

OGE

NOMINEE GUIDE



OGE

The U.S. Office of Government Ethics (OGE) leads an executive branchwide ethics program designed to prevent conflicts of interest and protect the public's confidence in the integrity of government decision making.

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- Follow OGE on Twitter: [@OfficeGovEthics](https://twitter.com/OfficeGovEthics)

THE NOMINEE GUIDE

This Guide provides prospective and current Senate-confirmed Presidential appointees with information to help them lead our country with honor and integrity. The Guide explains the ethics rules and policies that apply before, during, and after they serve.

The Nominee Process helps nominees navigate the ethics review process through the point of Senate confirmation.

Being an Ethical Leader helps you better serve as an advocate for government integrity and an ethical role model for your colleagues across government.

Considering Leaving Government helps you navigate your ethical obligations before and after leaving federal service.

The Appendix provides helpful references for completing your financial disclosure report and information about the certificate of divestiture program.

The 14 Principles of Ethical Conduct articulate the expectations for honor and integrity shared by all executive branch officials.

A MESSAGE FROM THE U.S. OFFICE OF GOVERNMENT ETHICS

Congratulations on being considered for nomination by the President. Serving as a federal leader is more than a job, it is an honor—one that comes with responsibilities. You will be subject to a variety of ethics laws and regulations, which come with the potential for criminal, civil, and administrative penalties.

At the heart of the ethics program is the principle that public service is a public trust. Government officials must put the public's interests before their own interests. As a result, taking a senior federal position may require significant financial sacrifices by you and your immediate family.

The principle that public service is a public trust is an easy one to appreciate, but the complex ethics requirements that flow from it are not necessarily intuitive. They represent numerous policy choices by Congress, Presidents, and federal agencies over the years. You will need to build a working knowledge of these requirements, so you can spot potential issues and seek help from your agency's ethics officials when you need it.

This complex and challenging process would be daunting for anyone. Your patience will be required as the nomination process is often longer and more difficult than anticipated. The good news is that you are not alone in this process. OGE and your agency's ethics officials will assist you in perfecting your financial disclosure report and executing your ethics agreement.

Thank you for your willingness to serve your country. OGE encourages you to make ethics a priority throughout your government service and wishes you every success.

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THE NOMINEE PROCESS

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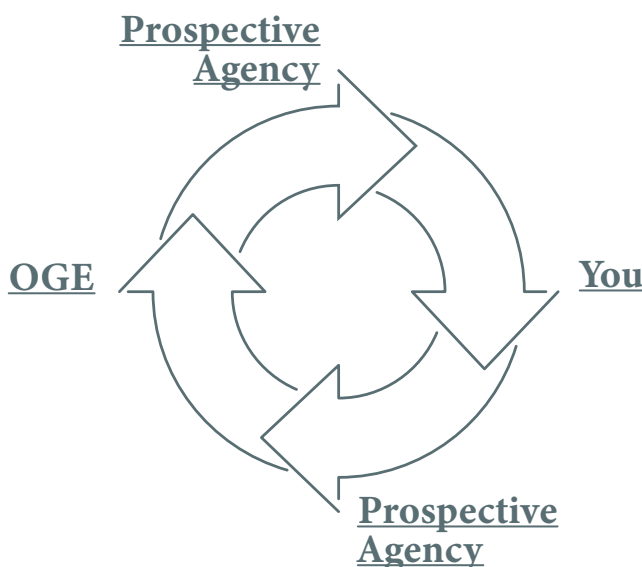
WHAT TO EXPECT IN THE NOMINEE PROCESS

The nominee process is just that – a *process*. Though the sequence may vary and different portions of the process may overlap, the nominee process for ethics often includes the events outlined below:

COMPLETION OF THE FINANCIAL DISCLOSURE REPORT

- You file a draft public financial disclosure report (OGE Form 278e) through OGE’s electronic filing system (*Integrity*). Please consult the Appendix to this Guide once you are ready to begin completing your financial disclosure report.
- Ethics officials at OGE and at your prospective agency review your draft financial disclosure report, ask follow-up questions, and provide instructions for revising the report.

The screenshot shows the 'Getting Started: Nominee Report 278' form in the OGE Integrity system. The form is divided into sections: 'GENERAL INFORMATION', 'YOUR NAME', 'POSITION & AGENCY', 'FILER CATEGORY', and 'SPOUSE'. The 'YOUR NAME' section includes fields for LAST NAME (Nominee), FIRST NAME (Sample), and MIDDLE INITIAL (Please enter your Answer). The 'POSITION & AGENCY' section includes fields for AGENCY (Sample Agency 2020), GROUP (Sample Agency 2020, Nominee), POSITION TITLE (Sample Position), and DUE DATE (Please enter your Answer). The 'FILER CATEGORY' section has a dropdown menu set to 'PAS'. The 'SPOUSE' section has two radio buttons: 'I have a spouse and the spousal disclosure requirement applies.' and 'This requirement does not apply.'



- You will be asked **multiple rounds** of questions about the financial disclosure report and your financial arrangements from the ethics official at your prospective agency and OGE. Depending on the complexity of your finances, the revisions may take several weeks or several months.



REVIEW FOR POTENTIAL CONFLICTS OF INTEREST AND DRAFTING OF THE ETHICS AGREEMENT

- Ethics officials at your prospective agency and OGE analyze your financial disclosure report for potential conflicts of interest. If OGE sees potential red flags with regard to conflicts of interest, OGE will notify the prospective agency and the Transition Team/White House Counsel's Office to begin a discussion.
- As possible conflicts are identified, ethics officials will determine the resolution of the conflict, for example resignations and divestiture of assets. Agency ethics officials will discuss the proposed resolutions with you. *It may take multiple discussions and proposals until a workable solution is found.*
- Ethics officials will prepare an ethics agreement outlining steps you will take to avoid conflicts of interest. The ethics agreement will contain standard language used for all nominees.
- You then review the agreement for any factual errors, make sure you understand it, and determine if you can complete the steps in the required time frames.
- Once the financial disclosure report and ethics agreement are finalized, OGE preclears (i.e., tentatively approves) your financial disclosure report and ethics agreement.
- You sign your ethics agreement.

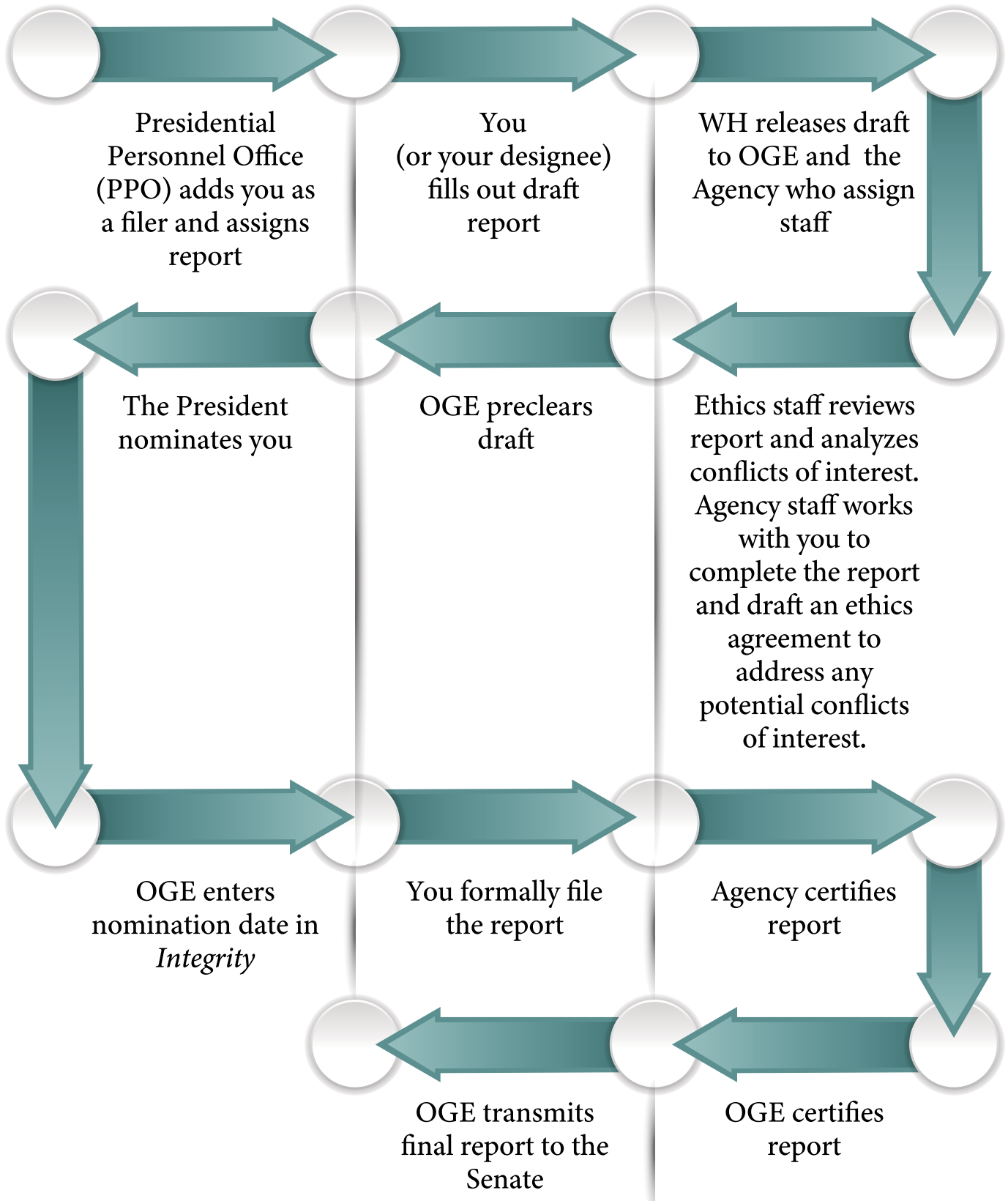
Taking a senior federal position may require significant financial sacrifices by you and your immediate family.

