97	62 FR 11307
Most Interim Amendments to Refine Certain Training Requirements Effective	06/10/97	62 FR 13213
Interim Amendment to Restructure Regulation Provisions	02/14/00	65 FR 7275
Final Rule Amendment to Clarify OGE Intent on Sole & Exclusive Agency Authority Conferred Under Reg.	10/00/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Agency Contact: Carolyn W. Chapman, Associate Director, Education Division, Office of Government Ethics, Suite 500, 1201 New York Avenue NW., Washington, DC 20005 Phone: 202 482–9300 TDD Phone: 202 482–9293 Fax: 202 482–9239 RIN: 3209–AA07

3574. INTERPRETATION, EXEMPTIONS, AND WAIVER GUIDANCE CONCERNING 18 U.S.C. 208 (ACTS AFFECTING A PERSONAL FINANCIAL INTEREST)

Priority: Other Significant

Legal Authority: 5 USC app, Ethics in Government Act of 1978; EO 12674; EO 12731; 18 USC 208

CFR Citation: 5 CFR 2640

Legal Deadline: None

Abstract: This regulation interprets section 208(a) of title 18, U.S.C., which prohibits officers and employees of the executive branch from officially participating personally and substantially in a particular matter in which there is a personal financial interest or a financial interest of a related person or organization (absent a waiver or exemption under 18 U.S.C. 208(b)). It also lists and describes interests considered too remote or too inconsequential to affect the integrity of the services of executive branch officers or employees, in accordance with 18 U.S.C. 208(b)(2). Such interests are exempt from the restrictions of 18 U.S.C. 208(a), generally requiring disqualification. The regulation also provides guidance to executive branch agencies as to the kinds of interests that are not so substantial as to be deemed likely to affect the integrity of the services the Government may expect from an employee and which, therefore, may be waived from the general rule of disqualification under 18 U.S.C. 208(a), pursuant to 18 U.S.C. 208(b)(1). In addition, guidance is provided concerning the issuance of waivers to special Government employee advisory committee members, pursuant to 18 U.S.C. 208(b)(3). A separate interim final rule, published in 1995 exempting certain financial interests arising from Federal Government executive branch employment as well as from Social Security or veterans' benefits from the general prohibition in section 208(a), was incorporated in the overall final rule. Additional exemptions are

Final Rule Stage

considered for development from time to time as appropriate.

Timetable:

Action	Date	FR Cite
Govt. Interests and Social Security and Veterans' Benefits Exemptions Interim Final Rule	08/28/95	60 FR 44706
Overall NPRM	09/11/95	60 FR 47208
Overall NPRM Comment Period End	11/13/95	
Overall Final Rule	12/18/96	61 FR 66830
Correction	01/09/97	62 FR 1361
Overall Final Rule Effective	01/17/97	
Correction	04/29/97	62 FR 23127
Interim Census Exemption Amendment	03/29/00	65 FR 16511
Final Census Exemption Amendment	08/04/00	65 FR 47830
Proposed Additional Exemption Amendments	09/06/00	65 FR 53942
Proposed Amendments Comment Period End	12/05/00	
Final Additional Exemption Amendments	03/19/02	67 FR 12443
Final Rule Amendment to Clarify OGE Intent on Sole & Exclusive Agency Authority Conferred Under Reg.	10/00/04	
Proposed Rule Amendment Re: Excepted Investment Funds	08/00/05	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Agency Contact: Richard M. Thomas, Associate General Counsel, Office of Government Ethics, Suite 500, 1201 New York Avenue NW., Washington, DC 20005 Phone: 202 482–9300 TDD Phone: 202 482–9293 Fax: 202 482–9237

RIN: 3209-AA09

3575. POST-EMPLOYMENT CONFLICT OF INTEREST RESTRICTIONS

Priority: Other Significant

Legal Authority: 5 USC app, Ethics in Government Act of 1978; EO 12674; EO 12731; 18 USC 207

CFR Citation: 5 CFR 2641; 5 CFR 2637 (Continuation)

