November 18, 2026
PA-26-04

PROGRAM ADVISORY

TO: Designated Agency Ethics Officials

FROM: Scott de la Vega
Ethics Counsel, Ethics Law and Disclosure Division

SUBJECT: Updates to the Certification of Ethics Agreement Compliance and the Officials' Individual Search Collection, and New Additional Certification Form

This Program Advisory describes recent updates to the Certification of Ethics Agreement Compliance (Certification) required to be filed with the U.S. Office of Government Ethics (OGE) by Presidential appointees subject to Senate confirmation (PAS official) following their confirmation by the Senate.[1] It also explains updates to the Officials' Individual Disclosures Search Collection (Collection) related to ethics agreement compliance.

OGE has reorganized the Certification to make it easier to understand. *See* Attachment A. OGE also has made changes to address and reduce common mistakes in filling out the Certification. A detailed summary of these updates follows. In addition to those updates, OGE has observed an increase in the number of PAS officials who are required to file more than one Certification because of multiple divestiture deadlines or an extended divestiture deadline. In recognition of these situations, OGE has created a shorter Additional Certification that focuses on divestitures for PAS officials with multiple certification due dates. (*See* Attachment B).

Additionally, OGE is changing the manner in which partial Certifications and Additional Certifications will display in the Collection on the OGE website. To increase transparency and help the public understand when a PAS official has only partially complied with their ethics agreement, OGE is adding a new document type for the "Type" field in the Collection, "Certification of Ethics Agreement Compliance (Interim)." An additional new document type, "Certificate of Ethics Agreement Compliance (Final)," will indicate that all compliance actions are complete.

Pursuant to OGE Program Advisory PA-19-09 (July 19, 2019), OGE informs the Senate committee with jurisdiction over the PAS official's nomination of late compliance of more than

[1] *See* 5 U.S.C. § 13111 (S*ee also* OGE Program Advisory PA-17-03 (May 11, 2017), OGE Program Advisory PA-21-01 (February 25, 2021.), and OGE Program Advisory PA-24-06 (Nov. 25, 2024)).

30 days. Therefore, to promote transparency and public access, OGE also will begin posting in the Collection the letters OGE sends to the Senate notifying the Senate of late compliance. Consistent with other documents posted in the Collection, OGE will list the PAS official's first and last name, the name of the employing agency, title, and include a link that will download a copy of the letter. The document type will be "Senate Notification of Ethics Agreement Non-Compliance".

These changes to the Collection will apply to documents filed with OGE or sent by OGE after the date of this Program Advisory.

Summary of Updates

The updated sections of the Certification are described below with form language in italics.

Section 1 – Appointee's Information

OGE has added a new subsection, g., where any additional certification due dates can be reported. This section should only be filled out if the PAS official has two or more certification due dates.

g. Additional Due Date(s) (if applicable):

Section 3 - Recusal Pursuant to 5 C.F.R. § 2635.502

OGE created a new section that immediately follows the Resignations section to address recusals pursuant to 5 C.F.R. § 2635.502. The section requires three separate attestations rather than the current single attestation found in Section 6.b. of the Certification. The attestations shown below focus on (a) recusals related to the PAS official's former employer or clients; (b) recusals related to the PAS official's former position as an officer, director, trustee, general partner or agent; and (c) recusals related to the employer and clients of the PAS official's spouse.

a. I am recusing from particular matters in which any former employer or client of mine for whom I provided services in the past year is a party or represents a party, unless I have been authorized under 5 C.F.R. § 2635.502(d).

b. I am recusing from particular matters in which any entity that I served as officer, director, trustee, general partner or agent in the past year is a party or represents a party, unless I have been authorized under 5 C.F.R. § 2635.502(d).

c. I am recusing from particular matters in which my spouse's employer, or a current client of my spouse is a party or represents a party, unless I have been authorized under 5 C.F.R. § 2635.502(d).

