

For: FSA Employees

**2011 Annual Filing of OGE Form 450, Confidential Financial Disclosure Report**

Approved by: Deputy Administrator, Management



**1 Overview**

**A Background**

According to 5 CFR, Part 2634, Subpart I, and to avoid possible conflict-of-interest situations, employees within the Executive Branch of the Federal Government engaged in certain duties are required to report their outside activities, and personal financial interest, on an annual basis.

**B Purpose**

This notice:

- advises all employees, who are designated to file an annual OGE Form 450, of their requirement to file by **COB February 15, 2011**
- advises that **OGE Form 450** has been **revised** to incorporate the new \$335 reporting threshold for gifts and travel reimbursements received from 1 source
- advises that **OGE Optional Form 450-A** may be used for calendar year **(CY) 2011**
- provides guidance and instructions to management about their responsibility to ensure compliance by designated filers under their supervision
- provides new instructions for processing OGE Form 450 Reports submitted by FSA Administrative Officers (AO's).

**Note:** Instructions about STC's have been provided in Notice PM-2787.

<b>Disposal Date</b>	<b>Distribution</b>
April 1, 2011	All FSA employees; State Offices relay to County Offices

## Notice PM-2786

### 1 Overview (Continued)

#### C Employees Required to File Annual OGE Form 450

Employees required to file OGE Form 450 are employees who are assigned duties that entail personal and substantial involvement in making official decisions, using significant judgment in making a Government decision, or taking a Government action in relation to any or all of the following:

- contracting or procurement
- administering or monitoring grants, subsidies, licenses, or other benefits
- regulating or auditing any non-Federal entity
- performing other activities in which the decision or action will have a direct and substantial economic effect on a non-Federal entity
- serving in any other position that FSA determines requires filing to avoid a conflict of interest, appearance of favoritism, or loss of impartiality; that is a real or apparent conflict of interest.

Questions about whether an employee is required to file OGE Form 450 shall be directed according to the following.

<b>IF the employee is located in...</b>	<b>THEN contact...</b>
Washington, DC, area	HRD, Classification & Position Management Section, 816-926-6119.
<ul style="list-style-type: none"><li>• APFO</li><li>• Kansas City</li><li>• St. Louis</li><li>• State Office</li></ul>	HRD, Classification & Position Management Section, 816-926-6119.
the County Office	State Office, Administrative Section.

**Note:** Servicing administrative offices seeking ethics guidance about the criteria for whether an employee should be required to file should contact Tonya Willis, National Ethics Program Manager for FSA by either of the following:

- e-mail to [tonya.willis@dm.usda.gov](mailto:tonya.willis@dm.usda.gov)
- telephone at 202-720-0055.

#### D 2011 Annual Ethics Training Requirement

Notice PM-2788 provides information about the annual ethics training requirement for CY 2011. This year's training will be placed directly on the designated employees' AgLearn Lesson Plan.

## Notice PM-2786

### 2 OGE Form 450 Annual Filing Requirement (Continued)

#### A Filing Deadline

All annual OGE Form 450's are due in the servicing office (see subparagraph 3 C) by February 15, 2011.

#### B Reporting Period

The annual confidential financial disclosure reporting period covers the preceding CY, January 1, 2010, through December 31, 2010.

#### C OGE Form 450 (June 2008)

OGE Form 450 dated June 2008 is the **only** approved version and should be used for the 2011 filing season. All previous versions are **obsolete**.

#### D OGE Optional Form 450-A

OGE Optional Form 450-A may be used for CY 2011. CY 2011 is **not** an election year; therefore, filers may use OGE Optional Form 450-A this filing season provided they meet the filing criteria.

#### E Accessing OGE Form 450 (June 2008) and OGE Optional Form 450-A

To obtain OGE Form 450 (June 2008), go to [www.usoge.gov](http://www.usoge.gov), CLICK "Forms Library", and CLICK "Financial Disclosure Form 450". Scroll down, an electronically fillable PDF version of **OGE Form 450 (June 2008)** will be displayed to be used through Adobe Reader Version 9.1 and then printed.

**Notes:** Although OGE Form 450 (June 2008) is capable of accepting digital signatures, USDA Office of Ethics does **not** accept digital signatures at this time. Therefore, each filer **must** print OGE Form 450 (June 2008), place an actual signature on OGE Form 450 (June 2008), and submit the original, signed, OGE Form 450 paper copy.

**It is critical that employees do the following:**

- **read through the entire OGE Form 450 (June 2008)**
- **gather their financial records that contain the information requested by OGE Form 450 (June 2008)**
- **complete, sign and submit OGE Form 450 (June 2008).**

## Notice PM-2786

### 2 OGE Form 450 Annual Filing Requirement (Continued)

#### F Requests for Extensions

Extensions of the filing due date generally will **not** be granted **except** for the following extenuating circumstances:

- active military duty
- medical emergency
- natural disaster.

