



March 3, 2020
LA-20-02

LEGAL ADVISORY

TO: Designated Agency Ethics Officials

FROM: Emory A. Rounds, III
Director

SUBJECT: Updated Resources on Agency Supplemental Ethics Regulations

The U.S. Office of Government Ethics (OGE) is issuing this Legal Advisory to share recently-updated and newly-developed resources relating to agency supplemental ethics regulations. These resources are designed to assist agency ethics officials who might have questions regarding supplemental ethics regulations, or who have an interest in adopting or modifying such regulations for their agencies.

The Standards of Ethical Conduct for Employees of the Executive Branch (Standards of Conduct)¹ set forth ethics rules applicable to all executive branch employees. In consultation with OGE,² over 50 agencies have established additional ethics rules applicable to their employees through supplemental ethics regulations.³ In 2011, OGE published a Legal Advisory regarding supplemental agency ethics regulations,⁴ which discussed:

- The types of policies that should (and should not) be memorialized in a supplemental ethics regulation;
- Relevant questions to consider when deciding whether an agency should have a supplemental ethics regulation; and
- OGE's role in assisting agencies with this process.

That Advisory provided several resources as attachments, including a flow chart to use in determining whether an agency needs a supplemental ethics regulation, and reference charts capturing the details of existing supplemental regulations.

¹ 5 C.F.R. pt. 2635.

² See Exec. Order No. 12,674 (Apr. 12, 1989), *modified by* Exec. Order No. 12,731 (Oct. 17, 1990); *see also* 5 C.F.R. § 2635.105 (describing the supplemental agency ethics regulation process); 5 C.F.R. § 2634.103 (describing the supplemental agency ethics regulation process relating to financial disclosure).

³ See *Agency Supplemental Regulations*, U.S. OFF. GOV'T ETHICS, <https://www.oge.gov/Web/OGEnsf/Agency+Supplemental+Regulations> (last visited Feb. 27, 2020).

⁴ OGE Legal Advisory LA-11-07 (Oct. 3, 2011).



Agencies should still consult LA-11-07 for information regarding the supplemental ethics regulation process, and to determine whether a supplemental regulation is necessary or appropriate. In addition, agencies should use the following updated and additional resources:

- **Updated “Supplemental Regulations Quick Reference Chart” and “Supplemental Regulations Detailed Chart”** – Initially shared in LA-11-07, these charts have been updated, among other ways, to include agency supplemental ethics regulations that have been adopted or revised since 2011. Agencies typically identify the need for a supplemental ethics regulation based on their experience – for example, ethics officials repeatedly see the same ethics issue, or senior leaders raise concerns regarding certain activities. These updated charts are helpful tools ethics officials can use to gain perspective on how other agencies have addressed various subjects in their supplemental ethics regulations, such as outside activities restrictions, prohibited holdings, and other topics. In both charts, the relevant Code of Federal Regulations (CFR) section for each agency’s supplemental ethics regulation can be easily accessed via the hyperlink embedded in the first column of each row.
- **New “Supplemental CFR-RM List – By Agency” and “Master Chronological List of Rulemaking for Agency Supplemental Ethics Regulations”** – In addition to updating the above-referenced tables, OGE has developed the referenced charts to facilitate more efficient research regarding other agencies’ supplemental regulations and Federal Register issuances. Prior Federal Register publications can serve as a useful guide for how to structure a notice proposing a new or amended supplemental ethics regulation, and also can be a valuable resource to learn more about a particular supplemental ethics provision. For example, the Federal Register issuances hyperlinked in the newly-compiled charts “Supplemental CFR-RM List – By Agency” and “Master Chronological List of Rulemaking for Agency Supplemental Ethics Regulations” can provide insight into the impetus for a restriction, why a provision was worded in a certain way, factors taken into consideration by an agency in developing its supplemental, etc. For ease of access to the regulatory provisions proper, the “Supplemental CFR-RM List – By Agency” chart also contains hyperlinks to the relevant section of the Code of Federal Regulations for each supplemental regulation.
- **New Template/Example Documents, “Section-by-Section Analysis of Proposed Supplemental Ethics Regulation” and “Side-by-Side Comparison of Current and Proposed Supplemental Ethics Regulation”** – At all stages of the supplemental regulation process, OGE is available to provide useful guidance to agencies – from the initial stages of determining whether something is appropriate for inclusion in a supplemental agency ethics regulation, to the iterative process of developing and refining desired provisions. As agencies consider potential regulatory changes, they can refer to the newly-developed template/example charts, “Section-by-Section Analysis of Proposed Supplemental Ethics Regulation” and “Side-by-Side Comparison of Current and Proposed Supplemental Ethics Regulation.” These resources provide a suggested format for agencies to use when proposing a new supplemental ethics regulation or a revision to an existing supplemental ethics

regulation. Providing information to OGE in this format is not mandatory, but doing so can help facilitate a productive and streamlined consultation process with OGE. In OGE's experience, the information and analysis elicited by this format also can be a helpful starting point for agencies when the time comes to start drafting a Federal Register notice for a proposed regulation.

Agency ethics officials with questions regarding supplemental ethics regulations, or who have an interest in adopting or modifying such regulations, are encouraged to contact their OGE Desk Officers early in the process for additional support and guidance.

UPDATED AND ADDITIONAL RESOURCES

Updated Resources

- [Attachment 1 - Supplemental Regulations Quick Reference Chart](#)
- [Attachment 2 - Supplemental Regulations Detailed Chart](#)

New Resources

- [Attachment 3 - Supplemental CFR-RM List – By Agency](#)
- [Attachment 4 - Master Chronological List of Rulemaking for Agency Supplemental Ethics Regulations](#)
- [Attachment 5 - Example/Template Chart, Section-by-Section Analysis of Proposed Supplemental Ethics Regulation](#)
- [Attachment 6 - Example/Template Chart, Side-by-Side Comparison of Current and Proposed Supplemental Ethics Regulation](#)

Supplemental Regulations Quick Reference Chart

Agency and CFR Section	Designation of Separate Agency Components/ Additional Rules	Prohibited Interests/ Holdings	Restricted Purchase or Use of Property/ Assets	Outside Employment/ Activities of Employee (restrictions and prior approval requirements)	Outside Employment/ Activities of Family Members	Procedure for Accomplishing Disqualification	Gifts & Awards	Independent Waiver Section/ Definition Section	Miscellaneous
Treasury, 3101.	102, 105*, 106, 107, 108*^	105*, 108*^	103*, 108*^	104, 106, 107, 108*^				101(c)^	
FDIC, 3201.	108	103*	104	107	106			101(d)^	102-extension of credit*; 105-former associates^; 109-Parts of 2635 n/a to Corp. employees
DOE, 3301.				103^		102		101(b)^	
FERC, 3401.		102*^		104^		103			
DOI, 3501.	102, 103*, 104*^, 105^	103*, 104*^		105^				101(b)^	
DOD, 3601.	102			107^		105	103, 104		106-solicited sales; 108-disclaimer for speeches/writings
DOJ, 3801.	102, 103, 107*	107*	104, 105	106^					
FCC, 3901.				102^					

* section includes a waiver provision ^ section includes a definition section

This chart is current as of February 2020

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FCC, 3902.									102-104-statements of employment and financial interests
FCIC, 4001.		103^	105	108^	106	105		102^, 109*	104-prohibited borrowing; 107-restricted involvement in system institution elections
FCA, 4101.		103^	105	108^	106	105		102^, 109*	104-prohibited borrowing; 107-restricted involvement in system institution elections
DFC (formerly OPIC), 4301.				101					
SEC, 4401.		102*		103^					
OPM, 4501.				103^					102-examination information

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DHS, 4601.	102, 104, 105*, 106		107*	103, 104, 105*, 106	104, 106			101^	108-reporting waste, fraud and abuse
FEC, 4701.				102^					
ICC, 5001.		102*^		102*^, 104^					103^-impartiality determinations for members of ICC
CFTC, 5101.		102		103^					
DOL, 5201.	102^, 104^, 105*	105*		103, 104^					
NSF, 5301.	105			103^, 105^				101(b)^	102^-participation in proposals and awards; 104-participation in NSF-supported conference
HHS, 5501.	102^, 104, 106*^, 107, 109^, 110^, 111^, 112	104, 110^		106*^, 107, 109^			103, 111^, 112	101(c)^	105-exemption for financial interests for Indian/Alaskan natives; 108-exception for employees assigned to Indian

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									tribes/Alaskan native village corporations
HHS, 5502.	106^, 107^								102-107^-supp. FD requirements - statements of employment & financial interests
PRC, 5601.		102*		104, 105		103		101(b)^	
FTC, 5701.				101^, 102					
NRC, 5801.		102*^		103^					
FLRA, 5901.				102^		103		101(c)	

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DOT, 6001.	103, 104*	104*						102^	
Ex-Im Bank, 6201.				102^					
ED, 6301.				102^					
EPA, 6401.	102*^	102*^		103^					
NEA, 6501.				102^					
NEH, 6601.				102^					
GSA, 6701.			103*, 104*	106^					102-prohibited solicited sales to subordinates; 105-taking or disposing of government property;

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									107-reporting waste/fraud/ abuse/corruption
FRB, 6801.		103*		109^	108			102^	105-preferential treatment; 106*-seeking credit; 107*-matters involving lenders
NASA, 6901.				103^					
USPS, 7001.		103		102^, 103					
NLRB, 7101.				102^		103		101(b)^	
EEOC, 7201.				102, 103^					
IAF, 7301.				102				101(b)^	

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MSPB, 7401.				102^					
HUD, 7501.	106	104*^		105				102^, 103*	
NARA, 7601.				102^					
IMLS, 7701.				102^					
CCR, 7801.				102^				101(b)^	
TVA, 7901.				102^					
CSOSA, 8001.				102^					

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CPSC, 8101.	102			102, 103^					
USDA, 8301.	103*^, 104, 105, 106, 107*^	103*^, 107*^	103*^, 107*^	102^, 103*^, 104, 105, 106, 107*^					
FMSHRC, 8401.		102*^		103^					
FRTIB, 8601.				102^					
OMB, 8701.				102^					
FHFA, 9001.	101(b)(2), 107	104, 107	109	105^	106			102^, 103*	107-other limitations; 108-prohibited recommendations re: securities
SIGAR, 9303.				102^					

