

entrants to other public reporting positions in the executive branch, and Presidential and Vice-Presidential candidates. The financial information collected relates to: Assets and income; transactions; gifts, reimbursements and travel expenses; liabilities; agreements or arrangements; outside positions; and compensation over \$5,000 paid by a source—all subject to various reporting thresholds and exclusions. The information is collected in accordance with section 102 of the Ethics in Government Act, 5 U.S.C. app. section 102, as amended by the Stop Trading on Congressional Knowledge Act of 2012 (Pub. L. 112–105) (STOCK Act), and OGE's implementing financial disclosure regulations at 5 CFR part 2634. OGE is proposing to make minor modifications to the paper version of the OGE Form 278 to update the Privacy Act Statement and the legal authorities under which the information is collected. OGE proposes to include in this renewal submission the new OGE Form 278e, an electronic version to be implemented later in 2014, pursuant to the e-filing system mandated under section 11(b) of the STOCK Act. (See Amendments to the STOCK Act Pub. L. 113–7 (April 15, 2013)).

The OGE Form 278e will collect the same information that both the current paper version of the OGE Form 278 collects, as well as the 14 e-filing systems that are currently in use in executive branch agencies. Although the OGE Form 278e will not collect any additional information, the application will produce a streamlined output report format that presents only the filer's inputs in given categories, and that does not report other categories not selected by the filer.

OGE published a first round notice of its intent to request paperwork clearance for a modified OGE Form 278 Executive Branch Personnel Public Financial Disclosure Report. See 78 FR 55079 (September 9, 2013). OGE received one response to that notice from an executive branch agency ethics official who requested that OGE modify the language of the filer's certification. The current certification requires the filer to certify that statements made on the form and all attached schedules are true, complete, and correct to the best of the filer's knowledge. The agency official commented that the certification should also include a statement that there are no potential conflicts or that conflicts have been identified. This agency submitted the same comment in response to OGE's request for public comments about the proposed renewal under the Paperwork Reduction Act of

an unmodified OGE Form 450, the confidential financial disclosure report for employees of the executive branch. The filer's certification on the OGE Form 450 is very similar to the filer's certification on the OGE Form 278. OGE declined to adopt this recommendation for the OGE Form 450 because OGE deemed the existing certification to be appropriate.

OGE also declines to adopt this suggestion with regard to the OGE Form 278. Neither the Ethics in Government Act, 5 U.S.C. app. sections 101–111, nor the financial disclosure regulation, 5 CFR part 2634, requires the filer to certify that he or she has no conflicts of interest. A certification that is made once a year, such as the proposed one, is ineffective. The analysis of whether a filer has conflicts of interest must continue throughout a filer's executive branch employment and is not limited to the date on which the filer signs a financial disclosure report. No conflicts may exist on the date that the filer signs the report. A conflict, however, may arise six months later if, for example, the filer is faced with participating in a particular matter that has a direct and predictable effect on one of the companies in which the filer owns stock. Once a conflict arises, it is the responsibility of the filer to seek the advice of an ethics counselor to determine the appropriate remedy for the conflict.

*Request for Comments:* Agency and public comment is again invited specifically on the need for and practical utility of this information collection, the accuracy of OGE's burden estimate, the enhancement of quality, utility and clarity of the information collected, and the minimization of burden (including the use of information technology). Comments received in response to this notice will be summarized for, and may be included with, the OGE request for extension of OMB paperwork approval. The comments will also become a matter of public record.

Approved: January 14, 2014.

**Walter M. Shaub, Jr.,**

*Director, Office of Government Ethics.*

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Final Effect of Designation of a Class of Employees for Addition to the Special Exposure Cohort

**AGENCY:** National Institute for Occupational Safety and Health (NIOSH), Centers for Disease Control and Prevention, Department of Health and Human Services (HHS).

**ACTION:** Notice.

**SUMMARY:** HHS gives notice concerning the final effect of the HHS decision to designate a class of employees from the Rocky Flats Plant in Golden, Colorado, as an addition to the Special Exposure Cohort (SEC) under the Energy Employees Occupational Illness Compensation Program Act of 2000.

**FOR FURTHER INFORMATION CONTACT:** Stuart L. Hinnefeld, Director, Division of Compensation Analysis and Support, NIOSH, 4676 Columbia Parkway, MS C–46, Cincinnati, OH 45226, Telephone 877–222–7570. Information requests can also be submitted by email to [DCAS@CDC.GOV](mailto:DCAS@CDC.GOV).

#### SUPPLEMENTARY INFORMATION:

**Authority:** 42 U.S.C. 7384q(b). 42 U.S.C. 7384l(14)(C).

On December 12, 2013, as provided for under the Secretary of HHS designated the following class of employees as an addition to the SEC:

All employees of the Department of Energy, its predecessor agencies, and their contractors and subcontractors who worked at the Rocky Flats Plant in Golden, Colorado, from April 1, 1952, through December 31, 1983, for a number of work days aggregating at least 250 work days, occurring either solely under this employment or in combination with work days within the parameters established for one or more other classes of employees included in the Special Exposure Cohort.

This designation became effective on January 11, 2014. Hence, beginning on January 11, 2014, members of this class of employees, defined as reported in this notice, became members of the SEC.

**John Howard,**

*Director, National Institute for Occupational Safety and Health.*

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