



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

November 22, 1993
DO-93-033

MEMORANDUM

TO: Designated Agency Ethics Officials

FROM: Stephen D. Potts, Director

SUBJECT: Agency Supplemental Standards Regulations

Attached is a list of the 44 agencies that have advised the Office of Government Ethics (OGE) that they intend to issue supplemental agency regulations under 5 C.F.R. § 2635.105 (as well as § 2634.103 in certain cases). The list indicates the chapter of title 5 of the Code of Federal Regulations that has been reserved for each agency's supplemental. As indicated by the Federal Register citations, seven agency ethical conduct standards supplementals have been published. We are in the process of discussions concerning drafts that have been submitted by 18 other agencies and have yet to receive an initial draft from 19 of the agencies listed.

Most of the drafts we have received contain provisions that would prohibit the holding of certain financial interests or require prior approval for outside employment. Many will continue prohibitions or requirements that have been "grandfathered" through February 3, 1994, by the notes following 5 C.F.R. §§ 2635.403(a) and 2635.803.

To ensure that grandfathered provisions of agency standards of conduct regulations do not lapse before agencies that wish to do so have had an opportunity to incorporate them into supplemental regulations, OGE is willing, by rulemaking action, to grandfather for an additional year the provisions preserved by the notes following sections 2635.403(a) and 2635.803. We intend to do so, however, only for those agencies that have been assigned chapters in title 5 of the C.F.R. for their agency supplementals. If your agency intends to issue a supplemental but is not listed on the attachment, you should notify OGE before December 31, 1993, if you would like the benefit of such an extension. You may do so simply by contacting Bill Gressman on 202-523-5757, extension 1110. If your agency is one of those listed which has not yet issued an interim or final rule, and if you do not wish to have financial interest prohibitions or prior approval requirements in your agency standards of conduct regulations grandfathered for an additional year, please provide written notification to OGE to that effect by December 31.

We encourage those drafting agency standards supplementals to rely for purposes of format on the Interstate Commerce Commission's supplemental at 58 Fed. Reg. 41989-41991 (Aug. 6, 1993) or, in the case of more extensive regulations, on the Department of the Treasury's

proposed supplemental at 58 Fed. Reg. 41193-41203 (Aug. 3, 1993). Please do not hesitate to contact Leslie Wilcox on 202-523-5757, extension 1106 for additional drafting assistance.

Attachment

(TEBBS Note: Attachment reformatted for bulletin board)

5 C.F.R. SUPPLEMENTAL AGENCY ETHICS REGULATIONS:
CHAPTER & PART # ASSIGNMENTS AND STATUS

AGENCY CHAPTER NO. PARTS SUPP. STANDARDS PUBLISHED FED.REG./TYPE

1. Treasury XXI (21) 3100-3199 58 FR 41193-41203 (8/3/93) Proposed
2. FDIC XXII (22) 3200-3299
3. DOE XXIII (23) 3300-3399
4. FERC XXIV (24) 3400-3499
5. Interior XXV (25) 3500-3599
6. DOD XXVI (26) 3600-3699 58 FR 47619-47624 (9/10/93) Interim
7. Commerce XXVII (27) 3700-3799
8. Justice XXVIII (28) 3800-3899
9. FCC XXIX (29) 3900-3999
10. VA XXX (30) 4000-4099
11. FCA XXXI (31) 4100-4199
12. ACTION XXXII (32) 4200-4299
13. OPIC XXXIII (33) 4300-4399 58 FR 33319-33320 (6/17/93) Interim
14. SEC XXXIV (34) 4400-4499
15. OPM XXXV (35) 4500-4599
16. TDPOB XXXVI (36) 4600-4699
17. USIA XXXVII (37) 4700-4799
18. OSHRC XXXVIII (38) 4800-4899
19. State XXXIX (39) 4900-4999
20. ICC XL (40) 5000-5099 58 FR 41989-41991 (8/6/93) Final
21. CFTC XLI (41) 5100-5199 58 FR 52637-52639 (10/12/93) Final
22. DOL XLII (42) 5200-5299
23. NSF XLIII (43) 5300-5399
24. SBA XLIV (44) 5400-5499
25. HHS XLV (45) 5500-5599
26. PRC XLVI (46) 5600-5699 58 FR 42839-42841 (8/12/93) Interim
27. FTC XLVII (47) 5700-5799 58 FR 30695-30696 (5/27/93) Interim
28. NRC XLVIII (48) 5800-5899

29. FLRA XLIX (49) 5900-5999
30. DOT L (50) 6000-6099
31. PBGC LI (51) 6100-6199
32. Eximbank LII (52) 6200-6299 33. Education LIII (53) 6300-6399
34. EPA LIV (54) 6400-6499
35. CPPBSD LV (55) 6500-6599
36. NTSB LVI (56) 6600-6699
37. GSA LVII (57) 6700-6799
38. BGFRS LVIII (58) 6800-6899
39. NASA LXIX (59) 6900-6099
40. USPS LX (60) 7000-7099
41. NLRB LXI (61) 7100-7199
42. EEOC LXII (62) 7200-7299
43. IAF LXIII (63) 7300-7399
44. RTC LXIV (64) 7400-7499