

ance of the relevant ethics rules applicable to Federal judges, including the Code of Conduct for United States Judges, as necessary to clarify that no judicial officer may use nonpublic information derived from such person's position as a judicial officer or gained from the performance of such person's official responsibilities as a means for making a private profit.

“(3) JUDICIAL EMPLOYEES.—The Judicial Conference of the United States shall issue such interpretive guidance of the relevant ethics rules applicable to judicial employees as necessary to clarify that no judicial employee may use nonpublic information derived from such person's position as a judicial employee or gained from the performance of such person's official responsibilities as a means for making a private profit.”

TITLE I—FINANCIAL DISCLOSURE REQUIREMENTS OF FEDERAL PERSONNEL

CODIFICATION

Title I of Pub. L. 95-521 was classified to chapter 18 (§701 et seq.) of Title 2, The Congress, prior to general amendment of title I by Pub. L. 101-194, title II, §202, Nov. 30, 1989, 103 Stat. 1724.

§ 101. Persons required to file

(a) Within thirty days of assuming the position of an officer or employee described in subsection (f), an individual shall file a report containing the information described in section 102(b) unless the individual has left another position described in subsection (f) within thirty days prior to assuming such new position or has already filed a report under this title with respect to nomination for the new position or as a candidate for the position.

(b)(1) Within five days of the transmittal by the President to the Senate of the nomination of an individual (other than an individual nominated for appointment to a position as a Foreign Service Officer or a grade or rank in the uniformed services for which the pay grade prescribed by section 201 of title 37, United States Code, is O-6 or below) to a position, appointment to which requires the advice and consent of the Senate, such individual shall file a report containing the information described in section 102(b). Such individual shall, not later than the date of the first hearing to consider the nomination of such individual, make current the report filed pursuant to this paragraph by filing the information required by section 102(a)(1)(A) with respect to income and honoraria received as of the date which occurs five days before the date of such hearing. Nothing in this Act shall prevent any Congressional committee from requesting, as a condition of confirmation, any additional financial information from any Presidential nominee whose nomination has been referred to that committee.

(2) An individual whom the President or the President-elect has publicly announced he intends to nominate to a position may file the report required by paragraph (1) at any time after that public announcement, but not later than is required under the first sentence of such paragraph.

(c) Within thirty days of becoming a candidate as defined in section 301 of the Federal Campaign Act of 1971, in a calendar year for nomination or election to the office of President, Vice President, or Member of Congress, or on or before May 15 of that calendar year, whichever is

later, but in no event later than 30 days before the election, and on or before May 15 of each successive year an individual continues to be a candidate, an individual other than an incumbent President, Vice President, or Member of Congress shall file a report containing the information described in section 102(b). Notwithstanding the preceding sentence, in any calendar year in which an individual continues to be a candidate for any office but all elections for such office relating to such candidacy were held in prior calendar years, such individual need not file a report unless he becomes a candidate for another vacancy in that office or another office during that year.

(d) Any individual who is an officer or employee described in subsection (f) during any calendar year and performs the duties of his position or office for a period in excess of sixty days in that calendar year shall file on or before May 15 of the succeeding year a report containing the information described in section 102(a).

(e) Any individual who occupies a position described in subsection (f) shall, on or before the thirtieth day after termination of employment in such position, file a report containing the information described in section 102(a) covering the preceding calendar year if the report required by subsection (d) has not been filed and covering the portion of the calendar year in which such termination occurs up to the date the individual left such office or position, unless such individual has accepted employment in another position described in subsection (f).

(f) The officers and employees referred to in subsections (a), (d), and (e) are—

(1) the President;

(2) the Vice President;

(3) each officer or employee in the executive branch, including a special Government employee as defined in section 202 of title 18, United States Code, who occupies a position classified above GS-15 of the General Schedule or, in the case of positions not under the General Schedule, for which the rate of basic pay is equal to or greater than 120 percent of the minimum rate of basic pay payable for GS-15 of the General Schedule; each member of a uniformed service whose pay grade is at or in excess of O-7 under section 201 of title 37, United States Code; and each officer or employee in any other position determined by the Director of the Office of Government Ethics to be of equal classification;

(4) each employee appointed pursuant to section 3105 of title 5, United States Code;