NOMINATION

- If your nomination is approved by the White House, the President nominates you. At that point, you sign your pre-approved financial disclosure report.
- Your agency's ethics official certifies the report and provides OGE with an opinion regarding conflicts of interest.
- OGE's Director certifies the report. Finally, OGE transmits your financial disclosure report and ethics agreement to the Senate.
- Within five days before your Senate committee hearing, you disclose any income or honoraria earned after the date of your signature on your financial disclosure report by filing a letter with your agency's ethics official, who transmits it to the Senate and OGE.
- If the Senate confirms your nomination, the President appoints you.



NOMINEE PROCESS FLOWCHART



COMMON ACTIONS NOMINEES TAKE TO PREVENT CONFLICTS OF INTEREST AND MAINTAIN IMPARTIALITY

The nominee process can be overwhelming at times. Over the course of the next several weeks or months, you will engage in discussions with the ethics officials from the agency in which you are being considered to serve and OGE about your financial disclosure report and the financial interests of you, your spouse, and your dependent children. The purpose of these discussions is to ensure that all required items are reported and that potential conflicts of interests and items that may raise impartiality concerns have been identified. At that point, we will determine the actions that you, your spouse, and your minor children may be required to take to address those items.

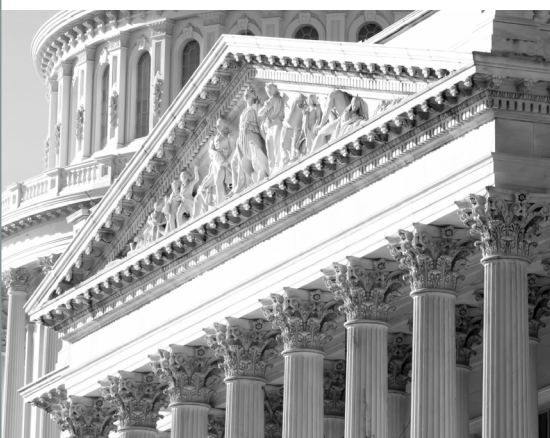
Resigning and selling (or otherwise divesting) assets are common conflicts of interest remedies for nominees.

One of the most common ethics actions is recusal from a particular matter. However, because you are entering a senior position and your participation in matters may be required, it may be necessary for you to take other actions to remedy the potential conflict of interest. Those actions are outlined on the following page.

SOME COMMON ACTIONS TO MITIGATE POTENTIAL CONFLICTS OF INTEREST:

- Resign from all paid positions and most unpaid positions
- Frequently sell (or otherwise divest) stocks, sector mutual funds, and private investment funds owned by you, your spouse, and minor children
- Frequently forfeit unvested equity interests granted by your current employer
- Frequently divest assets from family (or other closely held) partnerships owned by you, your spouse, or minor children
- Frequently resign from trustee positions and divest assets in trusts of which you, your spouse, or minor children are the beneficiary, or for which you, your spouse, or minor children are paying taxes
- Divest from a business that practices a profession involving a fiduciary relationship
- Divest from managed accounts if potential conflicts of interest cannot be resolved

This information is provided to help you determine if you want to pursue a federal position and to avoid surprises late in the vetting process.



You will be required to take all of the actions that you agreed to in your ethics agreement. It is imperative that you are certain that you can complete those actions at the time you sign your ethics agreement.

THE KEY STATUTES AND REGULATIONS GUIDING YOUR CONDUCT

The executive branch has a set of principles and a specific and enforceable set of standards and laws to help guide your conduct. The following are the key ethics statutes and regulations guiding your conduct and requiring your attention:

- 18 U.S.C. § 208: The primary criminal conflict of interest statute.
- The Ethics in Government Act (5 U.S.C. app. § 101, et seq.): Requires financial disclosure and includes other ethics obligations.
- The Standards of Conduct (5 C.F.R. Part 2635): Contains regulations regarding impartiality, gifts, misuse of position, and outside activities.

As a senior official, you also will be responsible, in part, for ensuring that other government employees follow the law—by demonstrating your commitment to ethical behavior. Senior officials hold each other, federal employees, and themselves accountable, knowing that transparency and honesty are the surest ways to avoid conflicts and promote public confidence in government.

YOUR RESPONSIVENESS MATTERS

The single biggest factor affecting the time it takes to review a nominee's financial disclosure report is the responsiveness of the nominee because of the multiple rounds of questions and revisions that are usually needed before a report and conflicts analysis can be finalized.

Nominee responsiveness is vital

Delays occur when a nominee, or the nominee's representative, is slow to:

- Gather documents needed to complete the financial disclosure report;
- Respond to questions from OGE or agency ethics officials;
- Contact a source of needed information, such as a brokerage firm, a financial advisor, an employer's human resources office, a partner, etc.; or
- Wrap up negotiations to plan for actions such as the dissolution of a partnership, the sale of a company, or the termination of an employment relationship.

Delays also can occur when a nominee is reluctant to agree to take steps to resolve conflicts of interest, such as resignation, divestiture, or recusal, which are contained in the ethics agreement.

OGE encourages you to:

- Gather your immediate family's financial documents before starting to fill out your report;
- Be available to respond to requests;
- Respond **promptly** to questions from agency ethics officials;
- Revise your financial disclosure report quickly, when directed to by the agency ethics official; and
- Notify agency ethics officials as soon as possible once any request is completed.

BEING AN ETHICAL LEADER

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INTRODUCTION

You've now taken the oath of office. You've made a promise that millions of public servants before you have made and kept: to protect and defend our Constitution, to bear true faith and allegiance to the same, and to well and faithfully perform the duties of the office in which you will serve. You've promised to put the interests of the United States and the citizens we serve before your own.

As you serve our country, you will face ethical questions about simple decisions, such as how you use your time, to very complex ones, such as how to allocate millions of dollars. With each decision, the public's trust in you as a leader, in the organization you lead, and in the government as a whole are at stake.

Your commitment and fidelity to government ethics principles, laws, and regulations will ensure that your staff and the public can trust in your leadership. Your commitment to all ongoing ethics requirements and your actions to resolve potential conflicts of interest will be essential to your success as a leader.

