

## PART 3900 [RESERVED]

### PART 3901—SUPPLEMENTAL STANDARDS OF ETHICAL CONDUCT FOR EMPLOYEES OF THE FEDERAL COMMUNICATIONS COMMISSION

Sec.

3901.101 General.

3901.102 Prior approval for practice of a profession.

AUTHORITY: 5 U.S.C. 7301; 5 U.S.C. App. (Ethics in Government Act of 1978); 47 U.S.C. 303(r); E.O. 12674, 54 FR 15159, 3 CFR, 1989 Comp., p. 215, as modified by E.O. 12731, 55 FR 42547, 3 CFR, 1990 Comp., p. 306; 5 CFR 2635.105, 2635.803.

SOURCE: 61 FR 56111, Oct. 31, 1996, unless otherwise noted.

#### §3901.101 General.

In accordance with 5 CFR 2635.105, the regulations in this part apply to employees of the Federal Communications Commission (FCC) and supplement the Standards of Ethical Conduct for Employees of the Executive Branch contained in 5 CFR part 2635. In addition to the standards in 5 CFR part 2635 and this part, employees are subject to the Executive Branch Financial Disclosure Regulations contained in 5 CFR part 2634, the FCC's regulations at 5 CFR part 3902 supplementing 5 CFR part 2634, and to FCC regulations regarding their responsibilities and conduct in 47 CFR part 19.

#### §3901.102 Prior approval for practice of a profession.

(a) *Prior approval requirement.* A professional employee of the FCC shall obtain approval before engaging in the outside practice of the same profession as that of the employee's official position, whether or not for compensation. As used in this section, "profession" has the meaning set forth in §2636.305(b)(1) of this title, and "professional employee" means an employee whose official FCC position is in a profession as defined in §2636.305(b)(1) of this title.

(b) *Procedures for requesting approval.* (1) A request for approval shall be in writing and shall be submitted, through the following Commission offi-

cials, to the Designated Agency Ethics Official or his designee:

(i) For Heads of Bureaus and Offices, through the Chairman;

(ii) For employees in the immediate Office of a Commissioner, through the Commissioner; or

(iii) For all other employees, through the Head of the Bureau or Office to which the employee is assigned.

(2) A request for approval shall include, at a minimum:

(i) A full description of the services to be performed in practicing the profession;

(ii) The name and address of the person or organization for which services are to be provided; and

(iii) The estimated total time that will be devoted to practicing the profession.

(3) Upon a significant change in the nature or scope of the employee's FCC position or the services to be provided in practicing the profession, the employee shall submit a revised request for approval.

(c) *Standard for approval.* Approval shall be granted only upon a determination that the proposed outside practice of the employee's profession is not expected to involve conduct prohibited by statute or Federal regulation, including 5 CFR 2635.

### PART 3902—SUPPLEMENTAL FINANCIAL DISCLOSURE REQUIREMENTS FOR EMPLOYEES OF THE FEDERAL COMMUNICATIONS COMMISSION

Sec.

3902.101 General.

3902.102 Employees required to submit FCC Form A54A, "Confidential Supplemental Statement of Employment and Financial Interests."

3902.103 Submission and review of employees' statements.

3902.104 Confidentiality of employees' statements.

AUTHORITY: 5 U.S.C. 7301; 5 U.S.C. App. (Ethics in Government Act of 1978); 47 U.S.C. 154(b), (j), (i) and 303(r); E.O. 12674, 54 FR 15159, 3 CFR, 1989 Comp., p. 215, as modified by E.O. 12731, 55 FR 42547, 3 CFR, 1990 Comp., p. 306; 5 CFR 2634.103, 2634.601(b), 2634.901(b).

SOURCE: 61 FR 56111, Oct. 31, 1996, unless otherwise noted.