(5) any employee not described in paragraph (3) who is in a position in the executive branch which is excepted from the competitive service by reason of being of a confidential or policymaking character, except that the Director of the Office of Government Ethics may, by regulation, exclude from the application of this paragraph any individual, or group of individuals, who are in such positions, but only in cases in which the Director determines such exclusion would not affect adversely the integrity of the Government or the public's confidence in the integrity of the Government;

(6) the Postmaster General, the Deputy Postmaster General, each Governor of the

Board of Governors of the United States Postal Service and each officer or employee of the United States Postal Service or Postal Regulatory Commission who occupies a position for which the rate of basic pay is equal to or greater than 120 percent of the minimum rate of basic pay payable for GS-15 of the General Schedule;

(7) the Director of the Office of Government Ethics and each designated agency ethics official;

(8) any civilian employee not described in paragraph (3), employed in the Executive Office of the President (other than a special government¹ employee) who holds a commission of appointment from the President;

(9) a Member of Congress as defined under section 109(12);

(10) an officer or employee of the Congress as defined under section 109(13);

(11) a judicial officer as defined under section 109(10); and

(12) a judicial employee as defined under section 109(8).

(g)(1) Reasonable extensions of time for filing any report may be granted under procedures prescribed by the supervising ethics office for each branch, but the total of such extensions shall not exceed ninety days.

(2)(A) In the case of an individual who is serving in the Armed Forces, or serving in support of the Armed Forces, in an area while that area is designated by the President by Executive order as a combat zone for purposes of section 112 of the Internal Revenue Code of 1986, the date for the filing of any report shall be extended so that the date is 180 days after the later of—

(i) the last day of the individual's service in such area during such designated period; or

(ii) the last day of the individual's hospitalization as a result of injury received or disease contracted while serving in such area.

(B) The Office of Government Ethics, in consultation with the Secretary of Defense, may prescribe procedures under this paragraph.

(h) The provisions of subsections (a), (b), and (e) shall not apply to an individual who, as determined by the designated agency ethics official or Secretary concerned (or in the case of a Presidential appointee under subsection (b), the Director of the Office of Government Ethics), the congressional ethics committees, or the Judicial Conference, is not reasonably expected to perform the duties of his office or position for more than sixty days in a calendar year, except that if such individual performs the duties of his office or position for more than sixty days in a calendar year—

(1) the report required by subsections (a) and (b) shall be filed within fifteen days of the sixtieth day, and

(2) the report required by subsection (e) shall be filed as provided in such subsection.

(i) The supervising ethics office for each branch may grant a publicly available request for a waiver of any reporting requirement under this section for an individual who is expected to perform or has performed the duties of his office

or position less than one hundred and thirty days in a calendar year, but only if the supervising ethics office determines that—

(1) such individual is not a full-time employee of the Government,

(2) such individual is able to provide services specially needed by the Government,

(3) it is unlikely that the individual's outside employment or financial interests will create a conflict of interest, and

(4) public financial disclosure by such individual is not necessary in the circumstances.

(Pub. L. 95-521, title I, §101, Oct. 26, 1978, 92 Stat. 1824; Pub. L. 96-19, §§2(a)(1), (b), (c)(1), 4(b)(1), (d)-(f), 5, June 13, 1979, 93 Stat. 37, 38, 40; Pub. L. 101-194, title II, §202, Nov. 30, 1989, 103 Stat. 1725; Pub. L. 101-280, §3(1), (2), May 4, 1990, 104 Stat. 152; Pub. L. 102-25, title VI, §605(a), Apr. 6, 1991, 105 Stat. 110; Pub. L. 102-378, §4(a)(1), Oct. 2, 1992, 106 Stat. 1356; Pub. L. 109-435, title VI, §604(c), Dec. 20, 2006, 120 Stat. 3241.)

REFERENCES IN TEXT

This Act, referred to in subsec. (b)(1), is Pub. L. 95-521, Oct. 26, 1978, 92 Stat. 1824, as amended, known as the Ethics in Government Act of 1978. For complete classification of this Act to the Code, see Short Title note set out below and Tables.

