

UNITED STATES OFFICE OF  
GOVERNMENT ETHICS



June 15, 1999  
DO-99-029

**MEMORANDUM**

**TO: Designated Agency Ethics Officials**

**FROM: Stephen D. Potts, Director**

**SUBJECT: New Edition of the OGE Form 450 Confidential Financial Disclosure Report**

The Office of Government Ethics (OGE) recently obtained from the Office of Management and Budget (OMB) renewed approval for three years under the Paperwork Reduction Act for a slightly revised version of the OGE Form 450 Executive Branch Confidential Financial Disclosure Report. OGE is issuing the new April 1999 edition of the OGE Form 450 as an attachment to this DAEOgram.

As announced in OGE's DAEOgram of March 18, 1999 (# DO-99- 011), most of the minor changes to the OGE Form 450 are stylistic in nature. OGE has now also updated the examples in parts IV and V of the form. In addition, OGE has made a couple of needed minor revisions to the privacy and paperwork notices in the instructions to the form.

OGE has made one substantive change to the form, which we noted as a possibility in the prior DAEOgram. On March 22, 1999, the General Services Administration (GSA) raised "minimal value" under the Foreign Gifts and Decorations Act, 5 U.S.C. § 7342, to \$260 or less for the three-year period 1999-2001. See 64 Federal Register 13700-13701. Since that value now exceeds \$250, OGE is raising the thresholds on both the instructions and the report form (part V) of the OGE Form 450 for reporting of gifts and travel reimbursements to "more than \$260" for the aggregation level for reporting, and "\$104 or less" for the de minimis threshold (as increased by the same percentage), for gifts and reimbursements from any one source.(1) These increases are necessary because under section 102(a)(2)(A) and (B) of the Ethics in Government Act, 5 U.S.C. appendix, § 102(a)(2)(A) and (B), the gifts/reimbursements reporting thresholds (including for the confidential reports under 5 C.F.R. § 2634.907(a)(3)) are tied to any such increase of foreign gifts "minimal value" over \$250. We expect that from now on, those reporting thresholds will have to be adjusted every three years as GSA adjusts "minimal value" under the foreign gifts law.

OGE has determined that departments and agencies can utilize the new higher thresholds for the entire fiscal year 1999 reporting period for the annual incumbent filer OGE Form 450 reports due this fall,(2) even though the old, lower thresholds (\$250 aggregate and \$100 de minimis) still applied for the last three months of 1998. This will lessen the burden on filers and provide for ease of administration. If any departments or agencies want to split the thresholds for 1998 and 1999, they should so instruct filers using the new edition of the form.

The new April 1999 edition of the OGE Form 450 should be used in lieu of the prior editions. In addition to distribution as an attachment to this DAEOgram, a viewable and downloadable Portable Document Format (PDF) electronic image of the new version of the form is available in the Ethics Resource Library section of OGE's Internet Web site (address: <http://www.usoge.gov>) and will be included in future editions of The Ethics CD-ROM. Moreover, the OGE Form 450 may be locally reproduced. OGE will work to produce a fillable electronic version of the new edition of the OGE Form 450, though printing out and manual signature will still be required for now. OGE will also place that version of the form on our Web site. Any questions about the new OGE Form 450 can be directed to your OGE desk officer.

Attachment: Revised OGE Form 450 (4/99 edition).

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1. This change will also affect the SF 278 Public Financial Disclosure Report and the executive branch financial disclosure gifts/reimbursements reporting provision at 5 C.F.R. § 2634.304. OGE will separately revise that report form and the regulation. The annual SF 278 reports which were due May 15, 1999, covering calendar year 1998 are not affected.
2. New entrants and special Government employee filers do not have to report gifts and reimbursements.

**INSTRUCTIONS FOR  
OGE FORM 450,  
CONFIDENTIAL FINANCIAL  
DISCLOSURE REPORT**

**A. Why You Must File**

This report is a safeguard for you as well as the Government. It provides a mechanism for determining actual or potential conflicts between your public responsibilities and your private interests and activities. This allows you and your agency to fashion appropriate protections against such conflicts.

**B. Who Must File**

Agencies are required to designate positions at or below GS-15, O-6, or comparable pay rates, in which the nature of duties may involve a potential conflict of interest. Examples include contracting, procurement, administering grants and licenses, regulating/auditing non-Federal entities, other activities having a substantial economic effect on non-Federal entities, or law enforcement.

All special Government employees (SGEs) must file, unless exempted by their agency or subject to the public reporting system. Agencies may also require certain employees in positions above GS-15, O-6, or a comparable pay rate to file.

**C. When To File**

**New entrant reports:** Due within 30 days of assuming a position designated for filing, unless your agency requests the report earlier. No report is required if you left another filing position within 30 days prior to assuming the new position. (SGEs must file new reports upon each reappointment or redesignation, at the time specified by the agency.)