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CFPB, 9401.	104^, 105	106*^	112	103^, 104^, 105	108*			102^, 113*	107-prohibition on accepting credit on preferential terms; 108*-restriction on seeking credit from an entity that is or represents a party; 109*-disqualification from particular matters involving existing creditors or lenders; 110-prohibited recommendations; 111*^-restriction on participating in party matters if a "covered entity" (defined term) is or represents a party
NCUA, 9601.				103, 104				102^	105-DAEO's responsibilities
NMB, 10101.				102^					

* section includes a waiver provision ^ section includes a definition section

This chart is current as of February 2020

5 CFR	General and Preliminary Sections	Designation of Separate Agency Components/Additional Rules	Prohibited Interests/Holdings	Restricted Purchase or Use of Property/ Assets	Outside Employment/Activities of Employee (restrictions and approval requirements)	Outside Employment/ Activities of Family Members	Procedure for Accomplishing Disqualification	Miscellaneous
Treasury, 3101.	101 -Includes purpose, bureau instructions, and definition of "agency designee."	102 -Agency components are separate agencies for purposes of gifts from outside sources and teaching, speaking, or writing. 105-108 -Additional rules for certain agency components; includes additional prohibitions on financial interests and outside employment; includes exceptions and waiver provisions for some.	105 -Prohibited financial interests for ATTB employees, includes waiver provision. 108 -Prohibited financial interests for OCC employees, includes definitions and waiver provision.	103 -Prohibits purchase of property/assets owned by the government and under the control of the employee's bureau. Includes exceptions and waiver provision. 108 -Prohibited purchase of assets for OCC employees, includes definitions and waiver provision.	104 -Requires written approval prior to outside employment or business activities, unless excepted by manuals/instructions required from each bureau. Has approval standards. 106 -Prohibited outside employment for IRS and Treasury IG employees. 107 -Prohibited outside employment for Legal Division employees. 108 -Prohibited outside employment for OCC employees, includes definitions and waiver provision.			
FDIC, 3201.	101 -Includes purpose, designations, and definitions of: "affiliate," "appropriate director," "covered employee," "employee," "ethics counselor," "security," "state nonmember bank," and "subsidiary."	108 -Cross-referencing to related statutory and regulatory authorities.	103 -Prohibits employees or family from acquiring, owning, or controlling a security insured or supervised by the FDIC. Includes exceptions, waiver provision, and disclosure/disqualification requirements.	104 -Restricts purchase of property held by FDIC or RTC including disqualification requirements.	107 -Prohibits employment with FDIC-insured institution; prohibits using certain professional licenses for income; imposes requirement to consult with an agency designee.	106 -Prohibits employee from examining employer of family member, and has reporting requirement.		102 -Extensions of credit and loans from FDIC-insured institution, includes exceptions and waiver section. 105 -Prohibition on dealings with former employers, associates, and clients, includes definition of "employer." 109 -Certain provisions of 5 CFR 2635 not applicable to Corporation employees.
DOE, 3301.	101 -Includes purpose and definitions of: "agency designee" and "counselor."				103 -Requires written approval (other than for SGEs) prior to outside employment from supervisor and DAEO; has approval standards. Defines "employment."		102 -Written notice of disqualification requirement and method of withdrawal of notice.	
FERC, 3401.	101 -General		102 -Prohibits employee, spouse, or minor child of employee from holding securities in certain energy and electrical companies. Includes a waiver provision, and defines "securities" and "parent."		104 -Requires written approval (other than for SGEs) prior to outside employment with a prohibited source. Has approval standards. Defines "employment."		103 -Written notice of disqualification requirement and method of withdrawal of notice.	

5 CFR	General and Preliminary Sections	Designation of Separate Agency Components/Additional Rules	Prohibited Interests/Holdings	Restricted Purchase or Use of Property/ Assets	Outside Employment/Activities of Employee (restrictions and approval requirements)	Outside Employment/ Activities of Family Members	Procedure for Accomplishing Disqualification	Miscellaneous
DOI, 3501.	<p>101-Includes definitions of: "department," "bureau," "ethics counselor," and "deputy ethics counselor." Also includes bureau instructions.</p>	<p>102-Agency components are separate agencies for purposes of: gifts from outside sources; teaching, speaking, and writing; and requirements of prior approval of outside employment. 103-105-Additional rules/ prohibitions for employees in certain Bureaus.</p>	<p>103-Cross-references to statutory prohibitions. Prohibits employees in certain Bureaus from acquiring or holding financial interests in federal lands/resources administered by the DOI. Includes exceptions and a waiver provision, and has a grandfathering provision. 104-Cross-references to statutory prohibitions. Prohibits USGS employees or family from having a financial interest in mining activities. Defines "financial interest" and "private mining activities." Includes exceptions, a divestiture requirement, and a waiver provision. Has a grandfathering provision.</p>		<p>105-Prohibits USGS employees from surveying for private entities. Prohibits BLM employees from employment in real estate (but allows them to keep realty licenses). Prohibits BIA employees from holding a position on a tribal board. Requires written approval from other employees (other than SGEs) prior to outside employment with a prohibited source. Specifies form of request for approval and standard for approval. Defines "employment" and "prohibited source."</p>			
DOD, 3601.	<p>101-Purpose</p>	<p>102-Agency components are separate agencies for purposes of: gifts from outside sources; and teaching, speaking, and writing.</p>			<p>107-Requires written approval prior to a business activity or compensated outside employment with a prohibited source. Defines "business activity," "employment," and "prohibited source." Ethics official can exempt certain categories of employment.</p>		<p>105-Written notice of disqualification requirement concerning financial interests, impartiality and prospective employment. Method of withdrawal of notice.</p>	<p>103-Exceptions allowing an employee to accept gifts, in addition to 5 CFR 2635.204 (including scholarships and grants). 104-Limitations on gifts between DOD employees. 106-Limitation on solicited sales. 108-Disclaimer requirement for speeches and writings devoted to agency matters.</p>
DOJ, 3801.	<p>101-General</p>	<p>102-FBI and DEA are subject to these supplemental regulations. 103-Agency components are separate agencies for purposes of: gifts from outside sources; and teaching, speaking, and writing provisions of 2635.807. 107-Additional rules for ATF employees regarding prohibited financial interests; includes waiver provision.</p>	<p>107-Additional rules for ATF employees regarding prohibited financial interests; includes waiver provision.</p>	<p>104-Prohibits purchase from DOJ property forfeited to the US without prior approval. Greater restrictions for USMS, FBI, and DEA employees. 105-Prohibits employees from using government property for unauthorized purposes. Cross-references to DOJ regulations.</p>	<p>106-Defines "outside employment," and prohibits employees from outside employment involving the practice of law (with exceptions), and has a waiver provision. Requires written approval prior to certain other types of employment, and has approval standard.</p>			

5 CFR	General and Preliminary Sections	Designation of Separate Agency Components/Additional Rules	Prohibited Interests/Holdings	Restricted Purchase or Use of Property/ Assets	Outside Employment/Activities of Employee (restrictions and approval requirements)	Outside Employment/ Activities of Family Members	Procedure for Accomplishing Disqualification	Miscellaneous
FCC, 3901.	101-General				102-Requires "professional employees" to obtain written approval prior to engaging in the same profession as the employee's official position, whether or not compensated, and has approval procedure and standard.			
FCC, 3902.	101-General							102-Employees required to submit FCC Form A54A "Confidential Supplemental Statement of Employment and Financial Interests." 103-Submission and review process of employees' statements. 104-Confidentiality of employees' statements.
FCIC, 4001.	101-General 102-Definitions of: "covered employees," "related entity," and "system institution." 109-General waiver provision for all provisions of this regulation.		103-Prohibits "covered employees," spouse, or minor children from owning securities issued by a system institution or related entity. Defines "securities." Includes exceptions.	105-Prohibits employees, spouse or minor children from purchasing an asset from a system institution or related entity. Includes a disqualification provision.	108-Prohibits employees from paid or unpaid service for any system institution or related entity. Requires prior written approval before any outside employment or business activity, with or without compensation. Defines "employment."	106-Requires filing a report when a dependent or spouse is employed in a position the employee is prohibited from occupying.	105-Written notice of disqualification requirement relating to purchase of system assets.	104-Prohibits borrowing from system institutions by "covered employees," spouse, or minor child, and includes exceptions. 107-Restricts involvement in system institution board member elections.
FCA, 4101. DFC (formerly OPIC), 4301.	101-General 102-Definitions of: "covered employees," "related entity," and "system institution." 109-General waiver provision for all provisions of this regulation.		103-Prohibits "covered employees," spouse, or minor children from owning securities issued by a system institution or related entity. Defines "securities." Includes exceptions.	105-Prohibits employees, spouse or minor children from purchasing an asset from a system institution or related entity. Includes a disqualification provision.	108-Prohibits employees from paid or unpaid service for any system institute or related entity. Requires prior written approval before any outside employment or business activity, with or without compensation. Defines "employment."	106-Requires filing a report when a dependent or spouse is employed in a position the employee is prohibited from occupying.	105-Written notice of disqualification requirement relating to purchase of system assets.	104-Prohibits borrowing from system institutions by "covered employee," spouse, or minor child, and includes exceptions. 107-Restricts involvement in system institution board member elections.
					101-Requires approval prior to outside employment. Defines employment by reference to 2635.603(a).			