Section 301 of the Federal Campaign Act of 1971, referred to in subsec. (c), probably means section 301 of the Federal Election Campaign Act of 1971, Pub. L. 92-225, which is classified to section 431 of Title 2, The Congress.

The General Schedule, referred to in subsec. (f)(3), (6), is set out under section 5332 of this title.

Section 112 of the Internal Revenue Code of 1986, referred to in subsec. (g)(2), is classified to section 112 of Title 26, Internal Revenue Code.

CODIFICATION

Section was formerly classified to section 701 of Title 2, The Congress.

AMENDMENTS

2006—Subsec. (f)(6). Pub. L. 109-435 substituted "Postal Regulatory Commission" for "Postal Rate Commission".

1992—Subsec. (f)(3). Pub. L. 102-378, §4(a)(1)(A), substituted "who occupies a position classified above GS-15 of the General Schedule or, in the case of positions not under the General Schedule, for which the rate of basic pay is equal to or greater than 120 percent of the minimum rate of basic pay payable for GS-15 of the General Schedule" for "whose position is classified at GS-16 or above of the General Schedule prescribed by section 5332 of title 5, United States Code, or the rate of basic pay for which is fixed (other than under the General Schedule) at a rate equal to or greater than the minimum rate of basic pay fixed for GS-16".

Subsec. (f)(6). Pub. L. 102-378, §4(a)(1)(B), substituted "who occupies a position for which the rate of basic pay is equal to or greater than 120 percent of the minimum rate of basic pay payable for GS-15 of the General Schedule" for "whose basic rate of pay is equal to or greater than the minimum rate of basic pay fixed for GS-16".

1991—Subsec. (g). Pub. L. 102-25 designated existing provisions as par. (1) and added par. (2).

1990—Subsec. (e). Pub. L. 101-280, §3(2), struck out "the later of May 15 or" after "shall, on or before".

Subsec. (h). Pub. L. 101-280, §3(1), struck out "of the United States" after "Judicial Conference".

1989—Pub. L. 101-194 substituted "Persons required to file" for "Legislative personnel financial disclosure" as section catchline and amended text generally, substituting subsections (a) to (i) relating to filing of finan-

¹ So in original. Probably should be capitalized.

cial disclosure reports by Federal personnel for former subsecs. (a) to (h) relating to filing of financial disclosure reports by legislative personnel.

1979—Subsec. (b). Pub. L. 96-19, §§2(b), 4(d), (e), designated existing provisions as par. (1), substituted “described in subsection (e)” for “designated in subsection (e)” and “information described in section 102(a) if such individual is or will be such an officer or employee on such May 15” for “information as described in section 102(a)”, and added par. (2).

Subsec. (c). Pub. L. 96-19, §§2(a)(1), 4(d), (f), inserted provisions relating to an individual who is not reasonably expected to perform the duties of his office or position for more than sixty days in a calendar year and substituted “described” for “designated” and “, other than an individual who was employed in the legislative branch immediately before he assumed such position.” for “other than an individual employed in the legislative branch upon assuming such position”.

Subsec. (d). Pub. L. 96-19, §5, inserted provision that in any calendar year in which an individual continues to be a candidate for any office but all elections for such office relating to that candidacy were held in prior calendar years, that individual need not file a report unless he becomes a candidate for another vacancy in that office or another office during that year.

Subsec. (e). Pub. L. 96-19, §4(b)(1), inserted reference to the National Commission on Air Quality.

Subsec. (h). Pub. L. 96-19, §2(c)(1), added subsec. (h).

EFFECTIVE DATE OF 1991 AMENDMENT

Pub. L. 102-25, title VI, §605(b), Apr. 6, 1991, 105 Stat. 110, provided that: “The amendments made by subsection (a) [amending this section] shall apply with respect to reports required to be filed after January 17, 1991.”