PUBLIC SERVICE IS A PUBLIC TRUST

GENERAL PRINCIPLES OF ETHICAL CONDUCT

The General Principles of Ethical Conduct broadly require selfless service, responsible stewardship, and loyalty to law.

1 SELFLESS SERVICE

Public service is a profession. It is also a public trust that involves a duty to something larger than yourself. You must always act, and appear to act, with our nation's interests before your own. You not only put forth an honest effort in your work, but you also do not seek personal advantage for yourself or others. You hold yourself to the highest standards, knowing that even the question of impropriety is sometimes enough to undermine good work.

2 RESPONSIBLE STEWARDSHIP

You have been given the honor of using your position and the resources of the federal government to serve your fellow citizens. Monies, property, information, and other governmental resources are entrusted to you. You honor your commitment to the American public by using these resources wisely and only to accomplish the work of the United States government.

3 LOYALTY TO LAW

You will take a solemn oath—to support and defend the Constitution. In all things, you will be expected to uphold the Constitution and the oath you will take. You can fulfill this oath by respecting the rule of law—by adhering to all legal authorities in the work you perform and as a public servant.

ETHICAL LEADERSHIP: WHAT YOU NEED TO DO

The decisions you make and the actions you take will have profound effects on the culture of the agency you lead. As a leader, creating a culture that protects and preserves the public's trust is essential to your success and the success of our nation. Now is the time to think about the message you want to send when you begin your federal service. Here are a few ways to help protect the integrity and reputation of the government you will help lead:

WALK THE WALK

Be a model of ethical service. One way you do this is by complying with your ethics commitments—e.g., your ethics agreement, training requirements, financial disclosure requirements—on time. When you do, the agency and the public can have confidence that you are meeting your responsibilities as a government leader. Staff will follow your example.

You can also model ethical leadership when you monitor your personal financial interests for possible conflicts of interest. By preventing conflicts of interest, you protect yourself and the agency from the erosion of public trust. When you timely file your financial disclosure report, you ensure that any potential conflict can be resolved. Maintain a dialogue with your agency ethics officials to ensure you are meeting your ethics commitments.

As a leader, the agency and public have put their trust in you. When you adhere to the safeguards of government ethics laws and regulations, you cement that trust. In order to maintain this trust, take the steps outlined on the following pages.



You will play a key role in ensuring your agency has an ethical culture.

CERTIFICATION OF ETHICS AGREEMENT COMPLIANCE Senate Confirmed Presidential Appointee		
1. Appointee's Information	a. Appointee's Name:	to be completed by OGE
	b. Position Title:	to be completed by OGE
	c. Agency:	to be completed by OGE
	d. Date Ethics Agreement Signed:	to be completed by OGE
	e. Date Confirmed:	to be completed by OGE
	f. Due Date for Certification of Ethics Agreement Compliance:	to be completed by OGE
2. Resignations	<i>I completed all of the resignations indicated in my ethics agreement before I assumed the duties of my current government position.</i>	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
3. Divestitures	a. <i>I have completed all of the divestitures indicated in my ethics agreement. I also understand that I may not repurchase these assets during my appointment without OGE's prior approval.</i>	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
	b. <i>I have filed a periodic transaction report, or periodic transaction reports, (OGE Form-T) to disclose the completion of these agreed upon divestitures.</i>	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A Filing Date(s) of OGE Form 278-T Report(s):
4. Managed Accounts	<i>If I have a managed account or use the services of an investment professional, I have notified the manager or professional of the limitations indicated in my ethics agreement. In addition, I am continuing to monitor purchases.</i>	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A
5. Interim Recusals	<i>I complied with my interim recusal obligations pending the divestitures required by my ethics agreement.</i>	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A

MEET YOUR INDIVIDUAL ETHICS COMMITMENTS: THE FIRST 100 DAYS

1 COMPLETE YOUR INITIAL ETHICS BRIEFING
To become familiar with your ethics obligations, your agency ethics official will schedule an ethics briefing with you within your first 15 days of government service.

2 COMPLETE YOUR REQUEST FOR A CERTIFICATE OF DIVESTITURE

You may be eligible for a certificate of divestiture if ethics officials require you to sell an asset. A certificate of divestiture allows you to defer the payment of capital gains tax by reinvesting the proceeds of a sale into “permitted property.” The certificate of divestiture must be obtained **before** you sell the asset. If you plan to request a certificate of divestiture, you should submit your request as soon as possible after appointment.

3 COMPLETE THE ACTIONS REQUIRED IN YOUR ETHICS AGREEMENT

Resignations from outside positions must occur before you begin your government service. Most other actions required in the ethics agreement must be completed within 90 days of confirmation.

4 COMPLETE YOUR CERTIFICATION OF ETHICS AGREEMENT COMPLIANCE

Within 90 days of confirmation, submit your Certification of Ethics Agreement Compliance to the agency ethics official. The Certification will be submitted to OGE and will be posted on the OGE website.

5 COMPLETE YOUR INITIAL ETHICS TRAINING

As a nominee, you will have the opportunity to complete this training before or after your appointment. You must complete training within three months of your appointment.

MEET YOUR ONGOING INDIVIDUAL ETHICS COMMITMENTS

Complete Ongoing Ethics Training

Ethics education is key to navigating your leadership role with the trust and confidence of your staff and the public.

You are required to have annual ethics training. This training will be either a live training every year or live training every other year, with interactive training in alternate years, depending on your appointment status.

Education is ongoing. Your agency ethics officials may supplement required training throughout the year, in order to remind staff of their ethics obligations as public servants.

Ethics education is key to navigating your leadership role with the trust and confidence of your staff and the public.

Complete Ongoing Financial Disclosure Requirements

Filing your nominee financial disclosure report is the beginning of your financial disclosure obligations as an agency leader. Below are some additional filing requirements.

- Periodic Transaction Reports

The law requires you to file a periodic transaction report (OGE Form 278-T) in OGE's electronic filing system, *Integrity*, to disclose purchases, sales, or exchanges of securities in excess of \$1,000 by you, your spouse, or your dependent child.

- Annual Financial Disclosure Reports

The law requires you to file an annual financial disclosure report by May 15 each year.

You will use *Integrity* to file your annual report (OGE Form 278e).

To simplify reporting, *Integrity* allows you to prepopulate your annual report with data from your nominee report and any periodic transaction reports.

USE YOUR PLATFORM

- Your staff will look for you to set the tone. You will be in a position to communicate your agency's core values and foster an ethical culture through speeches, written messages, videos, and agency newsletters.
- Your staff need to hear directly from you. Staff appointments, all-hands meetings, and other employee gatherings provide opportunities to reinforce a strong ethical culture and remind employees of their obligations as public servants.

CREATE AND SUPPORT A STRONG ETHICS PROGRAM

- Appoint and support a well-qualified Designated Agency Ethics Official.
- Ensure that your agency's ethics office has the leadership support and staffing resources it needs.
- Demonstrate support for the agency's ethics office by making yourself accessible to your agency ethics officials. By doing so, you let your staff and the ethics office know that you take ethics seriously.
- Let your staff hear directly from the ethics experts at your agency. You can invite ethics officials to speak briefly at the beginning of senior staff meetings and to be available for any ethics questions.

ETHICAL LEADERSHIP: WHAT YOU NEED TO KNOW

MORE ABOUT YOUR ONGOING ETHICS OBLIGATIONS AND THE BREADTH OF ETHICS LAWS AND REGULATIONS

A wide range of ethics laws and regulations apply to appointees, and many of them come with criminal, civil, or administrative penalties. It is not possible to list them all here, but we can illustrate their breadth by listing the following examples:

- Participating in particular matters affecting your financial interest or the financial interests of your spouse or minor child
- Participating in a party matter affecting your spouse's employer
- Participating in particular matters affecting a prospective employer with whom you are seeking, or negotiating for, employment
- Receiving outside earned income
- Receiving compensation for teaching, speaking, or writing related to official duties
- Permitting the use of your name in the name of a law firm or other entity that provides services involving fiduciary relationships
- Accepting bribes or receiving gifts because of official actions
- Representing others before the government

Support a strong ethical culture and preserve trust in your organization by honoring your ongoing ethics obligations.