5 CFR	General and Preliminary Sections	Designation of Separate Agency Components/Additional Rules	Prohibited Interests/Holdings	Restricted Purchase or Use of Property/ Assets	Outside Employment/Activities of Employee (restrictions and approval requirements)	Outside Employment/Activities of Family Members	Procedure for Accomplishing Disqualification	Miscellaneous
SEC, 4401.	101-General		<p>102-A member or employee, spouse, or listed dependents are prohibited from purchasing, selling, or recommending any security in certain delineated situations. Prohibited from certain financial relationships or transactions with entities directly regulated by the SEC. Requires prior clearance of delineated transactions. Includes reporting requirements, exceptions, and waiver provisions for members and employees. Includes appeal process.</p>		<p>103-Defines "employee," "employment," "professional services," and "DAEO." Prohibits employment or activities that conflict with employment of the SEC (different for members and employees). Requires written prior approval for employees, describes the procedure, and has approval standard. Requires submission of proposed publications or speeches related to the SEC. Encourages employees to participate in pro bono services.</p>			
OPM, 4501.	101-General				<p>103-Requires written approval (except for SGEs) prior to engaging, with or without compensation, in certain activities. Includes definitions of "active participants," "nonpublic information," "professional services," "prohibited sources," and "relates to the employees' official duties." Includes submission instructions and approval standard.</p>			<p>102-Notification requirement if employee, spouse, minor child, or business general partner taking examinations after employee takes part in constructing examinations.</p>
DHS, 4601.	<p>101-General; includes definitions of "agency designee," "outside employment or activity," "Chief Deputy Ethics Official," and "Special Government Employee."</p>	<p>102-Agency components are separate for purposes of gifts from outside sources, prior approval requirements, designation of officials, and teaching/speaking/writing. 104-Additional restrictions for CBP employees (except SGEs) relating to outside employment of the employee and certain others. 105-Additional restrictions for FEMA employees (except SGEs) relating to outside employment; includes waiver provision. 106-Additional restrictions for ICE employees (except SGEs) relating to outside employment of the employee and certain others.</p>		<p>107-Employees may not purchase, directly or indirectly, certain property. Includes waiver provision.</p>	<p>103-Requires written approval (except for SGEs) prior to engaging in any outside employment or activity, with or without compensation. Includes standard for approval and agency responsibilities. 104-Additional restrictions for CBP employees (except SGEs) relating to outside employment of the employee and certain others. 105-Additional restrictions for FEMA employees (except SGEs) relating to outside employment; includes waiver provision. 106-Additional restrictions for ICE employees (except SGEs) relating to outside employment of the employee and certain others.</p>	<p>104-Additional restrictions for CBP employees (except SGEs) relating to outside employment of the employee and spouse, relatives, members of the household or dependents. 106-Additional restrictions for ICE employees (except SGEs) relating to outside employment of the employee and spouse, relatives, members of the household or dependents.</p>		<p>108-Reporting waste, fraud, abuse, and corruption.</p>

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FEC, 4701.	101-Scope				102-Requires employees (but not SGEs or a member of the Commission) to obtain prior written approval for certain outside employment. Defines "active participant," "employee," "outside employment," and "related to employee's official duties." Includes approval procedure and standards.			
ICC, 5001.	101-General 103-Defines member as "agency designee" for impartiality determinations		102-Prohibits employees from "directly or indirectly" owning securities in a for-hire transportation company. Defines "indirect relationships and interests." Includes exceptions and waiver provision.		102-Prohibits employees from "directly or indirectly" being employed by or owning securities in a for-hire transportation company. Defines "indirect relationships and interests." Includes exceptions and waiver provision. 104-Requires (other than for a Commissioner) written approval prior to outside employment, with or without compensation, and includes approval standard and employment definition.			103-Impartiality determinations for members.
CFTC, 5101.	101-General		102-Prohibits members or employees from certain financial holdings or transactions. Cross-references Commodity Exchange Act.		103-Encourages some activities; prohibits non-Federal employment involving activities CFTC may be significantly interested in (as specifically described) or otherwise prohibited; narrower SGE restrictions. Requires written approval (except for SGEs) prior to other outside employment, with or without compensation, and includes procedures, including written request process. Defines "employment."			
DOL, 5201.	101-General	102-Agency components are designated separate agencies for purposes of governing gifts from outside sources; teaching, speaking, or writing; or fundraising in a personal capacity . Includes definitions of "remainder of the Department," "remainder of ESA," and includes separate section on "applicability of separate agency designations." 104-105-Additional Rules for Office of Inspector General (prior approval for outside employment) and for Mine Safety and Health Administration employees (prohibited financial interests). Section 105 has exceptions and waiver provisions.	105-Prohibited financial interests for Mine Safety and Health Administration employees; includes exceptions and waiver provisions.		103-Permits certain fundraising activities in a personal capacity. 104-Prior approval required for outside employment for IG employees; includes standard for approval, defines "employment."			

5 CFR	General and Preliminary Sections	Designation of Separate Agency Components/Additional Rules	Prohibited Interests/Holdings	Restricted Purchase or Use of Property/ Assets	Outside Employment/Activities of Employee (restrictions and approval requirements)	Outside Employment/ Activities of Family Members	Procedure for Accomplishing Disqualification	Miscellaneous
	<p>NSF, 5301.</p> <p>101-Includes purpose, and definitions: "award," "employee," "institution," and "proposal."</p>	<p>105-Restrictions applicable to Members of the National Science Board for purposes of determining disqualification from participation in proposals, awards and outside employment and activities.</p>			<p>103-Prohibits NSF employees from "directly or indirectly" receiving compensation or reimbursement of expenses from an NSF award or from any event supported by NSF funds. Requires written approval prior to compensated employment with entity expected to do business with NSF, defines "employment," and includes procedure and approval standard.</p> <p>105-Restrictions applicable to Members of the National Science Board relating to proposals, awards and outside employment/activities.</p>			<p>102-Participation in proposals and awards; creates additional, narrowly defined covered relationships and has reporting requirements; includes an automatic disqualification standard.</p> <p>104-Personal or official participation in NSF-supported conferences.</p>
<p>HHS, 5501.</p>	<p>101-Includes purpose, applicability, and definitions in accordance with 5 CFR 2635 and 2640 except: "federally recognized Indian tribe or Alaska Native village or regional or village corporation," and "significantly regulated organization."</p>	<p>102-Agency components are designated for purposes of gifts from outside sources; requiring approval for outside activities; receipt of awards from NIH; and teaching, speaking, or writing. Includes definitions of "employee of a component," "remainder of HHS" and "applicability of separate agency designations."</p> <p>104-Prohibited financial interests for FDA employees.</p> <p>106-Specific outside employment restrictions for FDA employees (SROs and FDA regulated products), OGC employees (outside practice of law).</p> <p>107-Teaching, speaking and writing by SGEs in the Public Health Service.</p> <p>109-Prohibited outside employment for NIH employees.</p> <p>110-Prohibited financial interest for senior employees at NIH.</p> <p>111-Awards to NIH employees (not SGEs).</p> <p>112-One year disqualification for NIH employees from certain matters involving award donor.</p>	<p>104-Prohibits an FDA employee, spouse or minor child from having a financial interest in a significantly regulated organization. Includes exceptions.</p> <p>110-Prohibits senior employees of the NIH, spouse, or minor children from having a financial interest in a substantially affected organization. Defines "senior employee," and "substantially affected organization." Includes exceptions.</p>		<p>106-Defines "compensation," "consultative services," and "professional services." Not applicable to SGEs. Prohibits employees from certain compensated consultative or professional services. Prohibits employees from certain other compensated employment, with exceptions. Contains additional restrictions for certain categories - e.g., FDA, Office of General Counsel. Requires prior written approval, and includes standard for approval.</p> <p>107-Applies to SGEs in the Public Health Service; allows compensation for teaching, speaking or writing in certain circumstances.</p> <p>109-Provides 13 definitions. Prohibits NIH employees from certain employment and other compensated activities, with exceptions.</p>			<p>103-An employee may accept certain gifts from Indian tribes/ AK Natives.</p> <p>105-Exemption for otherwise disqualifying financial interests from Indian/ AK Native birthrights.</p> <p>108-Exceptions (for certain employees) to prohibition against assisting in acting as an agent/attorney before the govt.</p> <p>111-Awards to NIH employees (not SGEs). Limits employees for matters affecting an award donor; awards require prior written approval. Includes exceptions, and what to do if unapproved award is accepted.</p> <p>112-Disqualifies an award recipient for 1 year from participating in a matter involving the donor.</p>

5 CFR	General and Preliminary Sections	Designation of Separate Agency Components/Additional Rules	Prohibited Interests/Holdings	Restricted Purchase or Use of Property/ Assets	Outside Employment/Activities of Employee (restrictions and approval requirements)	Outside Employment/ Activities of Family Members	Procedure for Accomplishing Disqualification	Miscellaneous
HHS, 5502.	101-General	106, 107-Supplemental disclosure of financial interests applicable to FDA employees and NIH employees.						102-Annual supplemental report of outside employment or activities. 103-Content of annual supplemental reports. 104-Confidentiality of reports. 105-Agency procedures.
PRC, 5601.	101-Includes purpose and definitions of "securities," "parent," "person," "entity," "DAEO," "employee," "publicly-held corporation," and "dependent child."		102-Prohibits employees, spouse and dependent children from having a financial interest in an entity on the prohibited securities list; includes exceptions and waiver provisions.		104-Prohibits paid or unpaid outside employment with or for an entity on the prohibited securities list. 105-Requires prior written approval from DAEO for outside employment, paid or unpaid; provides a standard for approval.		103-Written notice of disqualification requirement when seeking employment.	
FTC, 5701.					101-Requires written approval prior to outside employment for employees other than Commissioners, specifies procedures, defines "employment," and includes approval standard and waiver provision. 102-Prohibits employees from fundraising from certain prohibited sources.			
NRC, 5801.	101-General		102-Prohibits covered employees, spouses, and minor children from owning securities by an entity on a prohibited securities list (produced each year). Defines "covered employee," and "securities." includes divestiture, disqualification, and waiver provisions.		103-Requires written authorization prior to outside employment with certain entities (except for SGEs). Includes approval procedure and standard. Defines "outside employment."			
FLRA, 5901.	101-General; establishes "agency designees."				102-Requires written approval (except for SGEs) prior to any compensated and certain uncompensated outside employment, with exceptions, defines "employment." Prohibits certain outside employment, with exceptions. Includes approval procedure and standard.		103-Written notice of disqualification requirement for financial interests, impartiality, and prospective employment. Includes withdrawal procedure.	