EFFECTIVE DATE OF 1990 AMENDMENT

Pub. L. 101-280, §11, May 4, 1990, 104 Stat. 163, provided that: “Except as otherwise provided in this joint resolution, this Act and the amendments made by this joint resolution [amending sections 101 to 106, 109 to 111, former section 202, and sections 501 to 503 of Pub. L. 95-521, set out in this Appendix, sections 3393, 7351, 7353, and 7701 of this title, sections 31-1, 31-2, and 441 of Title 2, The Congress, sections 1601 and 2397a of Title 10, Armed Forces, sections 202, 203, 205, 207, 208, and 216 of Title 18, Crimes and Criminal Procedure, section 3945 of Title 22, Foreign Relations and Intercourse, section 1043 of Title 26, Internal Revenue Code, and sections 1353 and 3730 of Title 31, Money and Finance, renumbering section 1352 of Title 31 as section 1353, repealing section 112 of Pub. L. 95-521, set out in this Appendix, enacting provisions set out as notes under sections 101 and 105 of Pub. L. 95-521, set out in this Appendix, section 2397a of Title 10, and section 1043 of Title 26, and amending provisions set out as notes under section 207 and 208 of Title 18 and section 1344 of Title 31] take effect on the date of the enactment of this joint resolution [May 4, 1990].”

EFFECTIVE DATE OF 1989 AMENDMENT

Pub. L. 101-194, title II, §204, as added by Pub. L. 101-280, §3(10)(B), May 4, 1990, 104 Stat. 157, provided that: “The amendments made by this title [enacting sections 110 to 112 of Pub. L. 95-521, set out in this Appendix amending sections 101 to 109 of Pub. L. 95-521, set out in this Appendix, but formerly classified to sections 701 to 709 of Title 2, The Congress] and the repeal made by section 201 [repealing sections 201 to 212 of Pub. L. 95-521, formerly set out under the heading Executive Personnel Financial Disclosure Requirements in this Appendix, and sections 301 to 309 of Pub. L. 95-521, formerly set out under the heading Judicial Personnel Financial Disclosure Requirements in the Appendix to Title 28, Judiciary and Judicial Procedure] shall take effect on January 1, 1991, except that the provisions of section 102(f)(4)(B) of the Ethics in Government Act of 1978 [section 102(f)(4)(B) of Pub. L.

95-521, set out in this Appendix], as amended by this title, shall be effective as of January 1, 1990.”

Pub. L. 101-280, §3(10)(C), (D), May 4, 1990, 104 Stat. 157, provided that:

“(C) The provisions of titles I [formerly classified to section 701 et seq. of Title 2, The Congress], II [formerly set out under the heading Executive Personnel Financial Disclosure Requirements in this Appendix], and III [formerly set out under the heading Judicial Personnel Financial Disclosure Requirements in the Appendix to Title 28, Judiciary and Judicial Procedure] of the Ethics in Government Act of 1978 [Pub. L. 95-521], as in effect on the day before the date of the enactment of the Ethics Reform Act of 1989 [Nov. 30, 1989], shall be effective for the period beginning on November 30, 1989, and ending on January 1, 1991, as if the Ethics Reform Act of 1989 [Pub. L. 101-194] had not been enacted, except that the provisions of section 202(f)(4)(B) of the Ethics in Government Act of 1978 [section 202(f)(4)(B) of Pub. L. 95-521] shall be repealed as of January 1, 1990.

“(D) Nothing in title II of the Ethics Reform Act of 1989 or the amendments made by such title [title II of Pub. L. 101-194, amending title I of Pub. L. 95-521, set out in this Appendix, but formerly classified to sections 701 to 709 of Title 2, and repealing title II of Pub. L. 95-521, formerly set out in this Appendix, and title III of Pub. L. 95-521, formerly set out in the Appendix to Title 28] shall be construed to prevent the prosecution of civil actions against individuals for violations of the Ethics in Government Act of 1978 [Pub. L. 95-521] before January 1, 1991.”

SHORT TITLE OF 2012 AMENDMENT

Pub. L. 112-105, §1, Apr. 4, 2012, 126 Stat. 291, provided that: “This Act [enacting section 4518a of Title 12, Banks and Banking, amending sections 102, 103, and 105 of Pub. L. 95-521, set out in this Appendix, section 104e of Title 2, The Congress, sections 8332 and 8411, of Title 5, Government Organization and Employees, section 6c of Title 7, Agriculture, section 78u-1 of Title 15, Commerce and Trade, and section 227 of Title 18, Crimes and Criminal Procedure, and enacting provisions set out as notes preceding section 101 of Pub. L. 95-521 and under sections 101 to 103 and 105 of Pub. L. 95-521, set out in this Appendix, section 104e of Title 2, and sections 78j and 78u-1 of Title 15] may be cited as the ‘Stop Trading on Congressional Knowledge Act of 2012’ or the ‘STOCK Act’.”

