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MEMORANDUM FOR DEPARTMENT OF DEFENSE DESIGNATED AGENCY
ETHICS OFFICIALS

SUBJECT: Superseding of Certain Sections of Chapter 7 of DoD 5500.7-R, the Joint
Ethics Regulation

On May 16, 2006, the Office of Government Ethics (OGE) published a final rule revising the Executive Branch Confidential Financial Disclosure Reporting Regulation, 5 C.F.R. Part 2634. Certain parts of Section 3 of Chapter 7 of DoD 5500.7-R, the Joint Ethics Regulation (JER), which pertain to that regulation, are contrary to the OGE final rule and so will not be effective as of January 1, 2007, when the final rule will become effective. The superseded JER subsections follow:

7-300.a.(3)(a) – superseded by 5 C.F.R. 2634.904(a)(1)(i)

7-300.b.(1) – superseded by 5 C.F.R. 2634.904(b)

7-303.b. – the date "November 30" is superseded by "February 15", and the term "12 months" is superseded by "calendar year" at 5 C.F.R. 2634.903(a). The term "September 30" will be irrelevant. OGE is retaining, at 5 C.F.R. 2634.907(c)(1), the end of the reporting period [December 31] as the date to determine reportable value. The date will be confirmed when OGE publishes the new OGE Form 450.

7-303.c.(3) – superseded by 5 C.F.R. 2634.903(a)

These changes will be reflected in the next issuance of the Joint Ethics Regulation. The Standards of Conduct Office will provide guidance shortly regarding these parts, as well as other parts that were affected, although not superseded, by the revision. It will also provide guidance as to changes made by the revision that did not affect the JER, but which will affect the DoD ethics program and our personnel.

The current wording of each affected JER subsection, along with the superseding, cited language of the final rule, is attached. A copy of the complete final rule is also attached and may be found at **71 FR 28229-28239**, http://www.usoge.gov/pages/laws_regs_fedreg_stats/lrfs_files/fedreg/71fedreg/71fr28229.pdf. The final rule will become effective on January 1, 2007.

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