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DOT, 6001.	101-General 102-Defines "agency designees."	103-Agency components are designated separate agencies for purposes of governing gifts from outside sources and teaching, speaking, or writing. 104-Additional financial interest prohibitions for FRA/FAA employees; includes waiver prohibition.	104-Prohibits employees of FRA and FAA, spouse, or minor children from financial interests with related industries; includes exceptions, waiver provisions, and period to divest.					
Ex-Im Bank, 6201.	101-General				102-Requires written approval (except for SGEs) prior to any outside employment, compensated or not. Includes procedures and standard for approval and definition of "employment."			
ED, 6301.	101-General				102-Requires prior written approval (except for SGEs) for certain outside activities, compensated or not. Includes exceptions and approval standard. Defines "active participant," "prohibited source," and "relates to the employee's official duties."			
EPA, 6401.	101-General	102-Prohibited holdings for employees of certain offices. Includes definitions and waiver provision.	102-Prohibits employees of certain offices from holding certain financial interests. Defines "direct financial interest," and "indirect financial interest." Cross-references surface mining regulations. Includes a waiver provision.		103-Requires written approval prior to outside employment involving specific services, compensated or not. Includes approval procedure and standard. Defines "employment."			
NEA, 6501.	101-General				102-Requires written approval (except for SGEs) prior to compensated or uncompensated outside employment w/ prohibited source; includes approval procedure/standard, and definition of "outside employment."			
NEH, 6601.	101-General				102-Requires written approval (except for SGEs) prior to outside employment, compensated or uncompensated, w/ prohibited source; includes procedures/ standard for approval, and definition of "outside employment."			

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GSA, 6701.	101-General			<p>103-Prohibits employees, spouses, and minor children from purchasing real or personal property from the GSA, includes exceptions and a waiver provision.</p> <p>104-Prohibits purchases of real estate by certain GSA employees involved in the acquisition or disposal of real estate; includes exceptions and a waiver provision.</p>	106-Requires written approval (except from SGEs) prior to outside employment with a prohibited source, compensated or not. Includes approval procedure and standard and defines "employment" and "prohibited source."			<p>102-Prohibition on solicited sales to subordinates, with exceptions.</p> <p>105-Prohibits employee from taking/disposing of Government property unless authorized.</p> <p>107-Reporting waste/fraud/abuse/corruption.</p>
FRB, 6801.	<p>101-Purpose</p> <p>102-Defines: "affiliate," "debt or equity interest," "dependent child," "depository institution," "employee," "primary government securities dealer," and "supervisory employee."</p>		<p>103-Prohibits employee, spouse, or minor child from owning/controlling certain debt or equity interests, with exceptions for "nonbanking holding companies," "mutual funds," and "pension plans." Includes waiver and disqualification provisions.</p>		109-Requires written approval prior to outside compensated employment, and defines "employment." Includes approval standard.	108-Prohibits supervisory employee from participating in particular matters involving depository institution employer of spouse, child, parent or sibling, unless authorized.		<p>105-Prohibition on preferential terms from regulated institutions.</p> <p>106-Prohibition on supervisory employees seeking credit from institutions involved in work; includes waiver provision and exemptions.</p> <p>107-Disqualification for supervisory employees from lender matters; includes exceptions, waiver provision.</p>
NASA, 6901.	101-General				103-Prohibits employees (except SGEs) from certain outside employment and requires written approval before certain other outside activities. Includes approval procedure, standard, scope of approval and notification provision. Defines "outside employment," "profession," and "student intern."			
USPS, 7001.	101-General, including cross-reference to Postal Service rules.		103-References 18 USC 440, which prohibits against interests in contracts to carry mail and acting as agent for contractors.		<p>102-Prohibits specified outside employment/business activities. Requires approval prior to certain outside employment/business activities, and includes approval procedures and standard. Defines "outside employment or business activity" and contains two USPS-specific definitions.</p> <p>103-References 18 USC 440, prohibiting an employee from acting as an agent (compensated or uncompensated) for any contractor or person offering to become a contractor before the USPS.</p>			

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NLRB, 7101.	101-Includes purpose, and ethics program responsibilities for the DAEO, ADAEO, and agency designees; designates certain employees for these roles.				102-Requires written approval prior to compensated or uncompensated outside employment, includes approval procedure, standard, and "employment" definition.		103-Written notice of disqualification requirement for disqualifying financial interests.	
EEOC, 7201.	101-General				102-Prohibits certain outside employment for all employees and other outside employment for some employees (does not apply to SGEs). 103-Requires written approval prior to compensated or uncompensated outside employment for all employees. Defines "employment" and includes approval standard.			
IAF, 7301.	101-Includes purpose and designation of certain employees as agency ethics officials (DAEO and ADAEO).				102-Requires most employees to receive written approval prior to outside teaching, speaking or writing for compensation and standard for approval.			
MSPB, 7401.	101-General, including purpose and cross-references.				102-Requires written approval (except for SGEs) prior to any outside employment, with or without compensation. Defines "employment," which includes "consultative services" and "professional services." Includes approval procedure and standard and responsibilities of the DAEO and ADAEO to issue instructions on categories of employment for approval.			
HUD, 7501.	101-Purpose 102-Defines: "affiliate," "agency designee," "agency ethics official," "Bureau," "Bureau Ethics Counselor," "Deputy Bureau Ethics Counselor," "Designated Agency Ethics Official," "employment," and "subsidized by the Department." 103-General waiver provision, for all provisions.	106-Office of Inspector General designated as separate agency component.	104-All HUD employees and their spouses or minor children are prohibited from "directly or indirectly" receiving, acquiring or owning certain financial interests (excludes SGEs). Includes exceptions, reporting and divestiture provision, and references the general waiver provision.		105-Prohibits (except SGEs) employment involving certain real estate activities or with an entity involved in certain lobbying activities. Includes exceptions. Requires (except for SGEs) prior written approval before accepting certain employment. Includes approval standard. Discusses applicability of provisions to employees serving in official capacity as the Department's representatives to outside organizations.			

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NARA, 7601.	101-General				102-Requires prior written approval (except for SGEs) for outside employment, compensated or not. Includes approval standard, scope of approval, and defines "employment."			
IMLS, 7701.	101-Purpose				102-Requires prior written approval (except for SGEs) for outside employment with a prohibited source, whether or not for compensation. Includes request requirements. Defines "outside employment."			
CCR, 7801.	101-Includes purpose and designation of "Designated Agency Ethics Official."				102-Requires written approval (except for SGEs) prior to outside employment. Includes approval standard. Defines "outside employment." Commission may designate volunteer activities as generally approved.			
TVA, 7901.	101-General				102-Requires prior written approval (except for SGEs) for outside employment, compensated or not. Includes approval procedure and standard, defines "employment." Classes of employees can be exempted.			
CSOSA, 8001.	101-General, includes purpose and cross references.				102-Requires written approval (except for SGEs) prior to outside employment, compensated or uncompensated. Includes definition of "employment," standard of approval, scope, and submission and appeal procedures.			
CPSC, 8101.	101-General	102-Commissioners are subject to Section 4(c) of 15 USC 2053(c), prohibiting any other business, vocation, or employment.			102-Statutory outside activity restrictions for Commissioners. 103-Requires prior written approval (except for SGEs) for outside employment, compensated or uncompensated. Includes approval procedure and standard and defines "employment." Has scope of approval (not to exceed 2 years).			

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USDA, 8301.	101-General	103-107 -Additional Rules for employees of the Farm Service Agency, the Food Safety and Inspection Service, the Office of the General Counsel, the Office of Inspector General, and for RD employees. Includes, among other things, prohibited financial holdings, prior approval requirement for outside employment and waiver provisions. Some provisions include exceptions and waiver provisions.	103 -Prohibited real estate purchases and transactions for FSA employees, some exceptions and waiver provisions included. 107 -Prohibited real estate and prohibited transactions with RD program participants, for RD employees; includes some exceptions and waiver provisions.	103 -Prohibited real estate purchases and transactions for FSA employees, some exceptions and waiver provisions included. 107 -Prohibited real estate and prohibited transactions with RD program participants, for RD employees; includes some exceptions and waiver provisions.	102 -Requires, for employees required to file certain financial disclosure reports (except for SGEs), written approval prior to outside employment. Includes approval procedure and standard, defines "employment." Lists responsibilities of component agencies. 103 -Prior written approval requirement for outside activities of FSA employees, includes definition and waiver provision. 104 -Prior written approval requirement for outside activities of FSIS employees. 105 -Prior written approval requirement for OGC attorneys to engage in the outside practice of law, compensated or not. 106 -Prior written approval requirements for certain outside employment for Office of Inspector General employees. 107 -Prior written approval requirements for certain outside employment for RD employees, includes definition and waiver provision.			
FMSHRC, 8401.	101-General		102 -Prohibits employees, spouses or minor children from having specified financial interests, including compensated employment or indebtedness, in certain companies engaged in mining activities (excludes SGEs). Includes exceptions and divestiture and waiver provisions. Defines "securities."		103 -Requires employees GS-13 or above or any Commission attorney (except SGEs) to obtain written approval prior to any outside employment, compensated or uncompensated. Includes approval procedure and standard and defines "employment," and "professional services."			
FRTIB, 8601.	101-General				102 -Requires written approval (except for SGEs) prior to outside employment, compensated or uncompensated. Includes approval procedure and standard and defines "employment." Includes additional requirements for approval of teaching, speaking or writing relating to official duties.			
OMB, 8701.	101-General				102 -Requires written approval (except for SGEs) prior to outside employment, compensated or uncompensated. Includes approval procedure and standard, and defines "employment."			