**Annual reports:** Due not later than October 31, unless extended by your agency.

**D. Reporting Periods**

**New entrant reports:** The reporting period is the preceding twelve months from the date of filing.

**Annual reports:** The reporting period covers October 1 through September 30 (or that portion not covered by a new entrant report). However, no report is required if you performed the duties of your position for less than 61 days during that twelve-month period. (All reappointed or redesignated SGEs file reports, regardless of the number of days worked.)

**E. Where To File**

With ethics officials at the agency in which you serve or will serve, or in accordance with their procedures.

**F. Definitions**

**Dependent Child** - means your son, daughter, stepson, or stepdaughter if such person is either:

- (1) unmarried, under age 21, and living in your household; or
- (2) a “dependent” of yours for Federal income tax purposes. See 26 U.S.C. 152.

**Honoraria** - means payments (direct or indirect) of money or anything of value to you or your spouse for an appearance, speech or article, excluding necessary travel expenses. Also included are payments to charities in lieu of honoraria.

**Special Government Employee (SGE)** - is defined in 18 U.S.C. 202(a) as: an officer or employee of an agency who performs temporary duties, with or without compensation, for not more than 130 days in a period of 365 days, either on a full-time or intermittent basis.

**G. General Instructions**

1. Filers must provide sufficient information about outside interests and activities so that ethics officials can

make an informed judgment as to compliance with applicable conflict of interest laws and standards of conduct regulations.

2. This form consists of five parts, which require identification of certain specific financial interests and activities. **NO DISCLOSURE OF AMOUNTS OR VALUES IS REQUIRED.** You must complete each part (except as indicated for Part V) and sign the report. If you have no information to report in any part or do not meet the threshold values for reporting, check the “None” box. New entrants and SGEs are not required to complete Part V.

3. You must include information applicable to yourself, your spouse, and dependent children on Parts I, II and V. This is required because their financial interests are attributed to you under ethics rules in determining conflicts of interest. Information about your spouse is not required in the case of divorce, permanent separation, or temporary separation with the intention of terminating the marriage or permanently separating. Parts III and IV require disclosures about yourself only.

4. You may distinguish any entry for a family member by preceding it with **S** for spouse, **DC** for dependent child, or **J** for jointly held.

**Part I: Assets & Income**

**Assets:**

1. Report all assets held for investment or for the production of income by **you, your spouse, and dependent children**, with a value greater than \$1,000 at the end of the reporting period or which produced more than \$200 in income during the reporting period.

**Salary and Earned Income:**

1. **For yourself:** report all sources of salary and earned income greater than \$200 during the reporting period.
2. **For your spouse:** report all sources of salary and earned income if greater than \$1,000 (for honoraria, if greater than \$200).

3. **For dependent children:** no earned income needs to be reported.

**Examples of Assets:**

- Stocks
- Tax Shelters
- Mutual Funds
- Annuities
- Trust Holdings
- Trades & Businesses
- Investment Life Insurance
- Bonds
- Investment Real Estate
- Pensions
- IRA/401(k) Holdings
- Commodity Futures
- Partnership Interests
- Collectibles held for Investment

**Examples of Income:**

Investment Income

- Dividends
- Rents and Royalties
- Interest
- Capital Gains

Earned/Other Income

- Fees
- Salaries
- Commissions
- Retirement Benefits
- Honoraria

**Notes:**

1. For **pensions**, you will ordinarily just need to indicate the name of the sponsoring employer. However, if you have control over the specific investment assets held in your pension account (it is not independently managed), you must also list those underlying investments or attach an account statement that lists them.
2. For publicly available **mutual funds**, you are only required to indicate the name of the fund, not the investments that the mutual fund holds in its portfolio. You must, however, always indicate the full name of the specific mutual fund in which you hold shares, not just the general family fund name.
3. For other publicly available investment funds, such as publicly offered units of **limited partnerships**, the disclosure requirements are the same as for mutual funds -- list the full name of the limited partnership, but not its underlying portfolio investments.
4. For a **privately held trade or business**, report its name, location, and description of activity.

**Do Not Report:**

1. Your personal residence, unless you rent it out;
2. Federal Government salary or retirement benefits such as the Thrift Savings Plan;
3. Social Security benefits;
4. Money owed to you, your spouse, or dependent child by a spouse, parent, sibling or child;
5. Accounts including certificates of deposit, savings accounts, interest-bearing checking accounts, or any other forms of deposit in a bank, savings and loan association, credit union or similar financial institution;
6. Money market mutual funds and money market accounts;
7. U.S. Government obligations (including Treasury bonds, bills, notes and savings bonds);
8. Government securities issued by U.S. Government agencies or Government-sponsored corporations, such as TVA, GNMA, FNMA; and
9. The underlying holdings of a trust that: 1) was not created by you, your spouse, or dependent children, **and** 2) the holdings or sources of income of which you, your spouse, and dependent children have no past or present knowledge. An example is a trust created by a relative, from which you receive periodic income but have no knowledge about its assets. Just identify the trust by name and date of creation.