SEEK COUNSEL, AS NEEDED

It is impossible for this guide to train you fully on government ethics. This section introduces a few salient ethics issues for you to be aware of. With this overview, you will be able to spot real or potential red flags, and then contact your agency's ethics officials for guidance.

1 Conflicting Financial Interests

This criminal law prohibits you from **participating** as a government official in **particular matters** affecting the financial interests of the following:

- You
- Your spouse
- Your minor child
- A general partner
- Any organization in which you serve as officer, director, trustee, general partner, or employee
- Any organization with which you are negotiating for employment

The concept of **participating** is not limited to final decisions. It also includes recommendations, deliberations, assigning work, approving funding, and other common activities.

A **particular matter** is a legal term referring to any matter that focuses on the interests of either (1) specific parties or (2) a discrete and identifiable group.

Specific Parties

A particular matter focused on the interests of specific parties can be relatively easy to spot. Examples include litigation, grants, contracts, applications, investigations, etc.

For example:

- If the Department of Justice pursues an antitrust case against A and B companies, the case is a particular matter because it is focused on the interests of specific parties (A and B companies).
- An appointee would be barred from participating in the case if the appointee holds stock in either A company or B company.

A Discrete and Identifiable Group

A particular matter focused on the interests of a “discrete and identifiable class” can be harder to spot. Policy deliberations focusing on a specific industry could be a particular matter.

For example:

- An appointee’s agency’s proposed regulation would impose new requirements on all pharmaceutical companies. The pharmaceutical companies constitute a discrete and identifiable class. The proposed regulation is a particular matter.
- An appointee would be barred from participating in the regulatory effort if he or she holds stock in a pharmaceutical company.



2 Impartiality

Basic obligations of public service include the principle that employees shall act impartially and not give preferential treatment to any private organization or individual.

The Standards of Conduct restrict you from participating as a government official in any particular matter involving specific parties if you have a “covered relationship” with a party to the matter (or with the representative of a party), whenever a reasonable person would question your impartiality. You have a “covered relationship” with:

- Members of your immediate family
- Members of your household
- Close relatives
- Any individual or organization to whom you provided services in the past year
- Any individual or organization to whom your spouse is currently providing services
- Any organization in which you held a position in the past year or are currently serving as an “active member”



3 Gifts

Securing the public's trust as an agency leader means knowing the basics of the Standards of Conduct gift regulations. The regulations are designed to ensure that gifts cannot influence your official actions or even create the appearance that you are inappropriately profiting from your government position.

- The general rule of thumb is that you cannot accept most gifts from outside sources. There are limited exceptions, such as gifts from personal friends and family members, but you need to consult with ethics officials before relying on them. The Standards of Conduct also contain examples and you can consult those as well.
- Your subordinates may not give you a gift. You are also prohibited from accepting gifts from other government employees who earn less than you do. There are limited exceptions for these rules as well.

4 Misuse of Position

Public service is a public trust. You must never use your official position to benefit your own private interests or the private interests of another. Government positions, authority, and resources may be used *only* for officially authorized purposes. Misuse can take many forms, including:

- Helping a former business associate gain access to government decision-makers
- Helping a friend in dealings with the government
- Asking subordinates to perform outside work for you
- Using government resources for personal pursuits, etc.
- Using your federal position to gain personal benefits from others

CONSIDERING LEAVING GOVERNMENT

3



ETHICS OBLIGATIONS UPON LEAVING GOVERNMENT SERVICE

Your ethics obligations do not immediately end once you decide to leave government service. Certain ethics laws and regulations will continue to apply as you transition out of the government and will limit the type of work you are permitted to do after you have left your government position.

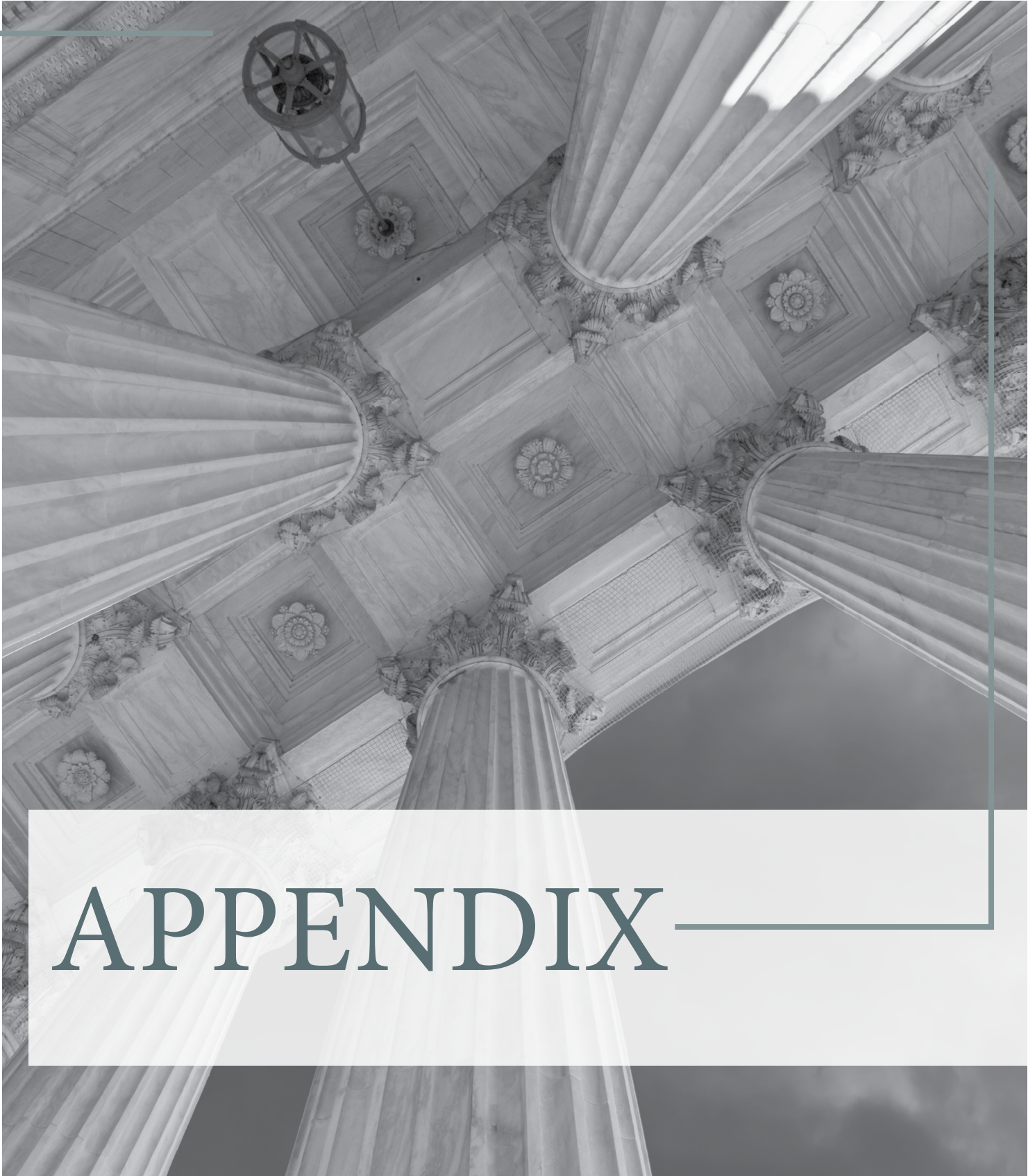
When you begin the process of seeking employment, you must be sure to closely communicate with your agency ethics officials to avoid potential ethics issues.

- You generally may not perform any official work on a matter that would affect the financial interests of someone with whom you are seeking employment. You will need to notify your agency of any negotiation for or agreement of future employment or compensation. Additionally, you may need to notify officials at your agency that you have been disqualified from participating in certain matters once you have started employment negotiations.
- The law requires you to file a final financial disclosure report within 30 days of leaving the government. The requirements for termination reports are the same as for annual reports. Only the reporting period is different.
- After you leave the government, you may not represent anyone before a federal agency or court regarding any particular matter involving specific parties on which you worked. If you did not work directly on the matter, but an employee under your supervision did, you may not represent anyone on that matter before a federal agency or court for two years. You also may not represent anyone before your former agency for one year.

