

such advisory opinion shall not, as a result of such act, be subject to any penalty or sanction provided by this title.

(Pub. L. 95-521, title I, § 106, Oct. 26, 1978, 92 Stat. 1833; Pub. L. 101-194, title II, § 202, Nov. 30, 1989, 103 Stat. 1739; Pub. L. 101-280, § 3(1), (7), May 4, 1990, 104 Stat. 152, 155.)

CODIFICATION

Section was formerly classified to section 706 of Title 2, The Congress.

AMENDMENTS

1990—Subsec. (a)(2). Pub. L. 101-280, § 3(1), struck out “of the United States” after “Judicial Conference”.

Subsec. (b)(1). Pub. L. 101-280, § 3(7)(B), substituted “the Secretary concerned, the designated agency ethics official,” for “Secretary concerned, designated agency ethics official, or”.

Pub. L. 101-280, § 3(7)(A), substituted “a person designated by the Judicial Conference” for “the Chairman of the Judicial Conference”.

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

Subsec. (b)(2). Pub. L. 101-280, § 3(7)(C), substituted “the Secretary concerned, the designated agency ethics official,” for “Secretary concerned, designated agency ethics official or”.

Pub. L. 101-280, § 3(7)(A), substituted “a person designated by the Judicial Conference” for “the Chairman of the Judicial Conference”.

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

Subsec. (b)(3). Pub. L. 101-280, § 3(7)(D), substituted “the Secretary concerned, the designated agency ethics official, a person designated by a congressional ethics committee, or a person designated by the” for “Secretary concerned, designated agency ethics official, a congressional ethics committee, or the”.

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

Subsec. (b)(4). Pub. L. 101-280, § 3(7)(E), inserted “in the executive branch” after “position” and substituted “Foreign Service” for “foreign service”.

Subsec. (b)(5). Pub. L. 101-280, § 3(7)(F), substituted “Foreign Service” for “foreign service”.

Subsec. (b)(6). Pub. L. 101-280, § 3(1), struck out “of the United States” after “Judicial Conference”.

Pub. L. 101-280, § 3(7)(G), substituted “employee,” for “employee”.

1989—Pub. L. 101-194 amended section generally, substituting provisions relating to review of reports for provisions relating to failure to file or filing false reports. See section 104(a) of this Appendix.

EFFECTIVE DATE OF 1989 AMENDMENT

Amendment by Pub. L. 101-194 effective Jan. 1, 1991, see section 204 of Pub. L. 101-194, set out as a note under section 101 of this Appendix.

§ 107. Confidential reports and other additional requirements

(a)(1) Each supervising ethics office may require officers and employees under its jurisdiction (including special Government employees as defined in section 202 of title 18, United States Code) to file confidential financial disclosure reports, in such form as the supervising ethics office may prescribe. The information required to be reported under this subsection by the officers and employees of any department or agency shall be set forth in rules or regulations prescribed by the supervising ethics office, and may be less extensive than otherwise required by this title, or more extensive when determined

by the supervising ethics office to be necessary and appropriate in light of sections 202 through 209 of title 18, United States Code, regulations promulgated thereunder, or the authorized activities of such officers or employees. Any individual required to file a report pursuant to section 101 shall not be required to file a confidential report pursuant to this subsection, except with respect to information which is more extensive than information otherwise required by this title. Subsections (a), (b), and (d) of section 105 shall not apply with respect to any such report.

(2) Any information required to be provided by an individual under this subsection shall be confidential and shall not be disclosed to the public.

(3) Nothing in this subsection exempts any individual otherwise covered by the requirement to file a public financial disclosure report under this title from such requirement.

(b) The provisions of this title requiring the reporting of information shall supersede any general requirement under any other provision of law or regulation with respect to the reporting of information required for purposes of preventing conflicts of interest or apparent conflicts of interest. Such provisions of this title shall not supersede the requirements of section 7342 of title 5, United States Code.

(c) Nothing in this Act requiring reporting of information shall be deemed to authorize the receipt of income, gifts, or reimbursements; the holding of assets, liabilities, or positions; or the participation in transactions that are prohibited by law, Executive order, rule, or regulation.

(Pub. L. 95-521, title I, § 107, Oct. 26, 1978, 92 Stat. 1834; Pub. L. 96-19, § 9(d), (g), June 13, 1979, 93 Stat. 42, 43; Pub. L. 101-194, title II, § 202, Nov. 30, 1989, 103 Stat. 1740.)

REFERENCES IN TEXT

This Act, referred to in subsec. (c), 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 under section 101 of this Appendix and Tables.

CODIFICATION

Section was formerly classified to section 707 of Title 2, The Congress.

AMENDMENTS

1989—Pub. L. 101-194 amended section generally, substituting provisions relating to confidential reports and other additional requirements for provisions setting forth definitions for purposes of title I of Pub. L. 95-521. See section 109 of this Appendix.

1979—Par. (1). Pub. L. 96-19, § 9(d), substituted “gross income derived from business (and net income if the individual elects to include it)” for “net and gross income derived from business”.

Par. (16). Pub. L. 96-19, § 9(g), inserted quotation marks after “designated committee of the House of Representatives” and before “designated committee of the Senate”.

EFFECTIVE DATE OF 1989 AMENDMENT

Amendment by Pub. L. 101-194 effective Jan. 1, 1991, see section 204 of Pub. L. 101-194, set out as a note under section 101 of this Appendix.

§ 108. Authority of Comptroller General

(a) The Comptroller General shall have access to financial disclosure reports filed under this