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	<p>101-General - Includes purpose and scope; reference to other statutory restrictions; and notice to employees. 102-Defines: "Affiliate," "Designated Agency Ethics Official," "Director," "Employee," "Enterprise," "Federal Home Loan Bank or Bank," "Regulated Entity," "Safety and Soundness Act," and "Security." 103-General waiver provision for all provisions of this regulation. Additional waiver provision for ownership or control of securities.</p> <p>FHFA, 9001.</p>	<p>107-Notes additional financial interest limitations for certain agency Directors set forth in 12 USC 4512(g).</p>	<p>104-Employees, spouses, and minor children are prohibited from "directly or indirectly" owning or controlling securities from regulated entities (excludes SGEs). Includes exceptions and reporting and divestiture provisions. Includes restrictions arising from third party relationships. 107-Notes additional financial interest limitations for certain agency Directors set forth in 12 USC 4512(g).</p>	<p>109-Prohibits employee, spouse, or minor children from purchasing "directly or indirectly" property from a regulated entity unless sold at fair market value.</p>	<p>105-Prohibits employees (except SGEs) from certain employment and requires written approval (except for SGEs) prior to outside employment that isn't otherwise prohibited from a non-prohibited source, compensated or uncompensated. Defines "outside employment," including "consultative services" and "professional services." Also includes approval procedure and standard. DAEO may issue instruction exempting categories of employment.</p>	<p>106-Disqualifies employees from participating in a particular matter where the relevant regulated entity employs a spouse, child, parent, sibling, or member of household, unless authorized. Includes reporting requirement.</p>		<p>107-Other limitations for the Director and Deputy Director; and caution for an employee who owns or whose spouse or minor child "directly or indirectly" owns certain financial interests. 108-Prohibits employees from making certain recommendations concerning securities.</p>
<p>SIGAR, 9303.</p>	<p>101-General</p>				<p>102-Requires written approval (except for SGEs) prior to certain outside employment, whether or not for compensation. Includes procedures for requesting approval and approval standard. Defines "active participant," "nonpublic information," professional services," "prohibited source," and "relates to the employee's official duties."</p>			

5 CFR	General and Preliminary Sections	Designation of Separate Agency Components/Additional Rules	Prohibited Interests/Holdings	Restricted Purchase or Use of Property/ Assets	Outside Employment/Activities of Employee (restrictions and approval requirements)	Outside Employment/Activities of Family Members	Procedure for Accomplishing Disqualification	Miscellaneous
	<p>101-General - includes purpose and cross references. 102-Defines 21 terms. 113-General waiver provision.</p> <p>CFPB, 9401.</p>	<p>104-Additional rules for outside employment for certain "covered employees" (defined term), including prohibited outside employment with an entity supervised by the Bureau and restrictions on use of professional licenses relating to real estate. 105-Additional rules for outside employment for Bureau attorneys (certain outside practice of law prohibited).</p>	<p>106-Employees (and spouses and minor children) are prohibited from owning or controlling a security in an entity supervised by the Bureau or a collective investment fund that has a stated policy of concentrating its investments in the financial services or banking industry. Includes exceptions and reporting, disqualification, and divestiture requirements. Includes waiver provision, and provisions relating to "covered third party entities" (defined term) owning or controlling such securities.</p>	<p>112-Restrictions on employee, spouse or minor child purchasing, directly or indirectly, any real or personal property from an entity supervised by the Bureau.</p>	<p>103-Requires written approval before engaging in outside employment (unless the activity has been exempted by the agency). Defines "employment," includes standard for approval and DAEO responsibilities. 104-Additional rules for outside employment for certain "covered employees" (defined term), including prohibited outside employment with an entity supervised by the Bureau and restrictions on use of professional licenses relating to real estate. 105-Additional rules for outside employment for Bureau attorneys; certain outside practice of law prohibited, exemption for self-representation provided.</p>	<p>108-Specific rules for employee's spouse or minor child seeking, obtaining, or renegotiating credit or indebtedness.</p>		<p>107-Prohibition on accepting credit/debt on preferential terms from supervised entity. 108-Restrictions on credit/debt in party matters, includes waiver provision & exceptions. 109-Disqualification involving existing creditors or lenders, includes exceptions & authorization procedure. 110-Prohibits recommendations re: securities in a supervised entity, or entity that is a party or represents a party. 111-Restriction on participating in party matters involving "covered entity" (defined term); includes waiver provision.</p>
	<p>101-General, includes purpose and cross references. 102-Defines "employment" and "credit union-related entities."</p> <p>NCUA 9601.</p>				<p>103-Prohibits outside employment, with or without compensation, with any credit union, credit union trade group, credit union service organization, or other credit union-related entity, in any capacity. 104-Requires written approval (other than SGEs) before engaging in outside employment, with or without compensation. Includes procedure for requesting approval and standard for approval.</p>			<p>105-DAEO's responsibilities relating to issuing instructions and exemptions from outside employment approval requirements.</p>
	<p>101-General</p> <p>NMB, 101010.</p>				<p>102-Requires written approval prior to outside employment, with or without compensation. Includes procedure for requesting approval, standard for approval, and definition of "employment."</p>			

Supplemental CFR-RM List - By Agency

Agency	Chapter	Part	FR Citation	Date	Rule Type
Department of the Treasury	XXI [21]	3101	58 FR 41193	8/3/1993	Proposed
			60 FR 22249	5/5/1995	Final
			66 FR 8505	2/1/2001	Final Amendments
			67 FR 46840	7/17/2002	Final Amendments (OCC ees)
			72 FR 48221	8/23/2007	Final Amendments (OTS ees)
			79 FR 65873	11/6/2014	Final Amendments
			80 FR 7797	2/12/2015	Correcting Amendments
Federal Deposit Insurance Corporation (FDIC)	XXII [22]	3201	59 FR 35480	7/12/1994	Proposed
			60 FR 20171	4/25/1995	Final
			61 FR 35915	7/9/1996	Final Amendments
			62 FR 3771	1/27/1997	Final Amendments
			67 FR 71069	11/29/2002	Final Amendments
			71 FR 70325	12/4/2006	Proposed Amendments
			72 FR 19375	4/18/2007	Final Amendments
Department of Energy (DOE)	XXIII [23]	3301	61 FR 35085	7/5/1996	Interim
			71 FR 48447	8/21/2006	Final
Federal Energy Regulatory Commission (FERC)	XXIV [24]	3401	61 FR 43411	8/23/1996	Final
			76 FR 1335	1/10/2011	Final Amendments
Department of the Interior (DOI)	XXV [25]	3501	62 FR 53713	10/16/1997	Interim
			63 FR 18501	4/15/1998	Interim Corrections
			63 FR 20447	4/24/1998	Interim Corrections
			63 FR 34258	6/24/1998	Final
			81 FR 76288	11/2/2016	Direct Final
Department of Defense (DOD)	XXVI [26]	3601	58 FR 47619	9/10/1993	Interim
			68 FR 64979	11/18/2003	Final Amendments
Department of Commerce (DOC)	XXVII [27]	3701			[Part Reserved]
Department of Justice (DOJ)	XXVIII [28]	3801	61 FR 59811	11/25/1996	Interim
			62 FR 23941	5/2/1997	Final
			62 FR 31865	6/11/1997	Final Corrections
			79 FR 44261	7/31/2014	Final Amendments
Federal Communications Commission (FCC)	XXIX [29]	3901	61 FR 56109	10/31/1996	Final
			3902	61 FR 56109	10/31/1996

Agency	Chapter	Part	FR Citation	Date	Rule Type
Farm Credit System Insurance Corporation (FCSIC)	XXX [30]	4001	60 FR 30773	6/12/1995	Interim
			61 FR 4349	2/6/1996	Final
Farm Credit Administration (FCA)	XXXI [31]	4101	60 FR 30778	6/12/1995	Interim
			60 FR 47453	9/13/1995	Final
			60 FR 62319	12/6/1995	OGE Concurrence
Corporation for National & Community Service (CNCS)	XXXII [32]	4201			[Part Reserved]
Development Finance Corporation (formerly Overseas Private Investment Corporation (OPIC))	XXXIII [33]	4301	58 FR 33319	6/17/1993	Interim
			60 FR 37555	7/21/1995	Final
Securities & Exchange Commission (SEC)	XXXIV [34]	4401	75 FR 42270	7/20/2010	Final
			76 FR 19901	4/11/2011	Final Amendments
Office of Personnel Management (OPM)	XXXV [35]	4501	61 FR 36993	7/16/1996	Interim
			62 FR 32859	6/17/1997	Interim Corrections
			62 FR 42897	8/11/1997	Final
Department of Homeland Security (DHS)	XXXVI [36]	4601	76 FR 63206	10/12/2011	Proposed
			81 FR 6159	2/5/2016	Final
Federal Election Commission (FEC)	XXXVII [37]	4701	75 FR 27456	5/17/2010	Proposed
			76 FR 70322	11/14/2011	Final
Occupational Safety & Health Review Commission (OSHRC)	XXXVIII [38]	4801			[Part Reserved]
Department of State	XXXIX [39]	4901			[Part Reserved]
Interstate Commerce Commission (ICC)	XL [40]	5001	58 FR 41989	8/6/1993	Final
Commodity Futures Trading Commission (CFTC)	XLI [41]	5101	58 FR 52637	10/12/1993	Final
Department of Labor (DOL)	XLII [42]	5201	61 FR 57281	11/6/1996	Interim
			64 FR 73852	12/30/1999	Final
National Science Foundation (NSF)	XLIII [43]	5301	61 FR 59815	11/25/1996	Interim
Small Business Administration (SBA)	XLIV [44]	5401			[Part Reserved]
Department of Health & Human Services (HHS)	XLV [45]	5501	61 FR 39756	7/30/1996	Final

Agency	Chapter	Part	FR Citation	Date	Rule Type
		5502	70 FR 5543	2/3/2005	Interim Amendments (Fin. Discl.)
			70 FR 37009	6/28/2005	Interim Amendments (Fin. Discl.)
			70 FR 51559	8/31/2005	Final Amendments (Fin. Discl.)
			70 FR 61713	10/26/2005	Final Corrections (Fin. Discl.)
Postal Regulatory Commission (PRC)	XLVI [46]	5601	58 FR 42839	8/12/1993	Interim
			82 FR 23758	5/24/2017	Proposed
			82 FR 50493	11/1/2017	Final
Federal Trade Commission (FTC)	XLVII [47]	5701	58 FR 30695	5/27/1993	Interim
			63 FR 43069	8/12/1998	Final
Nuclear Regulatory Commission (NRC)	XLVIII [48]	5801	59 FR 17457	4/13/1994	Final
Federal Labor Relations Authority (FLRA)	XLIX [49]	5901	75 FR 79261	12/20/2010	Interim
			76 FR 14777	3/18/2011	Final
Department of Transportation (DOT)	L [50]	6001	61 FR 39901	7/31/1996	Final
			66 FR 60139	12/3/2001	Final Amendments (FAA ees)
Pension Benefit Guarantee Corporation (PBGC)	LI [51]	6101			[Part Reserved]
Export-Import Bank of the U.S. (Ex Im Bank)	LII [52]	6201	60 FR 17625	4/7/1995	Interim
			75 FR 55941	9/15/2010	Final
Department of Education (ED)	LIII [53]	6301	60 FR 5816	1/30/1995	Interim
Environmental Protection Agency (EPA)	LIV [54]	6401	61 FR 40500	8/2/1996	Final
National Endowment for the Arts (NEA)	LV [55]	6501	68 FR 52681	9/5/2003	Interim
National Endowment for the Humanities (NEH)	LVI [56]	6601	68 FR 52682	9/5/2003	Interim
General Services Administration (GSA)	LVII [57]	6701	61 FR 56399	11/1/1996	Final
Board of Governors of the Federal Reserve System (BGFRS)	LVIII [58]	6801	60 FR 65249	12/19/1995	Proposed
			61 FR 53827	10/16/1996	Final
			64 FR 68615	12/8/1999	Final Amendments
National Aeronautics & Space Administration (NASA)	LIX [59]	6901	59 FR 49335	9/28/1994	Final
			66 FR 59135	11/27/2001	Final Amendments
			79 FR 7565	2/10/2014	Interim Amendments