Previous administrations have imposed additional restrictions on post-government employment through executive orders. Some of these restrictions have included prohibiting former employees from lobbying their former agencies for five years and from lobbying any senior administration official for the remainder of the administration. It is crucial to coordinate closely with your ethics official before leaving government to make sure you fully understand what restrictions apply to you.



Some ethics laws continue to apply
after you leave federal service.



APPENDIX

WHAT TO GATHER BEFORE YOU START YOUR PUBLIC FINANCIAL DISCLOSURE REPORT

Before starting on your financial disclosure report, take time to gather your financial information. The items listed below apply to you, your spouse, and your dependent child, unless otherwise specified.

- Earnings by you or your spouse
- Retirement accounts for you or your spouse
- Names of your clients
- You or your spouse's assets with employers (e.g., restricted stock units, stock options, deferred compensation plans, short- or long-term incentive plans, etc.)
- Brokerage accounts
- Annuities and life insurance (excluding term life)
- Your dependent child's assets (e.g., college savings plans, UTMA accounts, etc.)
- Holdings of trusts for the benefit of you, your spouse, or your dependent child (even if someone else established the trust)
- Holdings of trusts for which you or your spouse are paying the taxes
- Other assets (e.g., stocks, bonds, investment funds, bank accounts, etc.)
- Liabilities
- Positions you hold outside the federal government

HOW TO USE *INTEGRITY*, THE ELECTRONIC FILING SYSTEM

Nominees file public financial disclosure reports through OGE’s electronic filing system, which is called *Integrity*.

1 LOGGING INTO *INTEGRITY*

If you are new to *Integrity*, the Presidential Personnel Office (PPO) or Presidential Transition Team (PTT) will register you as a filer.

- You will then automatically receive an email from notifications@integrity.gov.
- The email will provide a User ID to use when logging into *Integrity*.
- After following instructions to set a password, you will be able to log in online by going to integrity.gov.
- Integrity works well with Google Chrome. *Integrity* also works with the most recent versions of Safari, Firefox, and Internet Explorer.
- You can grant a designee access to your report. Click “Manage My Designees” in the “My Tools” section of *Integrity*’s main page. Then, click “Add a New Designee” and provide your designee’s email address. Your designee will receive an email with instructions.

UNITED STATES OFFICE OF GOVERNMENT ETHICS
Preventing Conflicts of Interest in the Executive Branch

INTEGRITY.gov
Play your part.

HOME LEARN MORE

INTEGRITY.gov
Play your part.

Login to Integrity (using MAX.gov)
What is MAX.gov?

Status: *Normal.*
Click here to check whether your Internet browser works with Integrity.
NOTE: The site may perform better if you clear your Internet browser cache. Read how here. Integrity restarts weekly on Mondays from 3 to 3:15 am ET. Please log off and save your work before this time. In addition, users may experience intermittent login issues Sundays from 2 to 8 am ET during the Integrity authentication provider’s weekly maintenance window, and Sunday evenings from 5 pm to 3 am ET Monday mornings, during the Integrity hosting provider’s weekly maintenance window.
Please report any issues to integrity@oge.gov.
Click on the Help link at the bottom of the screen for login assistance information.

Integrity is the U.S. Office of Government Ethics system for electronically filing and reviewing Public Financial Disclosures (OGE Forms 278 and 278-T).
OGE’s online Public Financial Disclosure Guide is an interactive tool to assist individuals who file or review public financial disclosure reports (OGE Form 278e or OGE Form 278-T).

2 FILLING OUT YOUR FINANCIAL DISCLOSURE REPORT

Integrity provides tables designed to guide you through the report. In some cases, *Integrity* asks a series of questions before adding your responses to certain tables.

- Be sure to read the instructions for each table. The various tables cover different periods of time (i.e., “Reporting Periods”).
- Note that some tables focus specifically on assets and income items that are related to employment or retirement (e.g., salary, stock options, 401k holdings, etc.). A separate table near the end of the report focuses more generally on other types of assets and income. The table headings and instructions will indicate what to enter in each table.

3 SUBMITTING YOUR FINANCIAL DISCLOSURE REPORT

After completing a draft report, you will need to submit it to PPO (or PTT).

Filer's Employment-Related Arrangements

Other Assets and Income

Transactions

Liabilities

Gifts and Reimbursements

Report Data (Summary)

[Submit Report](#)

Printable View

- Click the word “Submit” in the left side navigation menu.
- Then, scroll to the bottom of the page and certify your draft.

I certify that the statements I have made in this report are true, complete, and correct to the best of my knowledge.

Submit OGE Form 278e

4 REVISING YOUR REPORT

After you submit your report, ethics officials will review the report and contact you with any questions or needed corrections.

There are usually several rounds of questions and revisions, so please respond to questions and revise your report promptly.

Integrity's "Change History" section allows you to track all revisions to your report. Click on "Audit Trail" in the left navigation menu, then select "Change History" to see all revisions.

5 CERTIFYING YOUR REPORT

When OGE has "precleared" your report, your agency's ethics officials will ask you to sign the ethics agreement they have provided you. After you are nominated, they will ask you to log into *Integrity* again and certify your final report.

WHAT TO REPORT IN EACH PART OF THE OGE FORM 278e

The public financial disclosure report (OGE Form 278e) consists of a cover page and nine parts.

For more information, you can review [OGE's Public Financial Disclosure Guide](#) online by going to OGE's website (oge.gov).

PART 1 (Filer's Positions Held Outside the United States Government)

This part is for disclosing your positions with non-federal entities.

PART 2 (Filer's Employment Assets & Income and Retirement Accounts)

This part is for disclosing your earnings as well as any employment-related assets belonging to you (e.g., stock options, restricted stock, capital account, etc.). This part is also for disclosing your retirement plans and individual retirement accounts.

PART 3 (Filer's Employment Agreements and Arrangements)

This part is for disclosing any arrangements you have with a current or former employer (e.g., continued participation in a retirement plan, a leave of absence, an arrangement for future employment, a right to retain vested stock options, a requirement to forfeit unvested restricted stock upon resignation, etc.).

PART 4 (Filer's Sources of Compensation Exceeding \$5,000 in a Year)

This part is for disclosing those sources that paid more than \$5,000 in a calendar year for your services. This includes payments made to you, your employer, or anyone else; it includes payments from any person or organization other than the federal government.

PART 5 (Spouse's Employment Assets & Income and Retirement Accounts)

This part is for disclosing the same type of information as in Part 2, except that the information in this section is about your spouse.

PART 6 (Other Assets and Income)

This part is for disclosing all other assets and investment income for you, your spouse, and your dependent child that you have not already reported.

PART 7 (Transactions)

Nominees do not complete this part.

PART 8 (Liabilities)

This part is for disclosing all liabilities exceeding \$10,000 at any time during the reporting period. (As an exception to the normal reporting requirement, credit card debt is reported only if it exceeds \$10,000 when you file your report.) Be sure to include liabilities owed by you, your spouse, and your dependent child.

PART 9 (Gifts and Travel Reimbursements)

Nominees do not complete this part.

REPORTING PERIODS FOR NOMINEES

In order to comply with complex statutory requirements, each part of the public financial disclosure report (OGE Form 278e) covers a different “reporting period.”

PART 1 (Filer’s Positions Held Outside the United States Government)

The reporting period for this part is the preceding two calendar years and the current calendar year up to the date when you file the report.

PART 2 (Filer’s Employment Assets & Income and Retirement Accounts)

The reporting period for this part is the preceding calendar year and the current calendar year up to the date when you file the report.

PART 3 (Filer’s Employment Agreements and Arrangements)

The reporting period for this part is the date of filing (i.e., report agreements and arrangements existing as of the date when you file the report).

PART 4 (Filer’s Sources of Compensation Exceeding \$5,000 in a Year)

The reporting period for this part is the preceding two calendar years and the current calendar year up to the date when you file the report.

PART 5 (Spouse’s Employment Assets & Income and Retirement Accounts)

The reporting period for this part is the preceding calendar year and the current calendar year up to the date when you file the report.

