

The Ethics in Government Act of 1978, as amended, requires nominees to certain positions requiring Presidential appointment and Senate confirmation (PAS Nominees) to file a public financial disclosure report that is reviewed and certified by the U.S. Office of Government Ethics (OGE). A public financial disclosure report is not required if the PAS Nominee is not reasonably expected to serve more than 60 days in a calendar year but then a confidential financial disclosure report is usually required. Many, but not all, of these confidential financial disclosure reports are reviewed and certified by OGE as well.

1. Reports reviewed by OGE, more than 60 days of service in the position

OGE reviews the reports for approximately **985** positions in which the PAS Nominees are expected to serve in the position for more than 60 days in any one calendar year.

These individuals complete a public financial disclosure report, using the OGE Form 278e.

With the exception of four positions, all of these positions are civilian positions in the executive branch. The four exceptions are positions located in the legislative branch.

2. Reports reviewed by OGE, no more than 60 days of service in the position

OGE reviews the reports for approximately **180** positions in which the PAS Nominees are not expected to serve in the position for more than 60 days in any one calendar year.

Most of these PAS Nominees file confidential financial disclosure reports, using the OGE Form 450, the standard confidential financial disclosure form in the executive branch. However, the U.S. Senate Committee on Foreign Relations requires PAS Nominees under its jurisdiction to complete a confidential version of the OGE Form 278e rather than the OGE Form 450. In rare cases, a statutory provision may require a no-more-than-60-day PAS Nominee to file a public financial disclosure report, using the OGE Form 278e, or a confidential version of the OGE Form 278e.

For approximately **105** of the **180** positions, the PAS Nominee will serve as an executive branch special Government employee, a status which changes the way in which certain ethics statutes and regulations apply. For approximately **15** of the **180** positions, the PAS Nominee will serve in one position for less than 60 days while also serving in another position as a full-time, civilian executive branch employee. For approximately **60** of the **180** positions, the PAS Nominee will serve in a non-governmental position and is not a federal government employee.

3. PAS positions not subject to OGE review

OGE does not review financial disclosure reports for all PAS Nominees. The types of PAS Nominees excluded from OGE review generally fall into four categories: (1) judicial officers; (2) members of the uniformed services; (3) Foreign Service Officers without the rank of ambassador; and (4) a select number of no-more-than-60-day PAS Nominees per agreement with the Senate.