Agency	Chapter	Part	FR Citation	Date	Rule Type
			79 FR 49225	8/20/2014	Final Amendments
U.S. Postal Service (USPS)	LX [60]	7001	60 FR 15700	3/27/1995	Proposed
			60 FR 47240	9/11/1995	Final
National Labor Relations Board (NLRB)	LXI [61]	7101	62 FR 6445	2/12/1997	Interim
Equal Employment Opportunity Commission (EEOC)	LXII [62]	7201	61 FR 7065	2/26/1996	Interim
			62 FR 36447	7/8/1997	Final
			68 FR 52485	9/4/2003	Final Amendments
Inter-American Foundation (IAF)	LXIII [63]	7301	59 FR 3771	1/27/1994	Final
Merit Systems Protection Board (MSPB)	LXIV [64]	7401	72 FR 26533	5/10/2007	Interim
			73 FR 18944	4/8/2008	Final
Department of Housing & Urban Development (HUD)	LXV [65]	7501	60 FR 34420	6/30/1995	Proposed
			61 FR 36246	7/9/1996	Final
			77 FR 14997	3/14/2012	Proposed
			77 FR 16761	3/22/2012	Proposed (Republication)
			77 FR 46601	8/16/2012	Final
			78 FR 56127	9/12/2013	Final Amendments
National Archives & Records Administration (NARA)	LXVI [66]	7601	61 FR 40505	8/5/1996	Final
Institute of Museum & Library Services (IMLS)	LXVII [67]	7701	68 FR 17877	4/14/2003	Interim
Commission on Civil Rights (CCR)	LXVIII [68]	7801	71 FR 51533	8/30/2006	Proposed
			73 FR 33661	6/13/2008	Final
Tennessee Valley Authority (TVA)	LXIX [69]	7901	61 FR 20117	5/6/1996	Final
Court Services & Offender Supervision Agency for D.C. (CSOSA)	LXX [70]	8001	76 FR 22293	4/21/2011	Interim
			76 FR 35957	6/21/2011	Final
Consumer Product Safety Commission (CPSC)	LXXI [71]	8101	61 FR 65457	12/13/1996	Final
Executive Office of the President (EOP)	LXXII [72]	8201			[Part Reserved]
Department of Agriculture (USDA)	LXXIII [73]	8301	65 FR 15825	3/24/2000	Interim
			65 FR 21239	4/20/2000	Interim Corrections

Agency	Chapter	Part	FR Citation	Date	Rule Type
			65 FR 58635	10/2/2000	Final
			67 FR 58319	9/16/2002	Final Amendments (FSA ees)
			67 FR 67089	11/4/2002	Final Amendmts Corrections (FSA)
			75 FR 51369	8/20/2010	Interim Amendments (RD)
			84 FR 60346	11/8/2019	Proposed
Federal Mine Safety & Health Review Commission (FMSHRC)	LXXIV [74]	8401	61 FR 39869	7/31/1996	Final
National Transportation Safety Board (NTSB)	LXXV [75]	8501			[Part Reserved]
Federal Retirement Thrift Investment Board (FRTIB)	LXXVI [76]	8601	59 FR 50816	10/6/1994	Final
Office of Management & Budget (OMB)	LXXVII [77]	8701	60 FR 12396	3/7/1995	Final
Agency for International Development (USAID)	LXXVIII [78]	8801			[Part Reserved]
Federal Mediation & Conciliation Service (FMCS)	LXXIX [79]	8901			[Part Reserved]
Federal Housing Finance Agency (FHFA)	LXXX [80]	9001	75 FR 52607	8/27/2010	Final
Social Security Administration (SSA)	LXXXI [81]	9101	70 FR 7192	2/11/2005	Proposed
			70 FR 23065	5/4/2005	Reopened Comment Period
Special Inspector General for Iraq Reconstruction (SIGIR) [<i>closed Oct. 2013</i>]	LXXXII [82]	9201	75 FR 35957	6/24/2010	Interim
			75 FR 57657	9/22/2010	Final
Special Inspector General for Afghanistan Reconstruction (SIGAR)	LXXXIII [83]	9303	77 FR 20697	4/6/2012	Interim
			77 FR 38717	6/29/2012	Final
Bureau of Consumer Financial Protection (CFPB)	LXXXIV [84]	9401	77 FR 25015	4/27/2012	Interim
			82 FR 2921	1/10/2017	Proposed
			82 FR 35883	8/2/2017	Final
Office of Personnel Management (OPM) [non-ethics regs]	LXXXV [85]	9501			[Part Reserved]
National Credit Union Administration (NCUA)	LXXXVI [86]	9601	78 FR 22767	4/17/2013	Final

Agency	Chapter	Part	FR Citation	Date	Rule Type
Department of Homeland Security (DHS) Human Resources Management System [non-ethics]	XCVII [97]	9701			[Part Reserved]
Council of the Inspector General on Integrity & Efficiency (CIGIE) [non-ethics]	XCVIII [98]	9801			[Part Reserved]
Military Compensation & Retirement Modernization Commission (MCRMC) [non-ethics]	XCIX [99]	9901			[Part Reserved]
National Council on Disability (NCD) [non-ethics]	C [100]	10000, 10001, 10002			[Part Reserved]
National Mediation Board (NMB)	CI [101]	10101	83 FR 54861	11/1/2018	Interim
			84 FR 24701	5/29/2019	Final

**Master Chronological List of Rulemaking
for Agency Supplemental Ethics Regulations**

FTC Employees (5 CFR Ch. XLVII) Interim Final Rule	05/27/1993	58 FR 30695
OPIC Employees (5 CFR Ch. XXXIII) Interim Final Rule	06/17/1993	58 FR 33319
Treasury Employees (5 CFR Ch. XXI) NPRM	08/03/1993	58 FR 41193
ICC Employees (5 CFR Ch. XL) Final Rule	08/06/1993	58 FR 41989
PRC Employees (5 CFR Ch. XLVI) Interim Rule	08/12/1993	58 FR 42839
DOD Employees (5 CFR Ch. XXVI) Interim Final Rule	09/10/1993	58 FR 47619
CFTC Employees (5 CFR Ch. XLI) Final Rule	10/12/1993	58 FR 52637
IAF Employees (5 CFR Ch. LXIII) Final Rule	01/27/1994	59 FR 3771
NRC Employees (5 CFR Ch. XLVIII) Final Rule	04/13/1994	59 FR 17457
FDIC Employees (5 CFR Ch. XXII) NPRM	07/12/1994	59 FR 35480
NASA Employees (5 CFR Ch. LIX) Final Rule	09/28/1994	59 FR 49335
FRTIB Employees (5 CFR Ch. LXXIV) Final Rule	10/06/1994	59 FR 50816
Education Employees (5 CFR Ch. LIII) Interim Final Rule	01/30/1995	60 FR 5816
OMB Employees (5 CFR Ch. LXXVII) Final Rule	03/07/1995	60 FR 12396
USPS Employees (5 CFR Ch. LX) NPRM	03/27/1995	60 FR 15700
Ex-Im Bank Employees (5 CFR Ch. LII) Interim Final Rule	04/07/1995	60 FR 17625
FDIC Employees (5 CFR Ch. XXII) Final Rule	04/25/1995	60 FR 20171
Treasury Employees (5 CFR Ch. XXI) Final Rule	05/05/1995	60 FR 22249
FCA Employees (5 CFR Ch. XXXI) Interim Final Rule	06/12/1995	60 FR 30778
FCSIC Employees (5 CFR Ch. XXX) Interim Final Rule	06/12/1995	60 FR 30773
HUD Employees (5 CFR Ch. LXV) NPRM	06/30/1995	60 FR 34420
OPIC Employees (5 CFR Ch. XXXIII) Final Rule	07/21/1995	60 FR 37555
USPS Employees (5 CFR Ch. LX) Final Rule	09/11/1995	60 FR 47240
FCA Employees (5 CFR Ch. XXXI) Final Rule	09/13/1995	60 FR 47453
OGE Concurrence in FCA Employees (5 CFR Ch. XXXI) Final Rule	12/06/1995	60 FR 62319
BGFRS Employees (5 CFR Ch. LVIII) NPRM	12/19/1995	60 FR 65249
FCSIC Employees (5 CFR Ch. XXX) Final Rule	02/06/1996	61 FR 4349
EEOC Employees (5 CFR Ch. LXII) Interim Final Rule	02/26/1996	61 FR 7065
TVA Employees (5 CFR Ch. LXIX) Final Rule	05/06/1996	61 FR 20117
DOE Employees (5 CFR Ch. XXIII) Interim Final Rule	07/05/1996	61 FR 35085
FDIC Employees (5 CFR Ch. XXII) Final Rule Amendments	07/09/1996	61 FR 35915
HUD Employees (5 CFR Ch. LXV) Final Rule	07/09/1996	61 FR 36246
OPM Employees (5 CFR Ch. XXXV) Interim Final Rule	07/16/1996	61 FR 36993
HHS Employees (5 CFR Ch. XLV) Final Rule	07/30/1996	61 FR 39756
DOT Employees (5 CFR Ch. L) Final Rule	07/31/1996	61 FR 39901
FMSHRC Employees (5 CFR Ch. LXXIV) Final Rule	07/31/1996	61 FR 39869

