Tracking Personnel, Deadlines & Financial Disclosure Data

Wednesday, August 2, 2023
0800 - 0900
- TRACKING PERSONNEL:
  - Civilian & Military Personnel
  - Financial Disclosure Filers

- ETHICS TRAINING & FINANCIAL DISCLOSURE DEADLINES:
  - Ethics Training Deadlines
  - Financial Disclosure Reporting Deadlines
  - 31 U.S.C. § 1353 Deadlines

- FINANCIAL DISCLOSURE REPORTS DATA:
  - Tips & Tricks
  - Financial Disclosure Reviews
TRACKING PERSONNEL
CIVILIAN & MILITARY PERSONNEL TRACKING
PERSONNEL TRACKING & PROCEDURES:

Know the Players & Organizational Procedures!

- Who are the Civilian & Military Human Resources (HR) POCs within your organization?
- What are the procedures for in/out processing personnel within your organization?
- How are filers currently identified within your organization?
Reason for tracking personnel:

1. Do they need Initial Ethics Training?
2. Should they file a Financial Disclosure report?
3. Are they required to complete Annual Ethics Training?
HUMAN RESOURCES POCs FOR PERSONNEL TRACKING:

• Command/Directorates/Divisions CoS or Administrative Officer/ POC IAW DoD Joint Ethics Regulation, DoD 5500.07R §§1-404 and 1-414 (JER).

Human Resources
Directorate/Division:
- Civilian Human Resources POC
- Senior Executive Services
- Personnel POC
- GS & Other Pay Bands POC

Military Human Resources POC:
- GO/FO POC
- Enlisted POC
- Officer POC
- Reservist/National Guard POC
Personnel data you can request from HR:

- Military Personnel Report (MILPERS)
- Business Objects Enterprise Reporting Service (BOERS) Report
- Fourth Estate Manpower Tracking System (FMTS) Report
- Entry on Duty (EOD) notifications
- Position Descriptions
FINANCIAL DISCLOSURE FILERS
**FILERS:** Civilian and Military personnel who are required to file either a Confidential Financial Disclosure report (OGE 450) or a Public Financial Disclosure report (OGE 278).

- **278/450 Filers: Position Description (OF8):**
  - [https://www.opm.gov/forms/optional-forms/](https://www.opm.gov/forms/optional-forms/)

- **OGE 450 Filing Determination Worksheet**
  - [https://www.oge.gov/web/OGE.nsf/0/3A3A75454693D79C852585B6005A17B8/$FILE/New%20Form%20450%20Job%20Aid.pdf](https://www.oge.gov/web/OGE.nsf/0/3A3A75454693D79C852585B6005A17B8/$FILE/New%20Form%20450%20Job%20Aid.pdf)