Legal Deadline: None

Abstract: This interpretive regulation will give guidance for the executive branch on the various substantive restrictions of the current version of the post-Government employment conflict of interest statute 18 U.S.C. 207, which became effective January 1, 1991. pursuant to title I of the Ethics Reform Act of 1989 (Pub. L. 101-194), as amended. Parts of the regulation, dealing with procedures for waivers by the Office of Government Ethics of certain senior official constraints (based on executive agencyhardship), designated senior employees, and separate agency designations, have already been published in the Federal Register; such designations are periodically updated by the Office of Government Ethics. The Office of Government Ethics also has continued to publish in the CFR the interpretive regulation, 5 CFR part 2637 (but now without the no-longer-effective former Senior Employee and old agency component designation listings), under the lifetime bar of the prior version of

the post-employment law which still applies to executive branch employees who left the Government before January 1, 1991. Once a complete current postemployment law final regulation is published, the old part 2637 regulation will be removed from the CFR.

Timetable:

Action	Date	FR Cite
Interim Final Rule for One–Year Restriction of Section 207(c)	02/01/91	56 FR 3951
Designation of Senior Employees and Separate Agency Components	01/28/92	57 FR 3115
Designation of Additional Separate Agency Component	04/07/92	57 FR 11673
Amendment to Prior Post–Employment Regulation (Part 2637)	12/31/92	57 FR 62467
Amendment to Interim Final Rule (Part 2641)	06/21/93	58 FR 33755
Technical Amendment to Authority Citation of 5 CFR Part 2637	12/30/93	58 FR 69176
Technical Amendments to Interim Final Rule	07/07/94	59 FR 34755
Exempted Senior Employee and Agency Separate Component Designation Update	05/16/97	62 FR 26915

Final Rule Stage

Action	Date	FR Cite
Correction: Post–Employment Reg. Update	06/11/97	62 FR 31865
Agency Separate Component Designation Update	02/05/99	64 FR 5709
Agency Separate Component Designation Update Final Rule	01/30/03	68 FR 4681
Overall NPRM	02/18/03	68 FR 7843
Correction to Overall NPRM	03/31/03	68 FR 15385
Overall NPRM Comment Period End	05/19/03	
Final Rule Amendment to Clarify OGE Intent on Sole & Exclusive Agency Authority Conferred Under Reg.	10/00/04	
Overall Final Rule	01/00/05	
Regulatory Flexibi Required: No	lity Analy	/sis
Government Level	s Affecte	ed: Federal
Agency Contact: R Associate General (Government Ethics New York Avenue DC 20005 Phone: 202 482–93 TDD Phone: 202 482–93	Counsel, , Suite 50 NW., Wa 00	Office of 00, 1201

TDD Phone: 202 482–9293 Fax: 202 482–9237

RIN: 3209-AA14

Long-Term Actions

Office of Government Ethics (OGE)

3576. EXECUTIVE AGENCY SUPPLEMENTAL STANDARDS OF ETHICAL CONDUCT REGULATIONS ISSUED JOINTLY WITH THE CONCURRENCE OF THE OFFICE OF GOVERNMENT ETHICS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 7301; 5 USC app, Ethics in Government Act of 1978; EO 12674; EO 12731; 5 CFR 2635.105

CFR Citation: 5 CFR 2635; 5 CFR ch XXI et seq

Legal Deadline: None

Abstract: The supplemental executive agency standards of ethical conduct regulations, once issued jointly with the concurrence of the Office of Government Ethics (OGE) at agency expense in new chapters at the end of

5 CFR, after OGE approval, supplement for each individual agency concerned the OGE executive branch standards of ethical conduct, as codified at 5 CFR part 2635. The supplemental regulations, as they are issued in accordance with sections 201(a) and 301(a) of Executive Order 12674, as modified by Executive Order 12731, set forth those agency-specific provisions under applicable law and regulation, such as regulatory restrictions on holding certain financial interests, designation of subunits, and prior approval for outside employment. which are needed for certain agencies to round out the executive branchwide ethical standards for their employees.