PART 6 (Other Assets and Income)

The reporting period for this part is the preceding calendar year and the current calendar year up to the date when you file the report.

PART 7 (Transactions)

Nominees do not complete this part.

PART 8 (Liabilities)

The reporting period for this part is the preceding calendar year and the current calendar year up to the date when you file the report.

PART 9 (Gifts and Travel Reimbursements)

Nominees do not complete this part.

EXCEPTED INVESTMENT FUND (EIF)

1 UNDERSTANDING THE TERMS

An “Excepted investment fund” or EIF is an important concept. It allows you to disclose an investment fund without having to go through the burdensome task of disclosing its underlying holdings.

An EIF is an investment fund that is:

1. Independently managed,
 2. Widely held, and
 3. Either publicly traded or available, or widely diversified.
- “Widely held” means at least 100 individuals are invested in the fund. Note that the focus is on the number of individuals, not the number of investors. For example, if a fund has only 63 investors, but one of the investors is a limited partnership with 200 partners, the fund is widely held.
 - “Publicly traded or available” means the fund is (or previously was) open to investment by the public. Note that a fund is not excluded from this definition merely because investors must meet certain thresholds for wealth or investment in the fund.
 - “Widely diversified” means the fund does not have a stated policy of concentrating its investments in any industry, business, single country other than the United States, or bonds of a single state within the United States.

Knowing what each of these terms means can be helpful. But if you think an investment fund may not qualify as an EIF, you should talk to an ethics official before doing all of the work of reporting its underlying holdings.

2 A MANAGED ACCOUNT IS NOT AN EIF

Managed accounts never qualify as excepted investment funds (EIF) because they are not investment funds (i.e., pooled investment vehicles). With a managed account, you own the account's holdings directly.

3 EXAMPLE

To help you understand why the EIF concept is so important, let's consider the example of a typical mutual fund, which we'll call the ABC Large Cap Fund. Mutual funds typically qualify as EIFs, so you will simply disclose the name of this fund and indicate that it is an EIF:

#	Description	EIF	Value	Income Type	Income Amount
1	ABC Large Cap Fund	Yes	\$50,001-\$100,000		\$201-\$1,000

As another example, let's say you hold the ABC Energy Fund--a small, private fund that does not qualify as an EIF. In this case, you would have to disclose the name of the fund and any underlying holding that exceeds the reporting threshold (i.e., \$1,000 in value or more than \$200 in income):

#	Description	EIF	Value	Income Type	Income Amount
1	ABC Energy Fund	No			
1.1	Def Tirez Company	N/A	\$1,001-\$15,000		None (or less than \$201)
1.2	G&HI Drilling Corp.	N/A	\$1,001-\$15,000		None (or less than \$201)
1.3	J&KL Supplies, Inc.	N/A	\$1,001-\$15,000		None (or less than \$201)
1.4	Mnop Distribution, Co.	N/A	\$1,001-\$15,000		None (or less than \$201)
1.5	Peaqpan Resources Corporation	N/A	\$1,001-\$15,000		None (or less than \$201)
1.6	Tuvvyz Systems, Inc.	N/A	\$1,001-\$15,000		None (or less than \$201)
1.7	Wyxorp Oil & Gas Co.	N/A	\$1,001-\$15,000		None (or less than \$201)
1.8	Zozzox Battery Technologies, Inc.	N/A	\$1,001-\$15,000		None (or less than \$201)
1.9	Aaabahk & Sons, Inc.	N/A	\$1,001-\$15,000		None (or less than \$201)
1.10	Guuyezo Turbine Co.	N/A	\$1,001-\$15,000		None (or less than \$201)
1.11	Faszlebar Installations	N/A	\$15,001-\$50,000	Dividends	\$201-\$1,000
1.12	VanGaarsfold International, Inc.	N/A	\$1,001-\$15,000		None (or less than \$201)

CERTIFICATES OF DIVESTITURE

You may be eligible for a certificate of divestiture if ethics officials require you to divest an asset. A certificate of divestiture allows you to defer the payment of capital gains tax by reinvesting the proceeds of a sale into “permitted property.” You should be aware of the following:

- The certificate is valid only if obtained *before* selling an asset
- You, your spouse, and your minor or dependent child will be eligible to receive certificates after you have become a federal employee
- A trustee is also eligible when the asset is held in a trust, subject to limitations if ineligible persons are trust beneficiaries
- The requestor must commit to divesting, even if OGE ultimately determines that an asset does not qualify for a certificate
- “Permitted property” includes U.S. obligations (i.e., Treasuries) and diversified mutual or exchange-traded funds. For this purpose, a fund is diversified if it does not have a stated policy of concentrating in any industry, business, single country other than the United States, or in the bonds of a single state within the United States
- A certificate of divestiture is not available for assets in tax-deferred retirement accounts because the capital gains are not taxed at the time of the sales transaction
- OGE is not able to provide tax advice. Please consult your own tax advisor if you need guidance as to tax matters

PUBLIC FINANCIAL DISCLOSURE CHECKLIST

The following is a *non-exhaustive* list of items you should include in the public financial disclosure report that you file as a nominee:

PART 1 (Filer's Positions Held Outside the United States Government)

Report all positions as an officer, director, trustee, general partner, proprietor, representative, employee, or consultant. Be sure to include both paid and unpaid positions. Do not include political, religious, or honorary positions.

PART 2 (Filer's Employment Assets & Income and Retirement Accounts)

Report all assets and income related to your current or former employment (excluding U.S. government employment). Also, list any retirement plans or individual retirement accounts. Examples include:

- Salary, bonuses, partnership or LLC distributions, other business income, client fees, receivables, director fees, consulting fees, deferred compensation, severance payments, etc.
- Equity in an employer and similar interests (e.g., stock, stock options, restricted stock, restricted stock units, stock appreciation rights, capital account, etc.)
- Retirement plans with a current or former employer, including: defined contribution plans, defined benefit pension plans, and any other type (excluding federal employee retirement)
- Individual retirement accounts (IRAs)
- Trustee fees or executor fees
- Honoraria
- Patents, copyrights, and other intellectual property

PART 3 (Filer's Employment Agreements and Arrangements)

Report all arrangements with your current and former employers. Examples include:

- Ongoing participation in a retirement or deferred compensation plan
- An ongoing leave of absence
- Anticipated payments from your employer (e.g., bonus, severance, return of capital account, partnership or LLC distribution, buyout, etc.)
- Employee benefits that will continue (e.g., health insurance, life insurance, use of car or office, housing benefits, etc.)
- Retention or disposition of any vested or unvested stock options, restricted stock, or other equity-related interests (e.g., forfeit upon resignation, accelerated vesting, exercise, etc.)

PART 4 (Filer's Sources of Compensation Exceeding \$5,000 in a Year)

Report all sources of compensation (even if paid to your employer) exceeding \$5,000 in any one calendar year during the reporting period.

- Remember to list your employer and clients, if applicable
- Do *not* include payments from the United States government

PART 5 (Spouse's Employment Assets & Income and Retirement Accounts)

Report all assets and income related to your spouse's current or former employment. Also list any retirement plans or individual retirement accounts.

- See the discussion in Part 2 above for examples
- Do not include payments from the United States government

PART 6 (Other Assets and Income)

Report all other assets and investment income for you, your spouse, and your dependent child. Examples include:

- Stocks, bonds, mutual funds, private equity funds, and hedge funds
- Life insurance, excluding term life insurance
- Cash accounts
- Annuities
- Qualified tuition plans (also called 529 plans, college savings plans, or prepaid tuition plans)
- Real estate that you rent out or hold for investment purposes
- Investment partnerships, LLCs, and S-corporations
- Assets of any trust in which you, your spouse, or your dependent child: (1) is currently entitled to receive income or access the principal; (2) has a vested future interest in principal or income; or (3) pays the income taxes (i.e., a grantor trust)
- Uniform Gifts to Minors Act accounts and Uniform Transfers to Minors Act accounts

PART 7 (Transactions)

Nominees do not complete this Part.

