

For: FSA Employees, **Except** Non-Federal Employees

2012 Annual Filing of OGE Form 450, Confidential Financial Disclosure Report

Approved by: Acting Associate Administrator for Operations and 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, 2012**
- advises all employees of the new aggregation threshold for reporting gifts and reimbursements received from any 1 source on OGE Form 450 is “more than \$350”
- advises that **OGE Optional Form 450-A** may **not** be used for calendar year (CY) **2012**
- provides guidance and instructions to management about their responsibility to ensure compliance by designated filers under their supervision
- provides instructions for processing OGE Form 450’s submitted by FSA administrative officers.

Note: Instructions about STC’s have been provided in Notice PM-2845.

Disposal Date	Distribution
June 1, 2012	All FSA employees, except non-Federal employees; State Offices relay to County Offices

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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.

IF the employee is located in...	THEN contact...
<ul style="list-style-type: none">• APFO• Kansas City• St. Louis• State Office• Washington, DC, area	HRD, Classification and Position Management Section, by telephone at 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, FSA National Ethics Program Manager, by either of the following:

- e-mail to tonya.willis@dm.usda.gov
- telephone at 202-720-0055.

D 2012 Annual Ethics Training Requirement

Notice PM-2847 provides information about the annual ethics training requirement for CY 2012. Training will be placed directly on the designated employees' AgLearn Lesson Plan.

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2 OGE Form 450 Annual Filing Requirement

A Filing Deadline

All annual OGE Form 450's are due in the servicing office (see subparagraph 3 C) by **February 15, 2012**.

B Reporting Period

The annual OGE Form 450 reporting period covers the preceding CY, January 1 through December 31, 2011.

C OGE Form 450 (December 2011)

OGE Form 450 (December 2011) is the **only** approved version and should be used for the CY 2011 filing. All previous versions are **obsolete**.

D OGE Optional Form 450-A

OGE Optional Form 450-A may not be used for CY 2012. CY 2012 is an election year; therefore, filers may **only** use OGE Form 450 this filing season.

E Accessing OGE Form 450 (December 2011)

To obtain OGE Form 450 (December 2011), go to **www.usoge.gov**, CLICK "**Forms Library**", and CLICK "**OGE Form 450**". Scroll down, you may "download" an electronically fillable PDF version of **OGE Form 450 (December 2011)** will be displayed to be used through Adobe Reader and then printed.

Notes: Although OGE Form 450 (December 2011) 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 (December 2011), place an actual signature on OGE Form 450 (December 2011), 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 (December 2011)
- gather their financial records that contain the information requested by OGE Form 450 (December 2011)
- using an ink pen, complete, sign, and submit original OGE Form 450 (December 2011).

Scanned or FAXed copies **cannot** be accepted. **Only** original signatures are accepted by the U.S. Office of Government Ethics.

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, 2012**, and shall be handled as follows:

- National and Kansas City 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

Note: This authority **cannot** be redelegated. OE-Farm Branch Chief, through SED, may issue extensions for more than 14 calendar days.

- group extensions **cannot** be granted without the written concurrence of the OE-Farm Branch Chief.

G Additional Information for Filers

OGE has created the online course, “How to File an OGE Form 450”, to assist filers with completing OGE Form 450. Access the course at www.usoge.gov and do the following:

- CLICK “**Financial Disclosure**”
- CLICK “**Confidential Financial Disclosure**”
- scroll down and CLICK “**Helpful Resources**”, to view descriptions of available training modules
- CLICK “**How to file an OGE Form 450 Form**”.

This web site also provides a link to information that addresses some OGE Form 450 filers’ more common issues, **frequently asked questions (FAQ’s)** (CLICK “**OGE Form 450 FAQ**”, and other information about Federal ethics laws and regulations.

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3 Responsibilities

A Director and Administrative Officer Responsibilities

Washington, DC; Kansas City, MO; and State Office directors and administrative officers 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, 2012**, 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 as follows:
 - 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 do the following:

- complete OGE Form 450 (**use fillable online form or use blue or black ink**)
- review OGE Form 450 for completeness and accuracy, including the following:
 - e-mail address
 - current position/title
 - address, city, State, ZIP Code
 - Agency/office (State or county)/Deputy Area/Division/Branch
 - current grade (GS)
 - work phone contact number
 - reporting status (annual or new entrant)
 - if new entrant, include date of appointment and current position description (PD)

Note: Ensure that each entry listed is completed on OGE Form 450 and contains **all** the requested information.