EPA Employees (5 CFR Ch. LIV) Final Rule	08/02/1996	61 FR 40500
NARA Employees (5 CFR Ch. LXVI) Final Rule	08/05/1996	61 FR 40505
FERC Employees (5 CFR Ch. XXIV) Final Rule	08/23/1996	61 FR 43411
BGFRS Employees (5 CFR Ch. LVIII) Final Rule	10/16/1996	61 FR 53827
FCC Employees (5 CFR Ch. XXIX) Final Rule (Including Financial Disclosure Rule)	10/31/1996	61 FR 56109
GSA Employees (5 CFR Ch. LVII) Final Rule	11/01/1996	61 FR 56399
DOL Employees (5 CFR Ch. XLII) Interim Final Rule	11/06/1996	61 FR 57281
DOJ Employees (5 CFR Ch. XXVIII) Interim Final Rule	11/25/1996	61 FR 59811
NSF Employees (5 CFR Ch. XLIII) Interim Final Rule	11/25/1996	61 FR 59815
CPSC Employees (5 CFR Ch. LXXI) Final Rule	12/13/1996	61 FR 65457
FDIC Employees (5 CFR Ch. XXII) Final Rule Amendments	01/27/1997	62 FR 3771
NLRB Employees (5 CFR Ch. LXI) Interim Final Rule	02/12/1997	62 FR 6445
DOJ Employees (5 CFR Ch. XXVIII) Final Rule	05/02/1997	62 FR 23941
DOJ Employees (5 CFR Ch. XXVIII) Final Rule Correction	06/11/1997	62 FR 31865
OPM Employees (5 CFR Ch. XXXV) Interim Final Rule Correction	06/17/1997	62 FR 32859
EEOC Employees (5 CFR Ch. LXII) Final Rule	07/08/1997	62 FR 36447
OPM Employees (5 CFR Ch. XXXV) Final Rule	08/11/1997	62 FR 42897
DOI Employees (5 CFR Ch. XXV) Interim Final Rule	10/16/1997	62 FR 53713
DOI Employees (5 CFR Ch. XXV) Interim Final Rule Correction	04/15/1998	63 FR 18501
DOI Employees (5 CFR Ch. XXV) Interim Final Rule Correction	04/24/1998	63 FR 20447
DOI Employees (5 CFR Ch. XXV) Final Rule	06/24/1998	63 FR 34258
FTC Employees (5 CFR Ch. XLVII) Final Rule Amendments	08/12/1998	63 FR 43069
BGFRS Employees (5 CFR Ch. LVIII) Final Rule Amendments	12/08/1999	64 FR 68615
DOL Employees (5 CFR Ch. XLII) Final Rule	12/30/1999	64 FR 73852
USDA Employees (5 CFR Ch. LXXIII) Interim Final Rule	03/24/2000	65 FR 15825
USDA Employees (5 CFR Ch. LXXIII) Interim Final Rule Correction	04/20/2000	65 FR 21239
USDA Employees (5 CFR Ch. LXXIII) Final Rule	10/02/2000	65 FR 58635
Treasury Employees (5 CFR Ch. XXI) Final Rule Amendments	02/01/2001	66 FR 8505
NASA Employees (5 CFR Ch. LIX) Final Rule Amendments	11/27/2001	66 FR 59135
DOT (FAA) Employees (5 CFR Ch. L) Final Rule Amendments	12/03/2001	66 FR 60139
Treasury (OCC) Employees (5 CFR Ch. XXI) Final Rule Amendments	07/17/2002	67 FR 46840
USDA (FSA) Employees (5 CFR Ch. LXXIII) Final Rule Amendments	09/16/2002	67 FR 58319
USDA (FSA) Employees (5 CFR Ch. LXXIII) Final Rule Amendments Correction	11/04/2002	67 FR 67089
FDIC Employees (5 CFR Ch. XXII) Final Rule Amendments	11/29/2002	67 FR 71069
IMLS Employees (5 CFR Ch. LXVII) Interim Final Rule	04/14/2003	68 FR 17877
EEOC Employees (5 CFR Ch. LXII) Final Rule Amendments	09/04/2003	68 FR 52485
NEA Employees (5 CFR Ch. LV) Interim Final Rule	09/05/2003	68 FR 52681
NEH Employees (5 CFR Ch. LVI) Interim Final Rule	09/05/2003	68 FR 52682

DOD Employees (5 CFR Ch. XXVI) Final Rule Amendments	11/18/2003	68 FR 64979
HHS Employees (5 CFR Ch. XLV) Interim Final Rule Amendments(Including New Financial Disclosure Rule)	02/03/2005	70 FR 5543
SSA Employees (5 CFR Ch. LXXXI) NPRM	02/11/2005	70 FR 7192
SSA Employees (5 CFR Ch. LXXXI) NPRM, Reopening of Comment Period	05/04/2005	70 FR 23065
HHS Employees (5 CFR Ch. XLV) Interim Final Rule Amendments (Financial Disclosure Rule)	06/28/2005	70 FR 37009
HHS Employees (5 CFR Ch. XLV) Final Rule Amendments (Including Financial Disclosure Rule)	08/31/2005	70 FR 51559
HHS Employees (5 CFR Ch. XLIV) Final Rule Amendments Corrections (Financial Disclosure Rule)	10/26/2005	70 FR 61713
DOE Employees (5 CFR Ch. XXIII) Final Rule	08/21/2006	71 FR 48447
CCR Employees (5 CFR Ch. LXVIII) NPRM	08/30/2006	71 FR 51533
FDIC Employees (5 CFR Ch. XXII) Proposed Amendments	12/04/2006	71 FR 70325
FDIC Employees (5 CFR Ch. XXII) Final Rule Amendments	04/18/2007	72 FR 19375
MSPB Employees (5 CFR Ch. LXIV) Interim Final Rule	05/10/2007	72 FR 26533
Treasury (OTS) Employees (5 CFR Ch. XXI) Final Rule Amendments	08/23/2007	72 FR 48221
MSPB Employees (5 CFR Ch. LXIV) Final Rule	04/08/2008	73 FR 18944
CCR Employees (5 CFR Chap. LXVIII) Final Rule	06/13/2008	73 FR 33661
FEC Employees (5 CFR Ch. XXXVII) NPRM	05/17/2010	75 FR 27456
SIGIR Employees (5 CFR Ch. LXXXII) Interim Final Rule	06/24/2010	75 FR 35957
SEC Employees (5 CFR XXXIV) Final Rule	07/20/2010	75 FR 42270
USDA (RD) Employees (5 CFR Ch. LXXIII) Interim Final Rule Amendments	08/20/2010	75 FR 51369
FHFA Employees (5 CFR Ch. LXXX) Final Rule	08/27/2010	75 FR 52607
Ex-Im Bank Employees (5 CFR Ch. LII) Final Rule	09/15/2010	75 FR 55941
SIGIR Employees (5 CFR Ch. LXXXII) Final Rule	09/22/2010	75 FR 57657
FLRA Employees (5 CFR Ch. XLIX) Interim Final Rule	12/20/2010	75 FR 79261
FERC Employees (5 CFR Ch. XXIV) Final Rule Amendments	01/10/2011	76 FR 1335
FLRA Employees (5 CFR Ch. XLIX) Final Rule	03/18/2011	76 FR 14777
SEC Employees (5 CFR XXXIV) Final Rule Amendments	04/11/2011	76 FR 19901
CSOSA Employees (5 CFR Ch. LXX) Interim Final Rule	04/21/2011	76 FR 22293
CSOSA Employees (5 CFR Ch. LXX) Final Rule	06/21/2011	76 FR 35957
DHS Employees (5 CFR Ch. XXXVI) Proposed Rule	10/12/2011	76 FR 63206
FEC Employees (5 CFR Ch. XXXVII) Final Rule	11/14/2011	76 FR 70322
HUD Employees (5 CFR Ch. LXV) Proposed Rule	03/14/2012	77 FR 14997
HUD Employees (5 CFR Ch. LXV) Proposed Rule (Republication)	03/22/2012	77 FR 16761
SIGAR Employees (5 CFR Ch. LXXXIII) Interim Rule	04/06/2012	77 FR 20697
CFPB Employees (5 CFR Ch. LXXXIV) Interim Rule	04/27/2012	77 FR 25015
SIGAR Employees (5 CFR Ch. LXXXIII) Final Rule	06/29/2012	77 FR 38717

HUD Employees (5 CFR Ch. LXV) Final Rule	08/06/2012	77 FR 46601
NCUA Employees (5 CFR Ch. LXXXVI) Final Rule	04/17/2013	78 FR 22767
HUD Employees (5 CFR Ch. LXV) Final Rule Amendments	09/12/2013	78 FR 56127
NASA Employees (5 CFR Ch. LIX) Interim Rule Amendments	02/10/2014	79 FR 7565
DOJ Employees (5 CFR Ch. XXVIII) Final Rule Amendments	07/31/2014	79 FR 44261
NASA Employees (5 CFR Ch. LIX) Final Rule Amendments	08/20/2014	79 FR 49225
Treasury Employees (5 CFR Ch. XXI) Final Rule Amendments	11/06/2014	79 FR 65873
Treasury Employees (5 CFR Ch. XXI) Correcting Amendments	02/12/2015	80 FR 7797
DHS Employees (5 CFR Ch. XXXVI) Final Rule	02/05/2016	81 FR 6159
DOI Employees (5 CFR Ch. XXV) Direct Final Rule Amendments	11/02/2016	81 FR 76288
CFPB Employees (5 CFR Ch. LXXXIV) Proposed Rule	01/10/2017	82 FR 2921
PRC Employees (5 CFR Ch. XLVI) Proposed Rule	05/24/2017	82 FR 23758
CFPB Employees (5 CFR Ch. LXXXIV) Final Rule	08/02/2017	82 FR 35883
PRC Employees (5 CFR Ch. XLVI) Final Rule	11/01/2017	82 FR 50493
NMB Employees (5 CFR Ch. CI) Interim Rule	11/01/2018	83 FR 54861
NMB Employees (5 CFR Ch. CI) Final Rule	05/29/2019	84 FR 24701
USDA Employees (5 CFR Ch. LXXIII) Proposed Rule	11/08/2019	84 FR 60346

FOR AGENCIES PROPOSING A NEW SUPPLEMENTAL ETHICS REGULATION: SUGGESTED TEMPLATE AND EXAMPLE CHART

This chart (template on p. 1, example on p. 2) notes helpful information an agency can provide OGE when proposing a new supplemental regulation. This information can help facilitate a streamlined and productive consultation process with OGE, and can be incorporated as appropriate in the preamble discussion of the proposed regulation.