OGE also added the following instruction for the section:

> *Please check yes if you have a required recusal, regardless of whether you have had occasion to recuse.*

Section 5 – Divestitures

OGE moved Divestitures to Section 5 and divided the current first attestation into two parts. Additionally, the first part includes the following new language: "*For the divestitures addressed by this Certification*." Attestation a. now reads as follows:

> *a. For the divestitures addressed by this Certification, I completed the divestitures indicated in my ethics agreement within the time period specified.*

Attestation d. reads as follows:

> *d. I understand that I may not reacquire any of these assets during my appointment without OGE's prior approval.*

Section 10 – Dormant Business(es)

OGE created a new section to address the common ethics agreement requirement that a PAS official make their business or firm inactive or keep their business or firm inactive while they are in Government service. The attestation reads as follows:

> *My firm(s), practice(s), or business(es) ceased engaging in any business upon my confirmation, or was/were already dormant, and will remain dormant during my appointment.*

Additional Changes

OGE created a stand-alone 18 U.S.C. § 208 recusal attestation in Section 7. The content of the attestation is unchanged from the language in the prior version (Section 6.a). Because the form was reorganized, many sections have new section numbers. The content of the attestations in these sections also is unchanged. Finally, OGE created a section for agency comments and a section for OGE comments.

General questions concerning the Program Advisory, the Certification, or the Additional Certification should be sent to eacompliance@oge.gov.

ATTACHMENTS

ATTACHMENT A

Certification of Ethics Agreement Compliance (November 2026)
U.S. OFFICE OF GOVERNMENT ETHICS

ETHICS AGREEMENT COMPLIANCE CERTIFICATION

Senate Confirmed Presidential Appointee

1. Appointee's Information	
a. Appointee's Name:	
b. Position Title:	
c. Agency:	
d. Date Ethics Agreement Signed:	
e. Date Confirmed:	
f. Due Date for Submission of Certification of Ethics Agreement Compliance to OGE:	
g. Additional Due Date(s) (if applicable):	
2. Resignations	
I completed all of the resignations indicated in my ethics agreement before I assumed the duties of my current Government position.	◯ Yes ◯ No ◯ N/A
3. Recusal pursuant to 5 C.F.R. § 2635.502	
Please check Yes if you have a required recusal, regardless of whether you have had occasion to recuse.	
a. I am recusing from particular matters in which any former employer or client of mine for whom I provided services in the past year is a party or represents a party, unless I have been authorized under 5 C.F.R. § 2635.502(d).	◯ Yes ◯ No ◯ N/A
b. I am recusing from particular matters in which any entity that I served as officer, director, trustee, general partner, or agent in the past year is a party or represents a party, unless I have been authorized under 5 C.F.R. § 2635.502(d).	◯ Yes ◯ No ◯ N/A
c. I am recusing from particular matters in which my spouse's employer, or a current client of my spouse, is a party or represents a party, unless I have been authorized under 5 C.F.R. § 2635.502(d).	◯ Yes ◯ No ◯ N/A

4. Managed Accounts	
If I have a managed account or use the services of an investment professional, I have notified the manager or professional of the limitations indicated in my ethics agreement. In addition, I am continuing to monitor purchases to ensure compliance with these limitations.	◯ Yes ◯ No ◯ N/A
5. Divestitures	
a. For the divestitures addressed by this Certification, I completed the divestitures indicated in my ethics agreement within the time period specified.	◯ Yes ◯ No ◯ N/A
b. I have filed a periodic transaction report, or periodic transaction reports (OGE Form 278-T), to disclose the completion of these agreed upon divestitures.	◯ Yes ◯ No ◯ N/A Filing date(s) of OGE Form 278-T(s):
c. I completed the divestitures through a means not requiring a periodic transaction report (OGE Form 278-T).	◯ Yes ◯ No ◯ N/A
d. I understand that I may not reacquire any of these assets during my appointment without OGE's prior approval.	◯ Yes ◯ No ◯ N/A
6. Interim Recusals Pursuant to 18 U.S.C. § 208	
I have complied with my interim recusal obligations pending the divestitures required by my ethics agreement.	◯ Yes ◯ No ◯ N/A
7. Recusals Pursuant to 18 U.S.C. § 208 (Note: These factual statements describe the appointee's current status. They are not intended to modify ethics agreement commitments or create new recusal obligations.)	
As required by 18 U.S.C. § 208, I will continue to recuse from particular matters in which I know I have a personal or imputed financial interest directly and predictably affected by the matter, unless I receive a waiver or qualify for a regulatory exemption.	◯ Yes ◯ No