PART 8 (Liabilities)

Report all liabilities that exceeded \$10,000 at any time during the reporting period. Examples include:

- A mortgage on a personal residence
- A mortgage on other real estate
- A student loan
- A credit card balance exceeding \$10,000 at the end of the reporting period
- An equity line of credit (but only if you have exercised the equity line of credit)
- A margin loan
- A capital commitment

PART 9 (Gifts and Travel Reimbursements)

Nominees do not complete this Part.

ADDITIONAL CHECKLIST FOR ATTORNEYS

The following is a non-exhaustive list of additional items that nominees who are attorneys (or are married to attorneys) often need to include in their public financial disclosure reports:

If you or your spouse held a position with a law firm, you may find these reminders helpful:

1. Report your position with the law firm in Part 1. (Do not report your spouse's position in Part 1.)
2. Report the law firm as a source of income in Part 4 if you earned more than \$5,000 in a calendar year during the reporting period. Also, report the name of any client who paid more than \$5,000 to the law firm (or to you) for your services in a calendar year during the reporting period. You may describe your services simply as "legal services." (Do not report your spouse's law firm or clients in Part 4.)
3. If you received any of the following kinds of income from the law firm during the reporting period, report the exact amount of income in Part 2. (If your spouse received any of these types of income, report your spouse's receipt of income from the law firm in Part 5, but do not include the amount of income.)
 - Salary and/or bonus
 - Partnership share or LLC distribution
 - Severance payment
 - Other compensation
4. If the law firm owes you any of the following kinds of payments, report the anticipated payments in Part 2, and indicate the anticipated amount by selecting the appropriate category (as opposed to the exact amount) in the "Value" column (as opposed to the "Income" column). Explain your arrangement for the payment in Part 3.

(If the law firm owes any of these kinds of payments to your spouse, report the anticipated payments in Part 5, and indicate the anticipated amount by selecting the appropriate category in the “Value” column. Do not report information about your spouse in Part 3.)

- Anticipated salary or bonus
 - Anticipated partnership share or LLC distribution
 - Anticipated severance
 - Any other outstanding compensation
5. Report all items listed below that currently have a value greater than \$1,000 or from which more than \$200 in income was received during the reporting period. If the item is associated with you, report it in Part 2 and describe any arrangement with the law firm (e.g., return of capital account after separation from the firm) in Part 3. (If the item is associated with your spouse, report it in Part 5. Do not report information about your spouse in Part 3.)
- Law firm capital account
 - Law firm stock
 - A financial interest in a contingency fee case (see item 4 in the solo legal practice section for more details on contingency fee cases)
 - A financial interest in an investment fund that the law firm created
 - A financial interest in other firm investments (e.g., real estate partnerships)
6. If your name is used in the name of the law firm, describe what will happen to the firm’s name in Part 3 (e.g., “my name will be removed from the name of the firm upon my withdrawal”). Note that the Ethics in Government Act prohibits certain high level government officials from allowing firms to use their names.
7. If your law firm is small enough that it will be dissolved after your separation, describe the arrangements for the firm’s dissolution in Part 3. (Do not provide information about your spouse’s firm in Part 3.)

If you or your spouse are engaged in a solo legal practice, you may find these reminders helpful:

1. Report your position as a solo practitioner in Part 1. (Do not report your spouse's position in Part 1.)
2. Report the name of any client who paid more than \$5,000 for your services in a calendar year during the reporting period in Part 4. You may describe your services simply as "legal services." (Do not report your spouse's clients in Part 4.)
3. Report the exact amount of your income from your solo legal practice during the reporting period in Part 2. Do not report your clients in Part 2. (Report your spouse's solo legal practice as a source of income in Part 5, but do not disclose the amount of income. Do not disclose your spouse's clients in Part 5.)
4. Report any interest you have in a contingency fee case in Part 2. You may estimate the value of your interest in the "Value" column. (You may use any good faith method of estimating the value. For example, you may describe the value based on the amount sought by your client in damages, with or without reducing the value based on the likelihood of a favorable decision or settlement.) In Part 3, describe what will happen to your interest in the contingency fee case upon entering government service. (Do not report information about your spouse's individual cases or clients.)
5. In Part 3, describe what will happen to the practice while you are in government (e.g., "it will be placed in an inactive status during my appointment") and any remaining fees owed to you (e.g., "the amounts of all outstanding client fees will be fixed before I enter government service"). Describe any ongoing arrangement for the payment of referral fees by attorneys to whom you refer your clients. (Do not provide information about your spouse in Part 3.)

ADDITIONAL CHECKLIST FOR CORPORATE OFFICERS, EMPLOYEES, AND DIRECTORS

The following is a non-exhaustive list of additional items that nominees who are current or former corporate officers or directors (or are married to current or former corporate officers or directors) often need to include in their public financial disclosure reports:

1. Report your position with the corporation in Part 1. (Do not report your spouse's position in Part 1.)
2. If you received any of the following kinds of income during the reporting period, report the exact amount of income in Part 2. (If your spouse received any of these types of income, report your spouse's receipt of income in Part 5, but do not include the amount of income.)
 - Salary and/or bonus
 - Director fees
 - Severance payment
 - Other compensation
3. If you are owed any of the following kinds of payments, report the anticipated payments in Part 2, and indicate the anticipated amount by selecting the appropriate category (as opposed to the exact amount) in the "Value" column (as opposed to the "Income" column). Explain your arrangement for the payment in Part 3.
 - Salary and/or bonus
 - Director fees
 - Severance payment
 - Other compensation

4. Report in Part 2 any of the employment-related items listed below that you currently hold or from which more than \$200 in income was received during the reporting period. If you currently hold the item, explain in Part 3 what will happen to it when you enter government service (e.g., divest, forfeit, vest, exercise, etc.). (If the item is associated with your spouse, report it in Part 5. Do not provide information about your spouse in Part 3.)
- Stock options or warrants (incentive, nonqualified, etc.)
 - Restricted stock or restricted stock units
 - Employee stock ownership plan (ESOP) account or employee stock purchase plan (ESPP) account
 - Stock appreciation right
 - Dividend equivalent units
 - Phantom stock
 - Deferred compensation plan
 - Retirement plans
 - Any other asset or right to payment associated with the corporation that you hold as a result of your position with the corporation
5. If you will retain any benefits following your separation from the corporation, report them in Part 3. Examples may include health or life insurance; estate, tax, or financial planning services; health club or country club memberships; use of a company car, car service, or plane; use of a residence or office; use of secretarial or IT support; use of a telephone; discounts on company services and products; travel planning services; housing or a mortgage subsidy; tickets or use of a skybox; the right to attend board meetings, other than as an ordinary shareholder of common stock; etc. (Do not provide information about your spouse in Part 3.)

ADDITIONAL CHECKLIST FOR UNIVERSITY PROFESSORS AND DEANS

The following is a non-exhaustive list of additional items that nominees who are university professors or deans (or are married to university professors or deans) often need to include in their public financial disclosure reports:

1. Report your position with the university in Part 1. (Do *not* report your spouse's position in Part 1.)
2. If you received any income from the university during the reporting period, report the exact amount of income in Part 2. (If your spouse received income, report your spouse's receipt of income in Part 5, but do not include the amount of income.)
3. If the university owes you a bonus or severance payment, report the anticipated payment in Part 2, and indicate the anticipated amount by selecting the appropriate category (as opposed to the exact amount) in the "Value" column (as opposed to the "Income" column). Describe your arrangement for the payment in Part 3. (If your spouse is owed a payment, report the anticipated payment in Part 5, and indicate the anticipated amount by selecting the appropriate category in the "Value" column. Do not provide information about your spouse in Part 3.)
4. If you will be taking a leave of absence from your position while you are in government, report the leave of absence in Part 3. Indicate whether the leave of absence will be paid or unpaid, and specify its duration. Indicate whether your employer will continue to make contributions to any retirement plan during your leave of absence. (Do not provide information about your spouse in Part 3.)
5. If you will retain any of the benefits listed below during your government service, report the benefits in Part 3. (Do not provide information about your spouse in Part 3.)
 - University housing, a housing allowance, a mortgage subsidy or supplement, a reduced rate mortgage, mortgage loan forgiveness, etc.
 - Reduced tuition rate for a child or other individual
 - Student loan forgiveness

