

PART 2045 - GENERAL

Subpart EE - Executive Branch Office of Government Ethics (OGE) Confidential
Financial Disclosure Report (OGE Form 450)

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PART 2045 - GENERAL

Subpart EE - Executive Branch Office of Government Ethics (OGE) Confidential Financial Disclosure Report (OGE Form 450)

§ 2045.1501 General.

This Instruction provides procedures for using the Executive Branch Office of Government Ethics (OGE) Confidential Financial Disclosure Report (OGE Form 450).

§ 2045.1502 Filing Requirements.

Subpart I of Part 2634 of Title 5, Code of Federal Regulations (CFR) states that the OGE Form 450 must be completed by executive branch employees who hold positions which have been determined to involve duties requiring personal and substantial participation through decision making or exercise significant judgment in: contracting or procurement; administering or monitoring grants, subsidies, licenses, or other benefits; regulating or auditing non-Federal entities; or performing other activities having a direct and substantial economic effect on non-Federal entities.

- (a) Positions requiring the OGE Form 450. See *Exhibit A* of this Instruction.
- (b) New entrant filing requirements. Employees appointed to a designated position are required to file an OGE Form 450 within 30 days of appointment, see 5 CFR § 2634.903(a)
- (c) Annual filing requirements. Employees in designated positions must file incumbent reports no later than February 15 annually, see 5 CFR § 2634.903(b).

Note: An annual report is not required from an employee who does not work more than 60 days during the reporting period. For example, a covered employee who joins Rural Development on November 1, must file a new entrant OGE Form 450 within 30 days of appointment, but not an annual OGE Form 450 for the subsequent annual filing cycle. The same principle applies to employees who transfer from a non-covered position to a covered position.

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Personnel
General

(d) Reporting periods. For new entrants, the reporting period covers the 12 months preceding the date of filing. For annual filers, the reporting period is the 12 months preceding January 1.

(e) Notification to file the OGE Form 450.

(1) New entrant filers are notified by email from the USDA Office of Ethics, within the first 30 days following the date of their appointment and no later than January 3 for annual filers to electronically file their OGE Form 450.

(f) Execution of the OGE Form 450.

(1) Employees completing the form must file electronically using the FDonline filing system. Filers will be automatically notified by e-mail that they must electronically file their OGE Form 450 by using the FDonline filing system. The notification will instruct them on how to use the FDonline system, including using prompts that will enable them to generate a Password and step by step instructions on how to enter reportable information.

(2) If there is nothing to report for a section, the filer must check "No" on Page 1 of the form. If the filer has information to report, the filer can generate each section of the OGE Form 450 and place their information into the corresponding section.

(3) Once the OGE Form 450 is completed, the filer must certify the report by electronically signing and dating document. The employee's supervisor does not sign the form.

(4) The employee should retain a completed copy of the OGE Form 450 for future reference.

§ 2045.1503 Review and Certification of the OGE Form 450.

(a) Officials responsible for the review of the OGE Form 450. The following officials are authorized to review and certify the OGE Form 450:

§ 2045.1503(a) (Con.)

(1) The National Ethics Program Manager for Rural Development and the Ethics Specialists at the USDA Office of Ethics Farm, Conservation and Rural Programs Branch provides the initial review and final certification of all OGE Form 450's from the States, National Office and the St. Louis Office.

(b) Request and approval of extensions for filing the OGE Form 450.

The National Ethics Program Manager for Rural Development listed in paragraph (a) of this section may grant an extension (not to exceed 90 days) for filing the OGE Form 450. Requests for extensions must be in writing and received prior to the due date. Under 5 CFR 2635.904(d) the regulation states that Agency extensions are granted by the agency reviewing official (Office of Ethics) totaling not more than 90 days. Under 10 U.S.C. 101, it further states that extensions are granted to military personnel of the Armed Forces who are deployed or sent to a combat zone to last no longer than 90 days after day of the individual's service in a combat zone; or the individual's hospitalization as a result of the injury received or disease contracted while serving in active duty. Any extension requested will be reviewed by the USDA Office of Ethics. Extensions are granted only by the National Ethics Program Manager.

(c) Officials responsible for final certification. Upon final review, the ethics officials listed in paragraph (a)(1) of this section must certify the OGE Form 450 electronically.

§ 2045.1504 Utilization of the Confidential Certificate of No New Interests (OGE Optional Form 450-A).

(a) The OGE Optional Form 450-A may be used by an incumbent filer in lieu of the OGE Form 450 if the filer can certify that he/she, his/her spouse or dependent children have not acquired new reportable interests and that the filer has not had a significant change in duties or change of position description assignment.

(b) This form may be used for a maximum of three consecutive years. However, each presidential election year all employees in designated positions must file the OGE Form 450.

§ 2045.1505 Custody of the OGE Form 450.

(a) Officials listed in § 2045.1503(a) are responsible for the custody and safe keeping of the OGE Form 450.

(b) All OGE Forms 450 are confidential and upon final certification are maintained and stored in the FDonline filing database.

§ 2045.1506 Control and record system of the OGE Form 450.

The USDA Office of Ethics Farm Branch, all State Offices and the St. Louis Office must abide by the General Records Schedule as found at http://www.archives.gov/records_management/ardor/grs25.html, for all ethics records.

§§ 2045.1507 - 2045.1550 [Reserved]

Attachment: Exhibit A

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SUBJECT: List of Positions requiring Filing the Office of Government
Ethics Confidential Financial Disclosure Report (OGE Form 450).