8. Waivers and Authorizations (Consult with your agency's DAEO if uncertain under what authority a waiver or authorization was granted.)	
a. I received a waiver pursuant to 18 U.S.C. § 208.	◯ Yes ◯ No
If yes, indicate the date of the waiver and indicate the financial interest(s) covered by the waiver.	Date: Financial interest:
b. I received an authorization pursuant to 5 C.F.R. § 2635.502(d).	◯ Yes ◯ No
If yes, indicate the date of authorization and identify the covered person(s) as to whom you have been authorized (e.g., former employer, former client, spouse's employer, spouse's current client, etc.).	Date: Covered person(s):
c. I received a waiver pursuant to 5 C.F.R. § 2635.503(c).	◯ Yes ◯ No
If yes, indicate the date of the waiver and identify the former employer or payor.	Date: Former employer or payor:

9. Payments, Accelerations, or Divestitures Required to be Completed Prior to Entering Government Service		
☐ Mark this box if not applicable	a. If I committed that I would forfeit a financial interest or payment unless it was received or accelerated prior to my assumption of the duties of the Government position:	◯ I received it (or it was accelerated) prior to my assumption of the duties of the position. ◯ I received it (or it was accelerated) after my assumption of the duties of the position. ◯ I forfeited it.
	b. Financial interest or payment at issue:	

10. Dormant Business(es)	
My firm(s), practice(s), or business(es) ceased engaging in any business upon my confirmation, or was/were already dormant, and will remain dormant during my appointment.	◯ Yes ◯ No ◯ N/A

11. Requirements for Regular Appointees	
I have completed my initial ethics briefing, pursuant to 5 C.F.R. § 2638.305. If you are a Special Government Employee (SGE) or career Foreign Service Officer (FSO), select N/A.	◯ Yes ◯ No ◯ N/A
12. Additional Ethics Agreement Requirements	
	I am complying with these requirements as described in the adjacent box. ◯ Yes ◯ No ◯ N/A
13. Comments of Appointee	
14. Certification **Any intentionally false or misleading statement or response provided in this Certification is a violation of law punishable by a fine or imprisonment, or both, under 18 U.S.C. § 1001.**	
I certify that the information I have provided is complete and accurate.	
Appointee's Signature:	Date:
15. Agency Comments	
16. OGE Comments	

90 day period and submit a Certification (through your agency's DAEO) within seven days thereafter. If you have not complied with a provision of your Ethics Agreement, please provide an explanation in Box 13, Comments of Appointee. You will be provided with an additional Certification to complete and submit to OGE to certify that you have complied with all provisions of your Ethics Agreement.

Extensions: OGE may grant an extension of time for complying with a provision of your Ethics Agreement if, in its sole discretion, it determines that an unusual hardship has/will prevent you from complying timely. Generally, waiting for an account manager to sell an interest, not being able to locate records, or waiting for OGE to process a request for a Certificate of Divestiture are not considered unusual hardships. As noted in the Privacy Act Statement above, not submitting your Certification may result in notification of lack of compliance to the Senate, the head of your agency, or the White House. OGE may also decline to certify your financial disclosure reports. You may also be required to recuse from matters based on uncertainty as to whether you have completed required divestitures and resignations. OGE may also post a notice on its website, in place of your Certification, stating that you have not yet submitted the required Certification.

While it is your personal responsibility to take the steps necessary to comply with your Ethics Agreement, your agency's DAEO is available to assist you in completing this Certification and submitting it to OGE. Any questions you may have should be directed to your agency's DAEO.

A. Privacy Act Statement

5 U.S.C. § 13111 requires the reporting of this information. The primary use of the information on this report is for review by Government officials to determine an appointee's compliance with applicable Federal laws and regulations, and the appointee's Ethics Agreement. Failure to provide the requested information may result in notification of lack of compliance to the Senate and the head of the appointee's agency, or the White House, and/or could result in OGE declining to certify the appointee's financial disclosure reports. The appointee could also be required to recuse from matters based on uncertainty as to whether they have divested or resigned from a matter determined to raise potential conflicts.

This information will be publicly posted to the OGE website at www.oge.gov in accordance with OGE/GOVT-1, Executive Branch Personnel Public Financial Disclosure Reports and Other Name-Retrieved Ethics Program Records (routine use "k."). Please see OGE/GOVT-1 for more information about the maintenance and disclosure of this information.