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3 Responsibilities (Continued)

B Employee Responsibilities (Continued)

- attach OE-101, Requests for Prior Approval of Outside Employment/Activity, according to Notice PM-2822, if applicable (see subparagraph D, step 6 and Exhibit 2)
- sign and date OGE Form 450; **no electronic signatures will be accepted**
- seal completed OGE Form 450 in privacy envelope and return to designated representative.

C Filing OGE Form 450

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

IF the OGE Form 450's filer is...	THEN submit OGE Form 450 to the following for intermediate review...
in Washington, DC, area	by interoffice mail to: USDA, OE, OE-Farm Attn: Tonya S. Willis STOP 2120 Room 6840 South Building.
<ul style="list-style-type: none"> • APFO Management Operations Manager • located in either of the following: <ul style="list-style-type: none"> • Kansas City, MO • St. Louis, MO 	Human Resources Division Attn: ELRBB Mail Stop 8398 PO Box 419205 Kansas City MO 64141-6205.
administrative officer, executive officer (EO), or administrative specialist located in the State Office	SED in the State Office. Note: OGE Form 450's for administrative officers will not be sent to HRD. After intermediately reviewed by SED, all State OGE Form 450's should be forwarded according to subparagraph E.
located in the State or County Office	administrative officer in the State Office.
an APFO employee	APFO Management Operations Officer.

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3 Responsibilities (Continued)

D Intermediate Review of OGE Form 450's

For intermediate reviews of OGE Form 450's, do the following:

- review Exhibit 2 to ensure that Parts I through IV have been properly disclosed
- submit **directly** to OE-Farm according to subparagraph C with **no** supervisory or intermediate review
- forward directly to Debra Griffin, OE-Farm Ethics Specialist Team Leader, and Louise Battle, OE-Farm Ethics Specialist, according to subparagraph C.

Note: Debra Griffin and Louise Battle:

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

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

Step	Reviewing and Processing Instructions for OGE Form 450's
1	At the top of OGE Form 450, in the “ Date Received by Agency ” box, stamp the date received.
2	Review OGE Form 450 for completeness and accuracy, including the following: <ul style="list-style-type: none">• e-mail address• current position/title• address, city, State, ZIP Code• Agency/office (State or county)/Deputy Area/Division/Branch• current grade (GS)• work phone contact number• reporting status (annual or new entrant)• if new entrant, include date of appointment and current PD. <p>Note: Ensure that each entry is completed and contains all the requested information.</p>

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3 Responsibilities (Continued)

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

Step	Reviewing and Processing Instructions for OGE Form 450's
3	Sign and date the “ Signature and Title of Supervisor/Other Intermediate Reviewer ” box. Note: Administrative officer, EO, or KC ethics contacts serves as the intermediated reviewer; signature of employee’s supervisor is not required.
4	Check to determine if any non-Federal entities are listed in Part I: Assets and Income or Part III: Outside Positions conducts business with FSA. If so, the reviewer must notate the back of OGE Form 450. See Exhibit 2.
5	Reviewer must Initial and date all notations.
6	Ensure that the following documentation has been provided with filers’ OGE Form 450: <ul style="list-style-type: none"> • PD, for all new entrant OGE Form 450’s, or if employee’s PD has been updated • request for prior approval of outside employment requests according to PM-2822, if filer has: <ul style="list-style-type: none"> • not obtained approval or no approval is on file • OE approval on file is obsolete, for instance FSA 322 or from a defunct Agency • extension request, if applicable.
7	After conducting the intermediate review, attach any pertinent documentation described in step 6 .
8	Compile a list of all annual OGE Form 450 filers using the electronic Excel spreadsheet that is provided through DAFO annually, to each servicing administrative office.

E Forwarding 2012 OGE Form 450's and Spreadsheets to OE-Farm

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

Step	OGE Form 450 Forwarding and Shipping Instructions
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 tonya.willis@dm.usda.gov .
2	Bundle OGE Form 450's, in alphabetical order, as they appeared on the electronic Excel spreadsheet provided in step 1.