National Office

St. Louis Office (CSC)

All Special Government Employees

Rural Housing Service:

- (1) Directors
- (2) Deputy Directors
- (3) Supervisors/Managers, GS-14/15
- (4) Environmental Protection Specialist, GS-028-13/14
- (5) Finance & Loan Analyst (Hsg), GS-1101-12/13
- (6) Loan Specialist, GS-1165-12
- (7) Guaranteed Lender Oversight Program Mgr, GS-1101-14
- (8) Architect, GS-808-13/14
- (9) Community Program Specialist, GS-1101-12/13
- (10) Appraiser/Review Appraiser, GS-1171-12 and above
- (11) Asset Risk Management Specialist, GS-1101-12/13
- (12) Special Projects Coordinator, GS-301-14
- (13) Employees serving as COR/COTR (Level II or Level III)
- (14) Any employee who is officially acting in one of the above mentioned positions for more than 60 days.

Rural Utilities Service:

- (1) Program Managers (Directors), GS-15
- (2) Program Managers (Deputy Directors), GS-14
- (3) Supervisors/Managers, GS-14/15
- (4) Risk Management Analyst (Rural Util), GS-1101-14
- (5) Staff Accountant PARA (RUS Util), GS-0510-14
- (6) Special Projects Coordinator (RUS Telecom), GS-301-14
- (7) General Field Representative (Elec), GS-1101-12/13
- (8) General Field Representative (Telecomm), GS-1101-12/13
- (9) Financial & Loan Business Specialist (Elec), GS-1101-12/13
- (10) Loan Specialist, GS-1165-12
- (11) Electrical Engineer, GS-850-12/13
- (12) Mechanical Engineer, GS-830-12/13

- (13) Civil Engineer, GS-810-12/13
- (14) General Engineer, GS-801-12/13
- (15) Financial & Loan Business Specialist, GS-1101-12/13
- (16) Electronics Engineer, GS-855-12/13
- (17) Community Program Specialist (Water & Environ), GS-1101-12/13
- (18) Environmental Protection Specialist, GS-028-13/14
- (19) Administrative Officer, GS-3412
- (20) Telecommunications Program Analyst, GS-1101-14
- (21) Financial Economist, GS-1101-15
- (22) Financial Analyst, GS-1160-14
- (23) Employees serving as COR/COTR (Level II or Level III)
- (24) Any employee who is officially acting in one of the above mentioned positions for more than 60 days

Rural Business-Cooperative Service:

- (1) Assistant Deputy Administrators
- (2) Supervisors/Managers, GS-14/15
- (3) Program Policy Advisor, GS-301-15
- (4) Business Analysis & Financial Review Specialist, GS-1101-12/13
- (5) Business Loan & Grant Analyst (Energy Progs), GS-1101-12/13
- (6) Business Loan & Grant Analyst, GS-1101-12/13
- (7) Financial & Loan Business Specialist (B&I), GS-1101-12/13
- (8) Loan Specialist, GS-1165-12
- (9) Rural Development Specialist, GS-301-13
- (10) Employees serving as COR/COTR (Level II or Level III)
- (11) Any employee who is officially acting in one of the above mentioned positions for more than 60 days

Operations and Management:

- (1) Emergency Prep Manager, GS-1101-15
- (2) Native American Program Coordinator, GS-1101-14
- (3) Economic & Community Development Policy & Outreach Coordinator, GS-301-15
- (4) Employees serving as COR/COTR (Level II or Level III)
- (5) Any employee who is officially acting in one of the above mentioned positions for more than 60 days

Office of the Controller: (Includes National Financial and Accounting
Operations Center/Center of Excellence (NFAOC/COE))

- (1) Division Directors
- (2) Branch Chief
- (3) Supervisors/Managers, GS-14/15
- (4) Employees serving as COR/COTR (Level II or Level III)
- (5) Any employee who is officially acting in one of the above mentioned positions for more than 60 days

Office of the Assistant Admin for Procurement & Administrative Services:

- (1) Assistant Administrator
- (2) Supervisors/Managers, GS-14/15
- (3) Contract Specialist
- (4) Procurement Specialist
- (5) Building Management Specialist, GS-1176-12
- (6) Purchasing Agent (Needs to be \$100,000 or more)
- (7) Employees serving as COR/COTR (Level II or Level III)
- (8) Any employee who is officially acting in one of the above mentioned positions for more than 60 days

Office of the Chief Information Officer: (Includes Deputy Chief Information
Officer (DCIO))

- (1) Supervisors/Managers, GS-14/15
- (2) Employees serving as COR/COTR (Level II or Level III)
- (3) Any employee who is officially acting in one of the above mentioned positions for more than 60 days

Office of Human Resources:

- (1) Assistant Director of HR
- (2) Supv HR Spec (HR Dev), GS-14
- (3) Employees serving as COR/COTR (Level II or Level III)
- (4) Any employee who is officially acting in one of the above mentioned positions for more than 60 days

Office of Communications (LAPAS):

- (1) Director, Legislative and Public Affairs Staff, GS-301-15
- (2) Deputy Director, GS-301-14

State Rural Development Offices:

- (1) All employees at GS/GM-13 and above
- (2) All Loan Specialist, GS-1165-9 and above (includes all specializations)
- (3) Administrative Officer, GS-341-12 and above
- (4) Contract Specialist, GS-1102- 12
- (5) Purchasing Agent and/or Procurement Technician (needs to be \$100,000 or more)
- (6) Civil Engineer, GS-810-11 and above
- (7) Architect, GS-808-11 and above
- (8) Appraiser/Review Appraiser, GS-1171-11 and above
- (9) Environmental Protection Specialist, GS-028-11 and above
- (10) Employees serving as COR/COTR (Level II or Level III)
- (11) Any employee who is officially acting in one of the above mentioned positions for more than 60 days

NOTE: The National Ethics Program Manager for Rural Development has the authority to identify additional positions that require an OGE Form 450 if he/she feels the position meets the reporting requirements as defined by the Office of Government Ethics at 5 CFR Part 2634.904.

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