SECTION-BY-SECTION ANALYSIS OF PROPOSED SUPPLEMENTAL ETHICS REGULATION

SECTION NUMBER & TITLE	PROPOSED LANGUAGE	BRIEF EXPLANATION OF THE PROVISION, INCLUDING THE RATIONALE	REFERENCE/COMPARISON TO OTHER AGENCIES' SUPPLEMENTAL ETHICS REGULATIONS
<i>Each row should have just one section.</i>	<i>Provide the proposed regulatory language.</i>	<p><i>Provide a brief explanation of the agency's rationale for the proposed provision; this analysis/explanation will give OGE insight into the agency's thought process and needs, and will also be a helpful starting point for the preamble discussion that will accompany the ultimate language that will be proposed.</i></p> <p><i>As relevant, discuss:</i></p> <ul style="list-style-type: none"> - <i>Problems or concerns with the status quo.</i> - <i>The goals of the proposed language/what the agency seeks to accomplish through that provision.</i> - <i>Any other information to help OGE understand and contextualize the proposed provision.</i> - <i>Any potential concerns about the proposed provision, and how the agency plans to respond to/address the same.</i> 	<i>Provide information regarding how the proposed regulatory language is derived from or consistent with other agencies' supplemental regulations. To the extent that the proposed language deviates from language used by other/similar agencies, please highlight and explain the different treatment.</i>

FOR AGENCIES PROPOSING A NEW SUPPLEMENTAL ETHICS REGULATION: SUGGESTED TEMPLATE AND EXAMPLE CHART

This chart (template on p. 1, example on p. 2) notes helpful information an agency can provide OGE when proposing a new supplemental regulation. This information can help facilitate a streamlined and productive consultation process with OGE, and can be incorporated as appropriate in the preamble discussion of the proposed regulation.

SECTION-BY-SECTION ANALYSIS OF PROPOSED SUPPLEMENTAL ETHICS REGULATION

SECTION NUMBER & TITLE	PROPOSED LANGUAGE	BRIEF EXPLANATION OF THE PROVISION, INCLUDING THE RATIONALE	REFERENCE/COMPARISON TO OTHER AGENCIES' SUPPLEMENTAL ETHICS REGULATIONS
§ XXXX.102 Definitions.	[TEXT]	This section defines terms used throughout the supplemental regulations, to clarify the regulatory provisions.	<p>Many definitions cross-reference OGE’s Standards of Conduct and financial disclosure regulations.</p> <p>We used the definition of “aaaaa” from Agency Z’s supplemental regulations at § XXXX.102. We also chose to add a defined term of “bbbb,” which no other agency has done. We did this because our agency’s general understanding of the term is slightly different from the standard dictionary definition, and we wanted to be abundantly clear what that term means as used in the regulation.</p> <p>We chose to slightly modify the definition of “cccc” as used by other agencies because [explanation].</p>
§ XXXX.201 Outside Activities.	[TEXT]	<p>This section requires an employee to obtain written approval prior to engaging in certain outside employment and activities. The prior approval requirement is necessary to ensure that an employee's participation in certain outside employment or activities does not adversely affect agency operations or place the employee at risk of violating applicable federal conduct statutes and regulations.</p> <p>In addition, prior approval is necessary to avoid the appearance that an outside employment or activity was obtained through a misuse of the employee's official position and to address a number of other ethics concerns.</p>	<p>We used language from Agency Z’s regulations at § XXXX.301. Unlike Agency Z, we did not include a description of the procedure for requesting approval. We plan to describe this procedure in internal guidance documents, which will provide us greater flexibility in the event we wish to change the procedure in the future.</p>

FOR AGENCIES PROPOSING TO REVISE AN EXISTING SUPPLEMENTAL: SUGGESTED TEMPLATE AND EXAMPLE CHART

This chart (template on p. 1, example on p. 2) notes helpful information an agency can provide OGE when proposing to revise an existing supplemental regulation. This information can help facilitate a streamlined and productive consultation process with OGE, and can be incorporated as appropriate in the preamble discussion of the proposed regulatory revision.

SIDE-BY-SIDE COMPARISON OF CURRENT & PROPOSED SUPPLEMENTAL ETHICS REGULATIONS

CURRENT LANGUAGE	PROPOSED LANGUAGE	RATIONALE (INCLUDING REFERENCE TO OTHER AGENCIES' SUPPLEMENTAL ETHICS REGULATIONS, AS APPLICABLE)
<p><i>For any section for which revision is contemplated, provide the current regulatory language.</i></p> <p><i>Each row should have just one section/paragraph.</i></p>	<p><i>Provide the proposed regulatory language for any section for which revision is contemplated.</i></p> <p><i>It is generally most useful to show the proposed revisions using "Track Changes" or in redline format.</i></p>	<p><i>Provide the rationale for the proposed change(s). As relevant, discuss:</i></p> <ul style="list-style-type: none"> - <i>Problems or concerns with the current regulatory language.</i> - <i>Facts that have changed since the time the current language was developed, which prompted the need for revision.</i> - <i>Other factors that have prompted the interest in revising the current regulatory language.</i> - <i>The goals of the proposed revisions/what the agency seeks to accomplish by the revisions.</i> - <i>The way in which the proposed regulatory language is consistent with (or departs from) language used by other agencies in their supplemental regulations and/or OGE in its regulations.</i> - <i>Any other information to help OGE understand and contextualize the proposed revision.</i> - <i>Any potential concerns about the proposed revision, and how the agency plans to respond to/address the same.</i>

FOR AGENCIES PROPOSING TO REVISE AN EXISTING SUPPLEMENTAL: SUGGESTED TEMPLATE AND EXAMPLE CHART

This chart (template on p. 1, example on p. 2) notes helpful information an agency can provide OGE when proposing to revise an existing supplemental regulation. This information can help facilitate a streamlined and productive consultation process with OGE, and can be incorporated as appropriate in the preamble discussion of the proposed regulatory revision.

SIDE-BY-SIDE COMPARISON OF CURRENT & PROPOSED SUPPLEMENTAL ETHICS REGULATIONS

CURRENT LANGUAGE	PROPOSED LANGUAGE	RATIONALE (INCLUDING REFERENCE TO OTHER AGENCIES' SUPPLEMENTAL ETHICS REGULATIONS, AS APPLICABLE)
<p>§ XXXX.102 Definitions.</p> <p>For purposes of this part:</p> <p><u>AAA</u> means aaaaaa</p> <p><u>BBB</u> means bbbbbb</p> <p><u>CCC</u> means ccccc</p> <p><u>DDD</u> means dddddd</p>	<p>§ XXXX.102 Definitions.</p> <p>For purposes of this part:</p> <p><u>AAA</u> means aaaaaa</p> <p><u>BBB</u> means bbbbbb</p> <p><u>CCC</u> means eeeee <u>zzzzzz</u></p> <p><u>DDD</u> means dddddd. <u>For purposes of this part, the term “DDD” also means xxxxxxx.</u></p> <p><u>EEE</u> means eeeee</p> <p><u>FFF</u> means fffff</p>	<p>We are proposing to change the definition of CCC to be more consistent with the meaning of CCC as used by OGE and other agencies in their supplemental regulations.</p> <p>Regarding DDD, given recent changes to [statute relevant to agency mission], we are including a clarifying statement that for purposes of this part, the term DDD also means xxxxxx. This change will provide clarity to the term and avoid inconsistent application of [relevant rules, etc.].</p> <p>We are adding definitions for the terms EEE and FFF because in our experience, agency employees have difficulty understanding these terms, and the ethics office has received multiple inquiries as to their meaning. For the ease of administration and enforcement, we adopt the definition used by [agency with a similar mission]. Although the definitions are slightly broader than [other agency’s] definition, on balance, we believe that it offers a brighter line that will be easier for agency employees to understand, and [discussion of why downside is minimal/mitigated/etc.].</p>
<p>§ XXXX.301 Prohibited Financial Interests.</p> <p>Except as provided in this section, no employee of [Agency]</p>	<p>§ XXXX.301 Prohibited Financial Interests.</p> <p>Except as provided in this section, no employee of [Agency] may own, directly or indirectly, the following property:</p>	<p>We are proposing to delete [property type 2] from the list of prohibited financial interests, and add [property type 3] and [property type 4]. When [Agency]’s supplemental was first promulgated, [property type 2] was considered to be a conflicting interest because [rationale]. Since that time, however, the work of the agency in [old area] has shifted, such that assets of [property type 2] are no longer inherently problematic.</p>

FOR AGENCIES PROPOSING TO REVISE AN EXISTING SUPPLEMENTAL: SUGGESTED TEMPLATE AND EXAMPLE CHART

This chart (template on p. 1, example on p. 2) notes helpful information an agency can provide OGE when proposing to revise an existing supplemental regulation. This information can help facilitate a streamlined and productive consultation process with OGE, and can be incorporated as appropriate in the preamble discussion of the proposed regulatory revision.

SIDE-BY-SIDE COMPARISON OF CURRENT & PROPOSED SUPPLEMENTAL ETHICS REGULATIONS

CURRENT LANGUAGE	PROPOSED LANGUAGE	RATIONALE (INCLUDING REFERENCE TO OTHER AGENCIES' SUPPLEMENTAL ETHICS REGULATIONS, AS APPLICABLE)
<p>may own, directly or indirectly, the following property:</p> <ul style="list-style-type: none"> - [property type 1] - [property type 2] 	<ul style="list-style-type: none"> - [property type 1] - [property type 2] - [property type 3] - [property type 4] 	<p>By contrast, following the passage of [legislation relating to agency mission], [Agency] now engages in core mission functions in [new area], making assets of [property type 3] problematic. Additionally, since [Agency]'s supplemental regulation was first adopted, it has been ethics officials' experience that [property type 4] tends to be problematic for [Agency] employees, and cause reasonable persons to question the objectivity and impartiality with which [Agency] programs are administered. [Additional rationale.] This proposed prohibition is also consistent with restrictions upon employees of [similar agencies].</p>