B. Filing the Certification of Ethics Agreement Compliance

Your position as one of our Government's most senior leaders brings with it extraordinary responsibilities. One of those responsibilities is to serve as a role model for all executive branch employees by demonstrating a commitment to ethical principles and actively seeking to avoid conflicts of interest. This includes compliance with the Ethics Agreement you signed prior to and as a condition of your confirmation. By signing this Certification of Ethics Agreement Compliance (Certification) you certify that you have complied with the terms of your Ethics Agreement. The information below is intended to help you timely meet your obligation to complete and submit this form to the U.S. Office of Government Ethics (OGE).

You are required to comply with the provisions of your Ethics Agreement within three months of the date of your confirmation, unless otherwise specified. Please:

- Review your Ethics Agreement carefully.
- If your Ethics Agreement requires you to resign from an outside position, please note that resignations are generally required "upon confirmation."
- Identify any provisions of your Ethics Agreement that may require coordination with an account manager or other third party.
- Initiate any necessary action early enough to timely comply with your Ethics Agreement.
- If you qualify for and wish to request a Certificate of Divestiture, please submit your request as soon as possible through your agency's Designated Agency Ethics Official (DAEO).

If your Ethics Agreement specifies that you have more than 90 days to comply with a particular provision, you must still comply with the remaining provisions within the standard

ATTACHMENT B

ETHICS AGREEMENT COMPLIANCE CERTIFICATION
ADDITIONAL CERTIFICATION

Senate Confirmed Presidential Appointee

1. Appointee's Information	
a. Appointee's Name:	
b. Position Title:	
c. Agency:	
d. Date Ethics Agreement Signed:	
e. Date Confirmed:	
f. Due Date for Submission of this Certification to OGE:	
g. Signature Date(s) for Prior Certification(s) of Ethics Agreement Compliance:	
h. Additional Due Date(s) (if applicable):	
2. Divestitures	
a. For the divestitures addressed by this Certification, I completed the divestitures indicated in my ethics agreement within the time period specified.	◯ Yes ◯ No
b. I have filed a periodic transaction report, or periodic transaction reports (OGE Form 278-T), to disclose the completion of these agreed upon divestitures.	◯ Yes ◯ No Filing Date(s) of OGE Form 278-T(s):
c. I completed the divestitures through a means not requiring a periodic transaction report (OGE Form 278-T).	◯ Yes ◯ No
d. I understand that I may not reacquire these assets during my appointment without OGE's prior approval.	◯ Yes ◯ No

2. Interim Recusals	
I have complied with my interim recusal obligations pending the divestitures required by my ethics agreement.	◯ Yes ◯ No ◯ N/A
4. Additional Ethics Agreement Requirements	
	I am complying with these requirements as described in the adjacent box. ◯ Yes ◯ No ◯ N/A
5. Comments of Appointee	
6. Certification **Any intentionally false or misleading statement or response provided in this Certification is a violation of law punishable by a fine or imprisonment, or both, under 18 U.S.C. § 1001.**	
I certify that the information I have provided is complete and accurate.	
Appointee's Signature:	Date:
7. Agency Comments	
8. OGE Comments	

A. Privacy Act Statement

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If your Ethics Agreement specifies that you have more than 90 days to comply with a particular provision, you must still comply with the remaining provisions within the standard

90 day period and submit a Certification (through your agency's DAEO) within seven days thereafter. If you have not complied with a provision of your Ethics Agreement, please provide an explanation in Box 5, Comments of Appointee. You will be provided with an additional Certification to complete and submit to OGE to certify that you have complied with all provisions of your ethics agreement.

Extensions: OGE may grant an extension of time for complying with a provision of your Ethics Agreement if, in its sole discretion, it determines that an unusual hardship has/will prevent you from complying timely. Generally, waiting for an account manager to sell an interest, not being able to locate records, or waiting for OGE to process a request for a Certificate of Divestiture are not considered unusual hardships. As noted in the Privacy Act Statement above, not submitting your Certification may result in notification of lack of compliance to the Senate, the head of your agency, or the White House. OGE may also decline to certify your financial disclosure reports. You may also be required to recuse from matters based on uncertainty as to whether you have completed required divestitures and resignations. OGE may also post a notice on its website, in place of your Certification, stating that you have not yet submitted the required Certification.

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