

OFFICE OF GOVERNMENT ETHICS

AGENCY: Office of Government Ethics

5 CFR Part 2636

**Regulation Requiring Confidential Reporting of
Payments to Charitable Organizations in Lieu of
Honoraria; Additional Deferral of Effective Date**

RIN 3209-AA13

57 FR 5369

Friday, February 14, 1992

ACTION: Additional deferral of effective date of interim rule provision.

SUMMARY: The Office of Government Ethics (OGE) is again further deferring the effective date of its interim rule provision for the executive branch on confidential reporting of payments to charities in lieu of honoraria (see 56 FR 1727-1728, 21589 and 51319). The rule provision, 5 CFR 2636.205, will now become effective once OGE obtains approval for the future implementing report form from the Office of Management and Budget (OMB) under Paperwork Reduction Act, as well as standard form approval for it from the General Services Administration (GSA).

EFFECTIVE DATE: Effective February 14, 1992, the effective date of 5 CFR 2636.205 is further deferred until the form to actually collect the information required under that section is approved by OMB. When that approval is received (as well as standard form approval from GSA), the Office of Government Ethics will publish a document in the **Federal Register** announcing the effective date

of 5 CFR 2636.205.

ADDRESSES: Any comments or questions should be sent to William E. Gressman, Office of Government Ethics, suite 500, 1201 New York Avenue NW., Washington, DC 20005-3917.

FOR FURTHER INFORMATION CONTACT: Mr. Gressman, OGE, at the address above, telephone (202/FTS) 523-5757, FAX (202/FTS) 523-6325.

SUPPLEMENTARY INFORMATION: The Office of Government Ethics published 5 CFR 2636.205, the confidential reporting provision for payments to charitable organizations in lieu of honoraria, as an interim rule in the Federal Register on January 17, 1991 and initially provided for an effective date for it of May 15, 1991. The remainder of that interim regulation, 5 CFR part 2636, entitled "Limitations on Outside Employment and Prohibition of Honoraria; Confidential Reporting of Payments to Charities in Lieu of Honoraria," was effective January 1, 1991 (see 56 FR 1721-1730) and continues in effect (as revised effective January 1, 1992 at 56 FR 601-602 (Jan. 8, 1992)). On May 10, 1991 and October 11, 1991, OGE deferred the effective date of section 2636.205 until October 15, 1991 and February 18, 1992 respectively (see 56 FR 21589 and 51319), in order to allow more time to adopt a new reporting form. As noted below, OGE now needs still more time to complete that process.

The Office of Government Ethics continues to work on a draft confidential standard reporting form to collect from covered executive branch officials the information specified in 5 CFR 2636.205 and the underlying section of the Ethics in Government Act of 1978 as amended, 5 U.S.C. appendix, 102(a)(1)(A). Because the new form will collect information from some members of the public (terminees who file after leaving the Government) as well as current Federal employees, it must be submitted to the Office of Management and Budget for review and approval under the Paperwork Reduction Act of 1980 as amended, 44 U.S.C. chapter 35 (the section 2636.205 regulation itself was approved thereunder by OMB on April 10, 1991). In addition, since the form will be a standard form, OGE will also submit it to the General Services Administration for its review and approval in accordance with standard form clearance procedures.

The Office of Government Ethics needs additional time to finally finish preparing the new reporting form, to submit it to OMB and GSA for approval, and to allow for an appropriate public comment period before final issuance of the form.

Therefore, OGE has determined to further defer the effective date of the 5 CFR 2636.205 reporting regulation until the necessary OMB and GSA approvals are obtained for the implementing form.

Approved: February 10, 1992.

Stephen D. Potts,
Director, Office of Government Ethics.