SHORT TITLE OF 2007 AMENDMENT

Pub. L. 110-24, §1, May 3, 2007, 121 Stat. 100, provided that: “This Act [amending section 105 of Pub. L. 95-521 set out in this Appendix] may be cited as the ‘Judicial Disclosure Responsibility Act’.”

SHORT TITLE OF 2002 AMENDMENT

Pub. L. 107-119, §1, Jan. 15, 2002, 115 Stat. 2382, provided that: “This Act [amending section 405 of Pub. L. 95-521, set out in this Appendix] may be cited as the ‘Office of Government Ethics Authorization Act of 2001’.”

SHORT TITLE OF 1996 AMENDMENT

Pub. L. 104-179, §1, Aug. 6, 1996, 110 Stat. 1566, provided that: “This Act [amending sections 401, 403, 405, and 408 of Pub. L. 95-521, set out in this Appendix, section 1822 of Title 12, Banks and Banking, and section 207 of Title 18, Crimes and Criminal Procedure, and repealing provisions set out as a note under section 7301 of this title] may be cited as the ‘Office of Government Ethics Authorization Act of 1996’.”

SHORT TITLE OF 1992 AMENDMENT

Pub. L. 102-506, §1, Oct. 24, 1992, 106 Stat. 3280, provided that: “This Act [amending section 405 of Pub. L. 95-521 set out in this Appendix] may be cited as the ‘Office of Government Ethics Amendment of 1992’.”

SHORT TITLE OF 1990 AMENDMENT

Pub. L. 101-334, §1, July 16, 1990, 104 Stat. 318, provided that: “This Act [amending section 405 of Pub. L.

95-521 set out in this Appendix] may be cited as the 'Ethics in Government Act Amendment of 1990'."

SHORT TITLE OF 1989 AMENDMENT

Pub. L. 101-194, §1, Nov. 30, 1989, 103 Stat. 1716, provided that: "This Act [see Tables for classification] may be cited as the 'Ethics Reform Act of 1989'."

SHORT TITLE

Pub. L. 95-521, §1, Oct. 26, 1978, 92 Stat. 1824, provided: "That this Act [enacting provisions set out in this Appendix, sections 118a, 288 to 288m of Title 2, The Congress, sections 49, 528, 529, 591 to 598, 1364 of Title 28, Judiciary and Judicial Procedure, amending section 5316 of Title 5, Government Organization and Employees, section 207 of Title 18, Crimes and Criminal Procedure, and sections 3210, 3216, and 3219 of Title 39, Postal Service, and enacting provisions set out as notes under section 288 of Title 2, section 207 of Title 18, and section 591 of Title 28] may be cited as the 'Ethics in Government Act of 1978'."

RULE OF CONSTRUCTION

Pub. L. 112-105, §10, Apr. 4, 2012, 126 Stat. 298, provided that: "Nothing in this Act [see Short Title of 2012 Amendment note set out above], the amendments made by this Act, or the interpretive guidance to be issued pursuant to sections 3 and 9[(a)] of this Act [set out as notes preceding this section], shall be construed to—

"(1) impair or limit the construction of the anti-fraud provisions of the securities laws or the Commodity Exchange Act [7 U.S.C. 1 et seq.] or the authority of the Securities and Exchange Commission or the Commodity Futures Trading Commission under those provisions;

"(2) be in derogation of the obligations, duties, and functions of a Member of Congress, an employee of Congress, an executive branch employee, a judicial officer, or a judicial employee, arising from such person's official position; or

"(3) be in derogation of existing laws, regulations, or ethical obligations governing Members of Congress, employees of Congress, executive branch employees, judicial officers, or judicial employees."