**NON-FILERS:** Civilian and Military personnel who are not required to file a financial disclosure reports.
<table>
<thead>
<tr>
<th>TYPES OF PERSONNEL APPOINTMENTS</th>
<th>TYPES OF PERSONNEL ACTIONS</th>
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</thead>
<tbody>
<tr>
<td>General &amp; Flag Officers</td>
<td>New Federal Hire</td>
</tr>
<tr>
<td>Career Senior Positions: (SES, DISES, SL, ST)</td>
<td>Transfer (Internal to Organization &amp; External Agency)</td>
</tr>
<tr>
<td>Political Appointee: Non-Career Senior Positions</td>
<td>New Duties/Promotion</td>
</tr>
<tr>
<td>Political Appointee: Schedule C</td>
<td>Detailed from organization</td>
</tr>
<tr>
<td>Highly Qualified Expert (HQE)</td>
<td>Detailed to organization.</td>
</tr>
<tr>
<td>Intergovernmental Personnel Act (IPA)</td>
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<tr>
<td>Federal (All other Federal Civilian Employees)</td>
<td></td>
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<tr>
<td>Military Personnel (Below O-7)</td>
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<tr>
<td>Appointment Type/Category</td>
<td>Report Required¹</td>
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</tr>
<tr>
<td>1. Presidentially Appointed, Senate Confirmed (PAS)</td>
<td>OGE 278 (OGE Certified)</td>
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<tr>
<td>2. Designated Agency Ethics Official</td>
<td>OGE 278 (OGE Certified)</td>
</tr>
<tr>
<td>3. General &amp; Flag Officers (not frocked)</td>
<td>OGE 278</td>
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<td>4. NC-SES, SES, DISES, SL, DISL, ST (and equivalent)</td>
<td>OGE 278</td>
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<td>5. Schedule C (unless GS-13 or below)</td>
<td>OGE 278</td>
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<tr>
<td>6. HQE, Senior Mentor³</td>
<td>OGE 278</td>
</tr>
<tr>
<td>7. HQE, Non-Senior Mentor⁴</td>
<td>OGE 450</td>
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<tr>
<td>8. IPA, Talent Exchange, and similar⁵</td>
<td>OGE 450</td>
</tr>
<tr>
<td>9. Special Government Employees (SGE) (unless excluded)</td>
<td>OGE 450 or approved alternate</td>
</tr>
</tbody>
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¹ Possible additional forms include OGE 278A, OGE 278B, OGE 278C.
3 Any individual not required to file an OGE 278 or in an OGE 450 specific category may still be required to file if performing duties affecting the financial interests of non-Federal entities. Use Filer Determination Worksheet to assist in making this assessment.

2 Note that individuals temporarily promoted or formally detailed (SF 50 issued) to these positions for more than 60 days must also file an OGE 278.

3 DoDI 1400.25, vol. 922

4 DoDI 1400.25, vol. 922. Note that an OGE 278 may be required if serving in an established position classified at the SES or equivalent level such that the basic rate of pay that can be paid to an occupant in the position is above the current filing threshold. It is the position classification and corresponding payscale, not actual pay, that controls.

5 JER 7-300(a)(3). Note that an OGE 278 may be required if serving in an established position classified at the SI/SES level such that the basic rate of pay that can be paid to an occupant in the position is above the current filing threshold. It is the position classification and corresponding payscale, not actual pay, that controls.
ETHICS TRAINING & FINANCIAL DISCLOSURE DEADLINES
ETHICS TRAINING DEADLINES
• **Initial Ethics Training Deadline**: New employees must complete initial ethics training within 90 days of appointment. 5 CFR § 2638.304(b).

• **Annual Ethics for Financial Disclosure Filers**: Per SECDEF Memorandum, must be completed by 30 November.
  - This provides ECs time to escalate and obtain compliance prior to the 31 December regulatory deadline. 5 CFR § § 2638.307(b), 2638.308(b).
ANNUAL ETHICS TRAINING: All Financial Disclosures Filers (OGE 278 & 450 Filers) must complete ethics training annually.

- Guidance per SECDEF Memorandum
  - Leader led (live)
  - 30 November deadline

- Regulatory requirement (5 CFR § § 2638.307(b), 2638.308(b))
  - Live for certain OGE 278 filers
  - Interactive for all others
  - 31 December deadline

**Best practice:** Make online training available AFTER ALL Leader led/live training sessions are completed.
• New Entrant Report (OGE 278/450):
  - An individual must file a report within 30 days of assuming the duties of a position covered by the public filing requirements. A report is not required if service is expected to last no more than 60 days in a calendar year or if the individual is transferring from one covered position to another without a break in service of more than 30 days.

• OGE 450 Annual Report:
  - An individual who served more than 60 days in a position covered by the public filing requirements during a calendar year must file a report no later than February 15th of the following year. If the 15th falls on a weekend or holiday, the due date is the next workday.
FINANCIAL DISCLOSURE DEADLINES

• OGE 278 Annual or Incumbent Report:
  - An individual who served more than 60 days in a position covered by the public filing requirements during a calendar year must file a report no later than May 15th of the following year.

