

## United States Postal Service

## § 10.4

electronic recordings described in §7.6 of these bylaws, to which the individual may otherwise have access under 5 U.S.C. 552a, enacted by the Privacy Act of 1974, Public Law 93-579.

### PARTS 8-9 [RESERVED]

## PART 10—RULES OF CONDUCT FOR POSTAL SERVICE GOVERNORS (ARTICLE X)

Sec.

- 10.1 Applicability.
- 10.2 Advisory service.
- 10.3 Post-employment activities.
- 10.4 Financial disclosure reports.

AUTHORITY: 39 U.S.C. 401(2), (10).

SOURCE: 73 FR 78983, Dec. 24, 2008, unless otherwise noted.

### § 10.1 Applicability.

This part contains rules of conduct for the members of the Board of Governors of the United States Postal Service. As special Government employees within the meaning of 18 U.S.C. 202(a), the members of the Board are also subject to the Standards of Ethical Conduct for Employees of the Executive Branch, 5 CFR part 2635, and Postal Service regulations supplemental thereto, 5 CFR part 7001.

[86 FR 10014, Feb. 18, 2021]

### § 10.2 Advisory service.

(a) The Associate General Counsel and Chief Ethics and Compliance Officer is the Ethical Conduct Officer of the Postal Service and the Designated Agency Ethics Official for purposes of the Ethics in Government Act, as amended, and the implementing regulations of the Office of Government Ethics, including 5 CFR part 2638.

(b) A Governor may obtain advice and guidance on questions of conflicts of interest, and may request any ruling provided for by either the Standards of Ethical Conduct for Employees of the Executive Branch, or the Postal Service regulations supplemental thereto, from the Associate General Counsel or a designated assistant.

(c) If the Associate General Counsel determines that a Governor is engaged in activity which involves a violation of federal statute or regulation, includ-

ing the ethical conduct regulations contained in 5 CFR parts 2635 and 7001, or conduct which creates the appearance of such a violation, he or she shall bring this to the attention of the Governor or shall notify the General Counsel, the Chairman of the Board of Governors, or the Vice Chairman, as appropriate.

[86 FR 10014, Feb. 18, 2021]

### § 10.3 Post-employment activities.

Governors are subject to the restrictions on the post-employment activities of special Government employees imposed by 18 U.S.C. 207. Guidance concerning post-employment restrictions applicable to Governors may be obtained in accordance with section 10.2(b).

### § 10.4 Financial disclosure reports.

(a) *Requirement of submission of reports—(1) Upon nomination.* At the time of their nomination, Governors complete a financial disclosure report which, under the practice of the Senate Homeland Security and Governmental Affairs Committee, is kept confidential.

(2) *After confirmation.* Because the Director of the Office of Government Ethics has concluded that Governors who do not perform the duties of their office for more than 60 days in any calendar year are not required to file financial disclosure reports that are open to the public, Governors file non-public reports annually, in accordance with this section. A Governor who performs the duties of his or her office for more than 60 days in a particular calendar year is required to file a public report in accordance with 5 CFR 2634.204(c).

(b) *Person with whom reports should be filed and time for filing.* (1) A Governor shall file a financial disclosure report with the Associate General Counsel on or before May 15 of each year when the Governor has been in office for more than 60 consecutive calendar days during the previous year.

(2) The Associate General Counsel may, for good cause shown, grant to a Governor one or more extensions totaling not more than 90 days.

(c) *Information required to be reported.* Each report shall be a full and complete statement, on the form prescribed by the Associate General Counsel and the Office of Government Ethics and in accordance with instructions issued by him or her.

(d) *Reviewing reports.* (1) Financial disclosure reports filed in accordance with the provisions of this section shall, within 60 days after the date of filing, be reviewed by the Associate General Counsel who shall either approve the report, or make an initial determination that a conflict or appearance thereof exists. If the Associate General Counsel determines initially that a conflict or the appearance of a conflict exists, he or she shall inform the Governor of his or her determination.

(2) If the Associate General Counsel considers that additional information is needed to complete the report or to allow an adequate review to be conducted, he or she shall request the reporting Governor to furnish that information by a specified date.

(3) The Associate General Counsel shall refer to the Chairman of the Board of Governors or the Vice Chairman the name of any Governor he or she has reasonable cause to believe has wrongfully failed to file a report or has

falsified or wrongfully failed to report required information.

(e) *Custody of and public access to reports—(1) Retention of reports.* Each report filed with the Associate General Counsel shall be retained by him or her for a period of six years. After the six-year period, the report shall be destroyed unless needed in connection with an investigation then pending.

(2) *Confidentiality of reports.* Unless a public report is required by this section, the financial disclosure reports filed by Governors shall not be made public.

[86 FR 24713, May 10, 2021]

## PART 11—ADVISORY BOARDS (ARTICLE XI)

AUTHORITY: 39 U.S.C. 202, 205, 401(2), (10), 402, 403.

### § 11.1 Establishment.

The Board of Governors may create such advisory boards as it may deem appropriate and may appoint persons to serve thereon or may delegate such latter authority to the Postmaster General.

[73 FR 78983, Dec. 24, 2008]