Timetable:

Action	Date	FR Cite
FTC Employees (5 CFR Ch. XLVII) Interim Final Rule	05/27/93	58 FR 30695
OPIC Employees (5 CFR Ch. XXXIII) Interim Final Rule	06/17/93	58 FR 33319
Treasury Employees (5 CFR Ch. XXI) NPRM	08/03/93	58 FR 41193
ICC Employees (5 CFR Ch. XL) Final Rule	08/06/93	58 FR 41989
PRC Employees (5 CFR Ch. XLVI) Final Rule	08/12/93	58 FR 42839
DOD Employees (5 CFR Ch. XXVI) Interim Final Rule	09/10/93	58 FR 47619

Long-Term Actions

CFTC Employees (5 CFR Ch. XLI) Final	10/12/93	58 FR 52637
Rule IAF Employees (5 CFR Ch. LXIII) Final Rule	01/27/94	59 FR 3771
5 CFR 2635.403(a) and 2635.803 Grace Period Extension	02/02/94	59 FR 4779
(by OGE) NRC Employees (5 CFR Ch. XLVIII) Final Rule	04/13/94	59 FR 17457
FDIC Employees (5 CFR Ch. XXII) NPRM	07/12/94	59 FR 35480
NASA Employees (5 CFR Ch. LIX)	09/28/94	59 FR 49335
FRTIB Employees (5 CFR Ch. LXXIV)	10/06/94	59 FR 50816
Education Employees (5 CFR Ch. LIII)	01/30/95	60 FR 5816
Additional 5 CFR 2635.403(a) and 2635.803 Grace Period Extension (by OGE)	02/02/95	60 FR 6390
OMB Employees (5 CFR Ch. LXXVII) Final Rule	03/07/95	60 FR 12396
USPS Employees (5 CFR Ch. LX)	03/27/95	60 FR 15700
Eximbank Employees (5 CFR Ch. LII)	04/07/95	60 FR 17625
FDIC Employees (5 CFR Ch. XXII)	04/25/95	60 FR 20171
Treasury Employees (5 CFR Ch. XXI) Final Rule	05/05/95	60 FR 22249
FCA Employees (5 CFR Ch. XXXI)	06/12/95	60 FR 30778
FCSIC Employees (5 CFR Ch. XXX)	06/12/95	60 FR 30773
HUD Employees (5 CFR Ch. LXV)	06/30/95	60 FR 34420
OPIC Employees (5 CFR Ch. XXXIII) Final Rule	07/21/95	60 FR 37555
USPS Employees (5 CFR Ch. LX) Final Rule	09/11/95	60 FR 47240
FCA Employees (5 CFR Ch. XXXI) Final Rule	09/13/95	60 FR 47453
OGE Concurrence in FCA Employees (5 CFR Ch. XXXI) Final Rule	12/06/95	60 FR 62319
BGFRS Employees (5 CFR Ch. LVIII)	12/19/95	60 FR 65249
Further 5 CFR 2635.403(a) and 2635.803 Grace Period Extension (by OGE)	12/27/95	60 FR 66857
FCSIC Employees (5 CFR Ch. XXX) Final Rule	02/06/96	61 FR 4349