• OGE 278 Annual & Termination Combination Report:
  - Employees who anticipate leaving a covered position on or within 90 days after the May 15th annual deadline may file a combined Annual/Termination report if they request and receive an agency extension of the annual filing deadline.
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• **OGE 278 Termination Report:**
  An individual must file a report within 30 days of leaving a position covered by the public filing requirements. A report is not required if the individual served no more than 60 days in a calendar year or if the individual is transferring from one covered position to another without a break in service of more than 30 days.
• OGE 278-T Periodic Transaction Report:
  - An individual who serves in a position covered by the public filing requirements must file a report within 30 days of receiving notification of a covered transaction, but not later than 45 days after the transaction. A report is not required if service is expected to last no more than 60 days.
31 U.S.C. § 1353 – OGE REPORTING
REPORTING PAYMENTS TO OGE:

• REMINDER: 31 U.S.C. § 1353 – Is the authority to accept unsolicited gifts of travel, meals, lodging and/or registration fees on behalf of the agency.

• “The head of each agency of the executive branch shall, in the manner provided in paragraph (2), submit to the Director of the Office of Government Ethics reports of payments of more than $250 accepted under this section with respect to employees of the agency. “

• The payments are to be reported twice a year as follows:
  • October 1 – March 31: reported NLT May 31st.
  • April 1 – September 30: reported NLT November 30th.
REPORTING PAYMENTS TO OGE:

- The SF 326 or the OGE Excel Form 1353 can be used to report payments accepted on behalf of the agency that are over $250.
- If you are reporting up to OSD; we require you submit on the Excel version.
- All travel within your agency is to be on one report.
- If there is nothing to report your agency is required to provide a negative report.
TIPS & TRICKS
ROLLOUT THE FILING SEASONS:

• 450 notification – January of each year.
• 278 notification – March of each year.
  - Can do earlier – this avoids overlap with 450 season for orgs with large filer populations.
KEEPING TRACK – KEY TO SUCCESS!

• Run Management Reports in electronic filing system.
• Supervisory review (should occur within two weeks from submission).
• 60 days to certify from date of submission.
• If no amendments - certify!
• End Initial Review – Tolls 60 days, but ONLY when additional information or amendment is needed.
TEMPLATES!

• Use FDM & Integrity or SOCO Templates:
  - Assign FDM and Integrity Reports.
  - Notifications to filers and supervisors.
  - Reminder notifications.

OGE 278 KEY REMINDERS

• Annual Report Due Date – May 15th each year.
• Reconcile OGE 278-T Reports & Part 7 Transactions.
• OGE 278-T Reports: Self-Assigned.
• OGE 278-T Monthly Calendar Appointment.
• Add New Entrants to monthly distro list.
• OGE 278 Termination Reports.
• Future employment Agreements/arrangements.
FINANCIAL DISCLOSURE REVIEWS
INITIAL NEW ENTRANT REPORT:

• Former Employer: Compensation, Outside Positions, Employer Sponsored Retirement Benefits, and Arrangements/Agreements.
• Spousal Employment: Compensation and Employer Sponsored Retirement Benefits.
• Assets:
  - Annuities, Brokerage Investment Accounts, Real Estate and 529 College Plans.
• Liabilities.
• Trusts: Irrevocable or Revocable.
ANNUAL REPORT:

• Spousal Employment Changes: Compensation and Employer Sponsored Retirement Benefits.

• Assets:
  - Annuities, Brokerage Investment Accounts, Real Estate and 529 College Plans.

• Liabilities.

• Trusts: Irrevocable or Revocable.

• 278 Filers: Transaction Reports.
This concludes this portion of the Ethics Counselor & PS Short Course. If you have questions regarding the material in this presentation, please contact the DoD Standards of Conduct Office:

• Comm: (703) 695-3422
• E-mail: osd.soco@mail.mil
• (Subject: Managing Ethics Program)