POST-EMPLOYMENT NEGOTIATION RESTRICTIONS

Pub. L. 112-105, §17, Apr. 4, 2012, 126 Stat. 303, provided that:

"(a) RESTRICTION EXTENDED TO EXECUTIVE AND JUDICIAL BRANCHES.—Notwithstanding any other provision of law, an individual required to file a financial disclosure report under section 101 of the Ethics in Government Act of 1978 (5 U.S.C. App. 101) may not directly negotiate or have any agreement of future employment or compensation unless such individual, within 3 business days after the commencement of such negotiation or agreement of future employment or compensation, files with the individual's supervising ethics office a statement, signed by such individual, regarding such negotiations or agreement, including the name of the private entity or entities involved in such negotiations or agreement, and the date such negotiations or agreement commenced.

"(b) RECUSAL.—An individual filing a statement under subsection (a) shall recuse himself or herself whenever there is a conflict of interest, or appearance of a conflict of interest, for such individual with respect to the subject matter of the statement, and shall notify the individual's supervising ethics office of such recusal. An individual making such recusal shall, upon such recusal, submit to the supervising ethics office the statement under subsection (a) with respect to which the recusal was made."

RULEMAKING POWER OF CONGRESS

Pub. L. 102-90, title III, §314(f), Aug. 14, 1991, 105 Stat. 470, provided that: "The provisions of this section [amending sections 102 and 505 of Pub. L. 95-521, set out in this Appendix, section 31-2 of Title 2, The Congress,

and section 7701 of Title 26, Internal Revenue Code, and enacting provisions set out as a note under section 31-2 of Title 2] that are applicable to Members, officers, or employees of the legislative branch are enacted by the Congress—

"(1) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and as such they shall be considered as part of the rules of each House, respectively, or of that House to which they specifically apply, and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

"(2) with full recognition of the constitutional right of either House to change such rules (so far as relating to such House) at any time, in the same manner, and to the same extent as in the case of any other rule of such House."

Section 1001 of Pub. L. 101-194 provided that: "The provisions of this Act [see Short Title of 1989 Amendment note above] that are applicable to Members, officers, or employees of the legislative branch are enacted by the Congress—

"(1) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and as such they shall be considered as part of the rules of each House, respectively, or of that House to which they specifically apply, and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

"(2) with full recognition of the constitutional right of either House to change such rules (so far as relating to such House) at any time, in the same manner, and to the same extent as in the case of any other rule of such House."

DECLARATION OF PURPOSE OF 1990 AMENDMENTS

Pub. L. 101-280, §1, May 4, 1990, 104 Stat. 149, provided that: "It is the purpose of this joint resolution to make technical corrections in the Ethics Reform Act of 1989 [Pub. L. 101-194, see Tables for classification]."

DEFINITIONS

Pub. L. 112-105, §2, Apr. 4, 2012, 126 Stat. 291, provided that: "In this Act [see Short Title of 2012 Amendment note set out above]:

"(1) MEMBER OF CONGRESS.—The term 'Member of Congress' means a member of the Senate or House of Representatives, a Delegate to the House of Representatives, and the Resident Commissioner from Puerto Rico.

"(2) EMPLOYEE OF CONGRESS.—The term 'employee of Congress' means—

"(A) any individual (other than a Member of Congress), whose compensation is disbursed by the Secretary of the Senate or the Chief Administrative Officer of the House of Representatives; and

"(B) any other officer or employee of the legislative branch (as defined in section 109(11) of the Ethics in Government Act of 1978 (5 U.S.C. App. 109(11))).

"(3) EXECUTIVE BRANCH EMPLOYEE.—The term 'executive branch employee'—

"(A) has the meaning given the term 'employee' under section 2105 of title 5, United States Code; and

"(B) includes—

"(i) the President;

"(ii) the Vice President; and

"(iii) an employee of the United States Postal Service or the Postal Regulatory Commission.

"(4) JUDICIAL OFFICER.—The term 'judicial officer' has the meaning given that term under section 109(10) of the Ethics in Government Act of 1978 (U.S.C. App. 109(10)).

"(5) JUDICIAL EMPLOYEE.—The term 'judicial employee' has the meaning given that term in section 109(8) of the Ethics in Government Act of 1978 (5 U.S.C. App. 109(8)).

"(6) SUPERVISING ETHICS OFFICE.—The term 'supervising ethics office' has the meaning given that term

in section 109(18) of the Ethics in Government Act of 1978 (5 U.S.C. App. 109(18)).”