EEOC Employees (5 CFR Ch. LXII)	02/26/96	61 FR 7065	DOI Employees (5 CFR Ch. XXV)	10/16/97	62 FR 53713
TVA Employees (5 CFR Ch. LXIX)	05/06/96	61 FR 20117	DOI Employees (5 CFR Ch. XXV)	04/15/98	63 FR 18501
DOE Employees (5 CFR Ch. XXIII)	07/05/96	61 FR 35085	Interim Final Rule Correction		
FDIC Employees (5 CFR Ch. XXII) Amendment	07/09/96	61 FR 35915	DOI Employees (5 CFR Ch. XXV) Interim Final Rule	04/24/98	63 FR 20447
HUD Employees (5 CFR Ch. LXV)	07/09/96	61 FR 36246	Correction DOI Employees (5	06/24/98	63 FR 34258
OPM Employees (5 CFR Ch. XXXV)	07/16/96	61 FR 36993	CFR Ch. XXV) Final Rule	00/10/00	63 FR 43069
HHS Employees (5 CFR Ch. XLV)		61 FR 39756	FTC Employees (5 CFR Ch. XLVII) Final Rule	00/12/90	03 FK 43009
DOT Employees (5 CFR Ch. L)		61 FR 39901	Amendments BGFRS Employees (5	12/08/99	64 FR 68615
FMSHRC Employees (5 CFR Ch. LXXIV)		61 FR 39869	CFR Ch. LVIII) Final Rule Amendments		
EPA Employees (5 CFR Ch. LIV)		61 FR 40500	DOL Employees (5 CFR Ch. XLII) Final	12/30/99	64 FR 73852
NARA Employees (5 CFR Ch. LXVI)		61 FR 40505	Rule USDA Employees (5	03/24/00	65 FR 15825
Further Additional 5 CFR 2635.403(a) and 2635.803 Grace		61 FR 40950	CFR Ch. LXXIII) Interim Final Rule	04/00/00	
Period Extension (by OGE)			USDA Employees (5 CFR Ch. LXXIII) Interim Final Rule	04/20/00	65 FR 21239
FERC Employees (5 CFR Ch. XXIV)	08/23/96	61 FR 43411	Correction USDA Employees (5	10/02/00	65 FR 58635
BGFRS Employees (5 CFR Ch. LVIII) Final Rule	10/16/96	61 FR 53827	CFR Ch. LXXIII) Final Rule Treasury Employees	02/01/01	66 FR 8505
FCC Employees (5 CFR Ch. XXIX)		61 FR 56109	(5 CFR Ch. XXI) Final Rule	02/01/01	001100000
GSA Employees (5 CFR Ch. LVII)		61 FR 56399	Amendments NASA Employees (5	11/27/01	66 FR 59135
DOL Employees (5 CFR Ch. XLII)		61 FR 57281	CFR Ch. LIX) Final Rule Amendments DOT (FAA)	12/03/01	66 FR 60139
DOJ Employees (5 CFR Ch. XXVIII)		61 FR 59811	Employees (5 CFR Ch. L) Final Rule	12/03/01	00 FK 00139
NSF Employees (5 CFR Ch. XLIII)		61 FR 59815	Amendments Treasury (OCC)	07/17/02	67 FR 46840
CPSC Employees (5 CFR Ch. LXXI)		61 FR 65457	Employees (5 CFR Ch.XXI) Final Rule		
FDIC Employees (5 CFR Ch. XXII) Amendment	01/27/97	62 FR 3771	Amendments USDA (FSA) Employees (5 CFR	09/16/02	67 FR 58319
NLRB Employees (5 CFR Ch. LXI)	02/12/97	62 FR 6445	Ch. LXXIII) Final Rule Amendments		
DOJ Employees (5 CFR Ch. XXVIII) Final Rule	05/02/97	62 FR 23941	USDA (FSA) Employees (5 CFR Ch. LXXIII) Final	11/04/02	67 FR 67089
DOJ Employees (5 CFR Ch. XXVIII) Final Rule	06/11/97	62 FR 31865	Rule Amendments Correction	11/20/02	67 ED 74060
Correction OPM Employees (5	06/17/97	62 FR 32859	FDIC Employees (5 CFR Ch. XXII) Final Rule Amendments	11/29/02	67 FR 71069
CFR Ch. XXXV) Interim Rule Correction			IMLS Employees (5 CFR Ch. LXVII) Interim Final Rule	04/14/03	68 FR 17877
EEOC Employees (5 CFR Ch. LXII) Final Rule	07/08/97	62 FR 36447	EEOC Employees (5 CFR Ch. LXII) Final Rule Amendments	09/04/03	68 FR 52485
OPM Employees (5 CFR Ch. XXXV) Final Rule	08/11/97	62 FR 42897	NEA Employees (5 CFR Ch. LV) Interim Final Rule	09/05/03	68 FR 52681

-

Long-Term Actions

NEH Employees (5	09/05/03 68 FR 52682	Regulatory Flexibility Analysis	Phone: 202 482–9300
CFR Ch. LVI)		Required: No	TDD Phone: 202 482–9293
Interim Final Rule	Government Levels Affected: Federal	Fax: 202 482–9237	
DOD Employees (5 CFR Ch. XXVI) Final Rule Amendments	11/18/03 68 FR 64979	Agency Contact: William E. Gressman, Senior Associate General Counsel, Office of Government Ethics, Suite 500,	RIN: 3209–AA15 [FR Doc. 04–12488 Filed 06–25–04; 8:45 am] BILLING CODE 6345–01–S
Final Action	12/00/05	1201 New York Avenue NW., Washington, DC 20005	