Each request **must** include a written justification and be received **before** COB February 15, 2011.

- National Office and Kansas City Regional Field Administrative Offices should forward requests to the National Ethics Program Manager, Office of Ethics, Farm, Conservation, and Rural Programs Branch (OE-Farm).
- SED, or acting, may issue individual extensions up to 14 calendar days for good cause shown; this authority **cannot** be redelegated.
- Branch Chief, OE-Farm, through SED, may issue extensions for more than 14 calendar days.
- Group extensions **cannot** be granted without the written concurrence of the Branch Chief, OE-Farm.

#### G Additional Information for Filers

OGE has created the online course, “Completing the OGE Form 450”, to assist filers with completing OGE Form 450. Access the course at [www.usoge.gov](http://www.usoge.gov), CLICK “**Training**”, and CLICK “**Training Modules**”. Scroll down to view descriptions of available training modules and CLICK “**How to file an OGE Confidential Financial Disclosure Form**”. This web site also provides a link to information that addresses some of OGE Form 450 filers’ more common issues, **frequently asked questions (FAQ's)**, and other information about Federal ethics laws and regulations.

## Notice PM-2786

### 3 Responsibilities

#### A Directors and AO's Responsibilities

Washington, DC, and Kansas City, MO, Directors; and AO's shall:

- designate a representative to serve as a collection point for submitted OGE Form 450's

**Note:** Washington, DC, Directors **must** encourage their employees to submit OGE Form 450's to the **designated representative** allowing time for submission to OE-Farm by the **February 15, 2011, deadline**.

- inform covered employees of their requirement to complete and submit their OGE Form 450 according to Exhibit 1; provide filer with a copy of this notice

**Note:** A list of designated filers may be obtained from the servicing Administrative Office.

- provide covered employees access to privacy, pre-addressed envelopes, labeled according to the following:
  - employee name
  - office or division
  - "For Official Use Only: Contains OGE Form 450 - To Be Opened by Addressee Only"
- submit all completed and collected OGE Form 450's according to subparagraph C.

#### B Employee Responsibilities

All employees designated to file OGE Form 450 shall:

- complete OGE Form 450 (type or use blue or black ink)
- attach requests for prior approval of outside employment/activity memos, if applicable (see subparagraph D, step 6)
- sign and date OGE Form 450
- seal completed OGE Form 450 in privacy envelope and return to designated representative.

**Notice PM-2786**

**3 Responsibilities (Continued)**

**C Filing OGE Form 450**

Washington, DC, and Kansas City, MO, Directors; AO's; or ethics contacts shall submit received OGE Form 450's according to the following.

<b>IF the OGE Form 450's filer is...</b>	<b>THEN submit OGE Form 450 to the following for intermediate review...</b>
located in Washington, DC, area	<b>by interoffice mail to:</b>  USDA, OE, OE-Farm Attn: Tonya S. Willis STOP 2120 Room 6840 South Building.
<ul style="list-style-type: none"> <li>• located in any of the following:                             <ul style="list-style-type: none"> <li>• Kansas City, MO</li> <li>• St. Louis, MO</li> <li>• APFO</li> </ul> </li> </ul>	Human Resources Division Attn: ELRS Mail Stop 8398 P.O. Box 419205 Kansas City MO 64141-6205.
<ul style="list-style-type: none"> <li>• AO, Executive Officer (EO), or Administrative Specialist located in the State Office</li> </ul>	SED in the State Office.  <b>Note: OGE 450 Reports for AO's will no longer be sent to HRD. Once intermediately reviewed by SED, all State reports should be forwarded according to subparagraph E.</b>
located in the State or County Office	AO in the State Office.
an APFO employee	APFO Management Operations Officer.

**D Intermediate Review of OGE Form 450's**

OGE Form 450's:

- submitted **directly** to OE-Farm according to subparagraph C **do not** require any supervisory or intermediate review
- should be forwarded directly to OE-Farm according to subparagraph C.

OE-Farm Ethics Specialists Debra Griffin, Team Leader, and Louise Battle:

- both serve on the OGE 450 Review Team
- for OE-Farm, are responsible for the final review and certification of all OGE Form 450's and 450-A's received in OE-Farm
- will contact individual filers or the State Office AO to obtain clarification or any additional information needed to complete the certification of the OGE 450 Report.

**Notice PM-2786**

**3 Responsibilities (Continued)**

**D Intermediate Review of OGE Form 450's (Continued)**

HRD, EO, and AO's shall review submitted OGE Form 450's according to the following.