§ 102. Contents of reports

(a) Each report filed pursuant to section 101(d) and (e) shall include a full and complete statement with respect to the following:

(1)(A) The source, type, and amount or value of income (other than income referred to in subparagraph (B)) from any source (other than from current employment by the United States Government), and the source, date, and amount of honoraria from any source, received during the preceding calendar year, aggregating \$200 or more in value and, effective January 1, 1991, the source, date, and amount of payments made to charitable organizations in lieu of honoraria, and the reporting individual shall simultaneously file with the applicable supervising ethics office, on a confidential basis, a corresponding list of recipients of all such payments, together with the dates and amounts of such payments.

(B) The source and type of income which consists of dividends, rents, interest, and capital gains, received during the preceding calendar year which exceeds \$200 in amount or value, and an indication of which of the following categories the amount or value of such item of income is within:

- (i) not more than \$1,000,
- (ii) greater than \$1,000 but not more than \$2,500,
- (iii) greater than \$2,500 but not more than \$5,000,
- (iv) greater than \$5,000 but not more than \$15,000,
- (v) greater than \$15,000 but not more than \$50,000,
- (vi) greater than \$50,000 but not more than \$100,000,
- (vii) greater than \$100,000 but not more than \$1,000,000,
- (viii) greater than \$1,000,000 but not more than \$5,000,000, or
- (ix) greater than \$5,000,000.

(2)(A) The identity of the source, a brief description, and the value of all gifts aggregating more than the minimal value as established by section 7342(a)(5) of title 5, United States Code, or \$250, whichever is greater, received from any source other than a relative of the reporting individual during the preceding calendar year, except that any food, lodging, or entertainment received as personal hospitality of an individual need not be reported, and any gift with a fair market value of \$100 or less, as adjusted at the same time and by the same percentage as the minimal value is adjusted, need not be aggregated for purposes of this subparagraph.

(B) The identity of the source and a brief description (including a travel itinerary, dates, and nature of expenses provided) of reimbursements received from any source aggregating more than the minimal value as established by section 7342(a)(5) of title 5, United States Code, or \$250, whichever is greater and received during the preceding calendar year.

(C) In an unusual case, a gift need not be aggregated under subparagraph (A) if a publicly available request for a waiver is granted.

(3) The identity and category of value of any interest in property held during the preceding calendar year in a trade or business, or for investment or the production of income, which has a fair market value which exceeds \$1,000 as of the close of the preceding calendar year, excluding any personal liability owed to the reporting individual by a spouse,¹ or by a parent, brother, sister, or child of the reporting individual or of the reporting individual's spouse, or any deposits aggregating \$5,000 or less in a personal savings account. For purposes of this paragraph, a personal savings account shall include any certificate of deposit or any other form of deposit in a bank, savings and loan association, credit union, or similar financial institution.

(4) The identity and category of value of the total liabilities owed to any creditor other than a spouse, or a parent, brother, sister, or child of the reporting individual or of the reporting individual's spouse which exceed \$10,000 at any time during the preceding calendar year, excluding—

(A) any mortgage secured by real property which is a personal residence of the reporting individual or his spouse, except that this exception shall not apply to a reporting individual—

(i) described in paragraph (1), (2), or (9) of section 101(f);

(ii) described in section 101(b) who has been nominated for appointment as an officer or employee in the executive branch described in subsection (f) of such section, other than—

(I) an individual appointed to a position—

(aa) as a Foreign Service Officer below the rank of ambassador; or

(bb) in the uniformed services for which the pay grade prescribed by section 201 of title 37, United States Code is O-6 or below; or

(II) a special government employee, as defined under section 202 of title 18, United States Code; or

(iii) described in section 101(f) who is in a position in the executive branch the appointment to which is made by the President and requires advice and consent of the Senate, other than—

(I) an individual appointed to a position—

(aa) as a Foreign Service Officer below the rank of ambassador; or

(bb) in the uniformed services for which the pay grade prescribed by section 201 of title 37, United States Code is O-6 or below; or

(II) a special government employee, as defined under section 202 of title 18, United States Code; and

(B) any loan secured by a personal motor vehicle, household furniture, or appliances, which loan does not exceed the purchase price of the item which secures it.

¹ So in original.