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3 Responsibilities (Continued)

E Forwarding 2012 OGE Form 450 and Spreadsheets to OE-Farm (Continued)

Step	OGE Form 450 Forwarding and Shipping Instructions
3	<p>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 COB March 15, 2012, to:</p> <p align="center"> United States Department of Agriculture Farm, Conservation, and Rural Programs Branch Office of Ethics Attn: Tonya S. Willis 1400 Independence Avenue SW Room 6840-South Building Washington DC 20250-2120. </p>

Note: Only original OGE Form 450's will be accepted. Scanned or FAXed copies of OGE Form 450 will **not** be accepted. OGE requires original signatures **only**.

4 Contacts

A Questions About OGE Form 450

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

IF the employee is...	THEN direct questions to...
<ul style="list-style-type: none"> • located in the Washington, DC, area • APFO Management Operations Manager • administrative officer, EO, or administrative specialist located in the State Office 	Tonya Willis, National Ethics Program Manager, by either of the following: <ul style="list-style-type: none"> • e-mail to tonya.willis@dm.usda.gov • telephone at 202-720-0055.
located in Kansas City, MO, or St. Louis, MO	the servicing Human Resources Specialist in HRD, Employee/Labor Relations and Benefits Branch at 816-926-6643.
located in State or County Office	administrative officer 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 (December 2011) on the U.S. Office of Government Ethics web site at <http://www.usoge.gov/>. CLICK “Forms Library”, then CLICK “OGE 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, 2012. 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]. You may also obtain detailed information and instructions from Notice PM-2846. 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, 2012. Please do so by completing the assigned ethics training modules in your AgLearn lesson plan at <http://www.aglearn.usda.gov/>.

Instructions for Completing OGE Form 450, Confidential Financial Report

Part I: Assets and Income:	What must be disclosed?
	<ul style="list-style-type: none"> ○ Name of Spouse's employer and Nature of Employment <ul style="list-style-type: none"> ○ <i>Do Not include Spouses' Position on Part II, Outside Activity.</i> ○ Only Whole Life or Universal Life Insurance Policies: including sector mutual funds, common stocks that are underlying assets of variable annuities associated with insurance policies. <ul style="list-style-type: none"> ○ <i>Do not disclose variable policies containing only diversified mutual funds.</i> ○ Trustee Positions: <ul style="list-style-type: none"> ○ Reportable if: <ul style="list-style-type: none"> ▪ Filer is Trustee of Family Trust; and ▪ Filer, Filer Spouse, Dependent Child has, Reportable vested beneficial interest in the principal or income of the Trust; you must: <ul style="list-style-type: none"> ○ Disclose Name of Trust; ○ Disclose any Underlying Assets. ○ Reportable assets include: sector mutual funds, stocks, bonds, real property, investments; ○ Reportable if : <ul style="list-style-type: none"> ▪ Filer receives more than \$200 in compensation during reporting period; ▪ Spouse receives \$1,000. ○ Reportable under Part III, if <ul style="list-style-type: none"> ▪ Position is held by the Filer ▪ Whether Compensated or not. ○ Sole Proprietor or Co-Owner of Farm(s): Disclose on Part I; <ul style="list-style-type: none"> ○ Incorporated Farm(s): LLC, or LLP, or "S" Corporation, Partnerships --Disclosure required in Part I ○ Reporting a 401(k) in Part I: <ul style="list-style-type: none"> ○ Filer: Only report Sector Mutual Funds and Common Stocks. <ul style="list-style-type: none"> ▪ <i>Do not report diversified mutual funds in, Part I;</i> ○ Spouse: Only report Sector Mutual Funds and Common Stocks. <ul style="list-style-type: none"> ▪ <i>Do not report diversified mutual fund in Part I</i> ○ Reporting IRA for Filer or Spouse <ul style="list-style-type: none"> ○ List all underlying assets of IRA; however, <ul style="list-style-type: none"> ▪ <i>Do not report, if holdings consist of only diversified mutual funds.</i>
Part III: Outside Employment:	
Report:	<ul style="list-style-type: none"> ○ Trustee Position: Report for filer, in Part III, whether Compensated or not ○ If Farm is incorporated (LLC, LLP, "S" Corporation) <ul style="list-style-type: none"> ○ Report full name of LLC, LLP, "S" Corp ○ Report Position held within the incorporation
Positions that are not "Exempt" per Notice PM-2822:	<ul style="list-style-type: none"> ○ Outside Positions held during reporting period; ○ Outside Positions whether compensated or not.
Part IV: Arrangements and Agreements:	<ul style="list-style-type: none"> ○ Disclose 401(k) if there is a continuing participation with a former employer. ○ Only Sector Mutual Funds must be disclosed in Part IV.