- Subsidized child care
 - Any other benefit that will be provided during your leave of absence (other than retention of tenure)
6. If you received an honorarium (i.e., fee for speaking, writing an article, or making an appearance) in excess of \$200 during the reporting period, report the honorarium in Part 2. Provide the date your service was provided and indicate the exact amount of the payment in the “Income” column. Be sure to provide an exact amount (e.g., \$7,250) of the payment, instead of merely a category of amount.
 7. If you are owed an honorarium in excess of \$1,000, report the honorarium in Part 2, and indicate the appropriate category in the “Value” column (e.g., \$1,001-\$15,000), as opposed to the exact amount that you are owed.
 8. If your spouse received an honorarium (i.e., fee for speaking, writing an article, or making an appearance) in excess of \$200 during the reporting period, report the honorarium in Part 5 and indicate the exact amount of the payment in the “Income” column. Be sure to provide an exact amount (e.g., \$7,250) of the payment, instead of merely a category of amount. (Note: For most types of earned income, you do not have to provide the amount that your spouse received. However, the law imposes a special requirement for honoraria, which requires you to disclose the exact amount that your spouse received for each honorarium payment in excess of \$200.)
 9. If you have interests in intellectual property (e.g., books, book deals, patents, etc.) that are currently worth more than \$1,000, or from which more than \$200 in income was received during the reporting period, report those interests in Part 2.
 10. Report your spouse’s intellectual property in Part 5 if any of the following are true: (1) the value of the intellectual property was more than \$1,000 at the end of the reporting period, (2) your spouse received more than \$200 in royalties or capital gains during the reporting period, or (3) your spouse received an advance of more than \$1,000 during the reporting period.

ADDITIONAL CHECKLIST FOR INVESTMENT FUND MANAGERS

The following is a non-exhaustive list of additional items that nominees, whose work (or whose spouses' work) involves, or previously involved, managing investment funds, often need to include in their public financial disclosure reports:

1. Any paid or unpaid position with the fund manager, the fund, a subaccount, a subsidiary fund, or any other entity or business venture in Part 1. (Do not disclose your spouse's position in Part 1.)
2. If you received any of the following payments during the reporting period, report the exact amount of income in Part 2 in the "Income" column. (If your spouse received a payment, report your spouse's receipt of the payment in Part 5, but do not include the amount of the payment.)
 - Salary and/or bonus
 - Severance
 - Other compensation
3. If you are owed any of the following types of payments, report the anticipated payment in Part 2 and indicate the anticipated amount by selecting the appropriate category (as opposed to the exact amount) in the "Value" column (as opposed to the "Income" column). Describe your arrangement for the payment in Part 3.
 - Outstanding bonus payment
 - Outstanding severance payment
 - Other outstanding compensation

4. Report any of the following items that you currently hold (or are owed) or from which more than \$200 in income was received during the reporting period in Part 2. If you currently hold the item, explain in Part 3 what will happen to the item when you enter government service (e.g., divest, forfeit, vest, etc.). (If the item is associated with your spouse, report it in Part 5. Do not provide information about your spouse in Part 3.)
 - Carried interest
 - Co-investment interest
 - Warrants, options, or other equity interest
 - Any other financial interest, investment, or right
5. In Part 8, report any capital commitments by you, your spouse, or your dependent child. Also, describe (either in Part 8 or in an endnote) any arrangement with the fund manager (or with any other individual or entity) to assist you in satisfying this capital commitment (e.g., a leveraging agreement, a subsidy, a supplemental payment, a credit, etc.).
6. In Part 3, describe any arrangement related to your work. For example, describe any continuing right, share, interest, payment, etc., associated with the fund manager, the investment fund, or any other entity. (Do not provide information about your spouse in Part 3.)

BLIND TRUSTS AND DIVERSIFIED TRUSTS

You may hear about *qualified blind trusts* and *qualified diversified trusts* as potential options for addressing ethics issues.

OGE's staff is available to talk to you about these types of trusts, but you should know that the requirements are highly restrictive and usually burdensome. There is almost always a different remedy that is more appropriate for resolving the applicable ethics issues. For this reason, there have been very few qualified blind or diversified trusts in the executive branch.

Here are a few things to keep in mind:

- An existing blind or diversified trust may *not* be used.
- You should not contact potential trustees without first consulting OGE, as you could disqualify them.
- You must publicly disclose every asset you place in the trust. Later, when you dissolve the trust, you must publicly disclose every asset held in the trust at the time of dissolution.
- You may not instruct a trustee as to types of assets to acquire, and you will not receive information about a trust's holdings until it is dissolved.
- A blind trust does not resolve existing conflicts of interest—an asset you place in a blind trust is not “blind” until it is sold down to \$1,000 or less.

The table on the next page outlines some of the requirements for qualified blind trusts and qualified diversified trusts. This is not an exhaustive list of requirements, and it is important that you talk to OGE before taking any steps to establish one of these types of trusts.

BLIND AND DIVERSIFIED TRUSTS

The following are features of both types of qualified trusts:

- Control of all trust assets is relinquished to an independent trustee
- The trustee must be an institution
- The trustee must be independent
- You have no knowledge of assets acquired by the trustee, and you may not communicate specific preferences or impose restrictions
- Statements you receive will reveal only the trust's overall value
- You, your family, and your representatives may not communicate with the trustee, except for non-substantive written communications approved in advance by OGE

BLIND TRUSTS

The following requirements apply only to qualified blind trusts:

- The trustee will prepare and file the trust's taxes
- The initial assets you place in the trust are not "blind" until they are sold down to a value of \$1,000 or less; these initial assets have the potential to create conflicts of interest until they become "blind"

DIVERSIFIED TRUSTS

The following requirements apply only to qualified diversified trusts:

- The trustee will prepare and file both the trust's taxes and *your own personal income taxes*
- No single asset in the trust may be more than 5% of the portfolio
- No more than 20% of the portfolio may be concentrated in any particular economic or geographic sector
- An asset that poses a significant conflict of interest with your duties cannot be put into the initial trust portfolio

THE 14 PRINCIPLES OF ETHICAL CONDUCT



THE 14 PRINCIPLES OF ETHICAL CONDUCT

Under a longstanding Presidential Executive Order, these Principles of Ethical Conduct apply to every executive branch employee.

1. Public service is a public trust, requiring employees to place loyalty to the Constitution, the laws and ethical principles above private gain.
2. Employees shall not hold financial interests that conflict with the conscientious performance of duty.
3. Employees shall not engage in financial transactions using nonpublic Government information or allow the improper use of such information to further any private interest.
4. An employee shall not, except as permitted by [exceptions documented in the *Standards of Ethical Conduct for Employees of the Executive Branch*], solicit or accept any gift or other item of monetary value from any person or entity seeking official action from, doing business with, or conducting activities regulated by the employee's agency, or whose interests may be substantially affected by the performance or nonperformance of the employee's duties.
5. Employees shall put forth honest effort in the performance of their duties.
6. Employees shall not knowingly make unauthorized commitments or promises of any kind purporting to bind the Government.
7. Employees shall not use public office for private gain.
8. Employees shall act impartially and not give preferential treatment to any private organization or individual.
9. Employees shall protect and conserve Federal property and shall not use it for other than authorized activities.
10. Employees shall not engage in outside employment or activities, including seeking or negotiating for employment, that conflict with official Government duties and responsibilities.

11. Employees shall disclose waste, fraud, abuse, and corruption to appropriate authorities.
12. Employees shall satisfy in good faith their obligations as citizens, including all just financial obligations, especially those—such as Federal, State, or local taxes—that are imposed by law.
13. Employees shall adhere to all laws and regulations that provide equal opportunity for all Americans regardless of race, color, religion, sex, national origin, age, or handicap.
14. Employees shall endeavor to avoid any actions creating the appearance that they are violating the law or the ethical standards set forth in this part. Whether particular circumstances create an appearance that the law or these standards have been violated shall be determined from the perspective of a reasonable person with knowledge of the relevant facts.