<b>Step</b>	<b>Reviewing and Processing Instructions for OGE Form 450's</b>
1	At the top of OGE Form 450, in the "Date Received by Agency" box, stamp the date received.
2	Review for completeness and accuracy.
3	Check to determine if any non-Federal entities listed in Part I: Assets and Income or Part III: Outside Positions conducts business with FSA. If so, the reviewer <b>must</b> notate the back of OGE Form 450.
4	Initial and date all notations.
5	Sign and date the "Signature and Title of Supervisor/Other Intermediate Reviewer" box.
6	Ensure that the following documentation has been provided with filers' OGE Form 450: <ul style="list-style-type: none"><li>• position description, if it has been updated</li><li>• request for prior approval of outside employment requests according to 3-PM, paragraph 131, if filer has <b>not</b> obtained approval</li><li>• extension request, if applicable.</li></ul>
7	Compile a list of annual OGE Form 450 filers using the electronic Excel spreadsheet that is provided, annually, to each servicing administrative office through DAFO.
8	After conducting the intermediate review, attach any pertinent documentation described in <b>step 6</b> .

**Notice PM-2786**

**3 Responsibilities (Continued)**

**E Forwarding 2011 OGE Form 450 Reports to OE-Farm**

AO, EO, or ethics contacts, shall forward intermediately reviewed OGE Form 450's to OE using the following instructions.

<b>Step</b>	<b>OGE Form 450 Forwarding and Shipping Instructions</b>
1	Complete and send an electronic copy of the Excel spreadsheet listing, in alphabetical order, the names and requested information of all current OGE Form 450 filers to <b>tonya.willis@dm.usda.gov</b> .
2	Bundle OGE Form 450's, in alphabetical order, as they appeared on the electronic Excel spreadsheet provided in step 1.
3	Using boxes from a secure provider with a tracking system; such as USPS, FedEx, or UPS, ship bundled OGE Form 450's by express mail, no later than <b>COB March 15, 2011</b> , to:  <div style="padding-left: 40px;">                     United States Department of Agriculture                      Farm, Conservation, and Rural Programs Branch                      Office of Ethics  <b>Attn:</b> Tonya S. Willis                      1400 Independence Avenue, SW                      Room 6840-South Building                      Washington DC 20250-2120.                 </div>

**4 Contact**

**A Questions About OGE Form 450**

Employees shall direct questions about OGE Form 450, according to the following.

<b>IF the employee is...</b>	<b>THEN direct questions to...</b>
<ul style="list-style-type: none"> <li>• located in the Washington, DC, area</li> <li>• Management Operations Manager, APFO</li> <li>• AO, EO, or Administrative Specialist located in the State Office</li> </ul>	Tonya Willis, National Ethics Program Manager, by either of the following: <ul style="list-style-type: none"> <li>• e-mail to <b>tonya.willis@dm.usda.gov</b></li> <li>• telephone at 202-720-0055.</li> </ul>
located in Kansas City or St. Louis, MO	the servicing Human Resources Specialist in HRD, ELRS at 816-926-6643.
located in State or County Office	AO in the State Office.
an APFO employee	APFO Management Operations Officer.

## Employee Notification Letter to Complete OGE Form 450

[Date]

SUBJECT: Confidential Financial Disclosure Report and Annual Ethics Training

TO: [Designated Employee Who Is Required to Submit the OGE Form 450]

FROM: [Name and Title]

Due to the nature and responsibilities of your position with the Farm Service Agency, you are required to submit a Confidential Financial Disclosure Report (OGE Form 450) on an annual basis. Employees within the Executive Branch of the Federal Government engaged in certain duties are required to report their outside activities, and personal financial interests on OGE Form 450. Specific duties and responsibilities requiring disclosure include, but are not limited to, those involving the exercise of judgment in making a Government decision or in taking a Government action on:

- contracting or procurement
- administering or monitoring grants subsidies
- regulating or auditing private or other non-Federal enterprises; or
- other activities where the decision or action has an economic impact on the interest of any non-Federal enterprise.

You can find the fillable, newly revised OGE Form 450 (June 2008) and Optional Form 450-A on the U.S. Office of Government Ethics web site at <http://www.usoge.gov/> CLICK “**Forms Library**”, then CLICK “**Financial Disclosure form 450**”. This site will also answer any questions you may have about the Federal ethics laws and regulations and will make your reporting more convenient.

If you are an annual filer, located in the field, your OGE Form 450, along with any request for approval of outside employment, is due to the [HRD/State Office] by February 15, 2011. If you are a first-time filer or a filer whose position and/or responsibilities have changed, your OGE Form 450 is due to your servicing personnel office within 30 calendar days of notification to file.

Our address is [HRD/State Office address]. If you have any questions regarding your OGE Form 450, you may contact us at [HRD/State Office phone number]. If you anticipate not being able to mail or deliver the OGE Form 450 to the address above on or before the due date, please send an email to [Servicing Administrative Office] before the due date to request an extension.

**As a reminder, annual ethics training must be completed by June 30, 2011.** Please do so by completing the assigned ethics training modules in your AgLearn lesson plan at <http://www.aglearn.usda.gov/>.