

# Tracking Personnel, Deadlines & Financial Disclosure

Tuesday, September 24, 2024  
1510 - 1630

Standards of Conduct Office  
Office of General Counsel  
Department of Defense

UNCLASSIFIED





- 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:
  - Program Tips & Tricks
  - Financial Disclosure Reviews

# TRACKING PERSONNEL

Standards of Conduct Office  
Office of General Counsel  
Department of Defense

UNCLASSIFIED





# CIVILIAN & MILITARY PERSONNEL TRACKING



# 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?



# CIVILIAN & MILITARY PERSONNEL TRACKING

## 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?



# CIVILIAN & MILITARY PERSONNEL TRACKING

## HUMAN RESOURCES POCS FOR PERSONNEL TRACKING:

- Command/Directorates/Divisions CoS or Administrative Officer (or equivalent).

### 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



# CIVILIAN & MILITARY PERSONNEL TRACKING

## **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



# 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/>
- 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.



# FINANCIAL DISCLOSURE FILERS

TYPES OF PERSONNEL APPOINTMENTS	TYPES OF PERSONNEL ACTIONS
General & Flag Officers	New Federal Hire
Career Senior Positions: (SES, DISES, SL, ST)	Transfer (Internal to Organization & External Agency)
Political Appointee: Non-Career Senior Positions	New Duties/Promotion
Political Appointee: Schedule C	Detailed from organization
Highly Qualified Expert (HQE)	Detailed to organization.
Intergovernmental Personnel Act (IPA)	Joint Duty Assignments Details (MOU & MOA needed)
Federal (All other Federal Civilian Employees)	
Military Personnel (Below O-7)	



# FINANCIAL DISCLOSURE FILERS

## filer categories

<u>Appointment Type/Category</u>	<u>Report Required<sup>1</sup></u>
1. Presidentially Appointed, Senate Confirmed (PAS)	OGE 278 (OGE Certified)
2. Designated Agency Ethics Official	OGE 278 (OGE Certified)
3. General & Flag Officers (not frocked)	OGE 278
4. NC-SES, SES, DISES, SL, DISL, ST (and equivalent) <sup>2</sup>	OGE 278
5. Schedule C (unless GS-13 or below)	OGE 278
6. HQE, Senior Mentor <sup>3</sup>	OGE 278
7. HQE, Non-Senior Mentor <sup>4</sup>	OGE 450
8. IPA, Talent Exchange, and similar <sup>5</sup>	OGE 450
9. Special Government Employees (SGE) (unless excluded alternate)	OGE 450 or approved



## FILER CATEGORIES

☐

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.

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.

DoDI-1400.25, vol. 922

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 pay scale, not actual pay, that controls.

JER-6-300(a)(3). Note that an OGE-278 may be required if serving in an established position classified at the SL/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 pay scale, not actual pay, that controls.

☐

# ETHICS TRAINING & FINANCIAL DISCLOSURE DEADLINES

Standards of Conduct Office  
Office of General Counsel  
Department of Defense

UNCLASSIFIED





# ETHICS TRAINING 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).





# ETHICS TRAINING DEADLINES

**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.



# FINANCIAL DISCLOSURE DEADLINES



# FINANCIAL DISCLOSURE DEADLINES

- **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.



# FINANCIAL DISCLOSURE DEADLINES

- **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.
- **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.



# FINANCIAL DISCLOSURE DEADLINES

- **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 30<sup>th</sup>.





# 31 U.S.C. § 1353 – OGE REPORTING

## 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.

OGE FORM 1353  
(OGE-Approved Alternative for SF-326)  
February 2011

**1353 Travel Report for [REPLACE WITH REPORTING AGENCY NAME], [REPLACE WITH SUB-AGENCY NAME] for the reporting period [MARK REPORTING PERIOD]**

SEMIANNUAL REPORT OF PAYMENTS ACCEPTED FROM A NON-FEDERAL SOURCE						PAGE	OF PAGES	YEAR	
This report implements 31 U.S.C. § 1353. It does not supersede other reports that may have to be filed when travel expenses are accepted under other authority. For definitions and policies, see 41 CFR part 304-1.								2019	
[REPLACE WITH REPORTING AGENCY NAME] [REPLACE WITH SUB-AGENCY NAME]						REPORTING PERIOD: OCTOBER 1, 2018 - MARCH 31, 2019	REPORTING PERIOD: APRIL 1 - SEPTEMBER 30, 2019	NEGATIVE REPORT	
Agency Contact: [Replace with Agency Contact Name]		[Replace with Agency Contact Email]							
NO.	TRAVELER	EVENT DESCRIPTION & EVENT SPONSOR	EVENT DATE(S) [MM/DD/YYYY - MM/DD/YYYY]	LOCATION AND TRAVEL DATE(S) [MM/DD/YYYY - MM/DD/YYYY]	BENEFIT SOURCE	BENEFIT DESCRIPTION	PAYMENT BY CHECK	PAYMENT IN-KIND	TOTAL AMOUNT
0.	TRAVELER NAME	EVENT DESCRIPTION	BEGINNING DATE [MM/DD/YYYY]	LOCATION	BENEFIT SOURCE				
	John Smith	Conference on Asia-Pacific Relations	8/11/2011	San Francisco, CA	Asia Pacific Forum Pacific Rim Foundation	Hotel		X	\$280
	TRAVELER TITLE	EVENT SPONSOR	ENDING DATE [MM/DD/YYYY]	TRAVEL DATE(S)		Air Transportation	X		\$825
	Secretary	Asia-Pacific Forum	8/12/2011	8/11/2011 - 8/13/2011		Meals		X	\$120
1	TRAVELER NAME	EVENT DESCRIPTION	BEGINNING DATE [MM/DD/YYYY]	LOCATION	BENEFIT SOURCE				
	TRAVELER TITLE	EVENT SPONSOR	ENDING DATE [MM/DD/YYYY]	TRAVEL DATE(S)					

# FINANCIAL DISCLOSURE REPORTS

Standards of Conduct Office  
Office of General Counsel  
Department of Defense

UNCLASSIFIED





# TIPS & TRICKS



### ROLLOUT THE FILING SEASONS:

- 450 notification assignment – January of each year.
- 278 notification assignment – March of each year.
  - Rolling out the financial season 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.
- SOCO Website Templates: <https://dodsoco.ogc.osd.mil/ETHICS-TOPICS/Financial-Disclosure/Toolbox-Financial-Disclosure/>



### 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.



# QUESTIONS?

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](mailto:osd.soco@mail.mil)
- (Subject: Managing Ethics Program)