**Part II: Liabilities**

**Report for Yourself, Spouse, and Dependent Children:**

1. Liabilities over \$10,000 owed to any creditor at any time during the reporting period.

**Do Not Report:**

1. Mortgages on your personal residence unless you rent it out;
2. Personal liabilities owed to a spouse, or the parent, sibling, or child of you, your spouse, or dependent child;
3. Loans for personal automobiles, household furnishings, or appliances, where the loan does not exceed the purchase price; and
4. Revolving charge accounts where the outstanding liability does not exceed \$10,000 at the end of the reporting period.

**Part III: Outside Positions**

**Report for Yourself:**

1. All positions outside the U.S. Government held at any time during the reporting period (including positions no longer held), whether or not paid.

**Positions include** an officer, director, trustee, general partner, proprietor, representative, executor, employee, or consultant of any of the following:

1. A corporation, company, firm, partnership, trust, or other business enterprise;
2. A non-profit organization;
3. A labor organization; and
4. An educational or other institution outside the Federal Government.

**Do Not Report:**

1. Positions held in any religious, social, fraternal, or political entity;
2. Positions solely of an honorary nature; and
3. Positions held by a spouse or dependent child.

**Part IV: Agreements or Arrangements**

**Report Your Agreements or Arrangements for:**

1. Current or future employment;
2. A leave of absence from private or other non-Federal employment;
3. Continuation of payment by a former employer other than the Federal Government (including severance payments); and
4. Continuing participation in an employee pension or benefit plan maintained by a former employer other than the Federal Government.

**Do Not Report:**

1. A spouse or dependent child's agreements or arrangements.

**Part V: Gifts and Travel Reimbursements**

**Note:** Part V is not applicable to new entrants and SGEs.

**Report for You, Your Spouse, and Dependent Children:**

1. Travel-related cash reimbursements received from one source during the reporting period totaling more than \$260.
2. Any other gifts totaling more than \$260 from any one source. A "gift" is defined as anything of value, unless you give something of equal or greater value to the donor. This includes tangible items and in-kind transportation, food, lodging, and entertainment.

**Note:** Gifts or reimbursements valued at \$104 or less need not be included in determining the over \$260 reporting threshold.

**Do Not Report:**

1. Anything received from relatives, the U.S. Government, D.C., State, or local governments;
2. Bequests and other forms of inheritance;
3. Gifts and travel reimbursements given to your agency in connection with your official travel;
4. Gifts of hospitality (food, lodging, entertainment) at the donor's residence or personal premises; and
5. Gifts or reimbursements received by a spouse or dependent child totally independent of the relationship to the filer (*Example: a spouse's reimbursement in connection with private employment*).

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**Privacy Act Statement**

Title I of the Ethics in Government Act of 1978 (5 U.S.C. App.), Executive Order 12674, and 5 CFR Part 2634, Subpart I, of the Office of Government Ethics regulations require the reporting of this information. The primary use of the information on this form is for review by Government officials of your agency, to determine compliance with applicable Federal conflict of interest laws and regulations. Additional disclosures of the information on this report may be made: (1) to a Federal, State or local law enforcement agency if the disclosing agency becomes aware of a violation or potential violation of law or regulation; (2) to a court or party in a court or Federal administrative proceeding if the Government is a party or in order to comply with a judge-issued subpoena; (3) to a source when necessary to obtain information relevant to a conflict of interest investigation or decision; (4) to the National Archives and Records Administration or the General Services Administration in records management inspections; (5) to the Office of Management and Budget during legislative coordination on private relief legislation; and (6) in response to a request for discovery or for the appearance of a witness in a judicial or administrative proceeding, if the information is relevant to the subject matter. This confidential report will not be disclosed to any requesting person unless authorized by law. See also the OGE/GOVT-2 executive branchwide Privacy Act system of records.

**Penalties**

Falsification of information or failure to file or report information required to be reported may subject you to disciplinary action by your employing agency or other authority. Knowing and willful falsification of information required to be reported may also subject you to criminal prosecution.

**Public Burden Information**

This collection of information is estimated to take an average of one and a half hours per response, including time for reviewing the instructions, gathering the data needed, and completing the form. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Associate Director for Administration, U.S. Office of Government Ethics, Suite 500, 1201 New York Avenue NW., Washington, DC 20005-3917. Do not send your completed OGE Form 450 to this address. See Section E for where to file.

Pursuant to the Paperwork Reduction Act, as amended, an agency may not conduct or sponsor, and no person is required to respond to, a collection of information unless it displays a currently valid OMB control number (that number, 3209-0006, is displayed here and in the upper right-hand corner of the first page of this OGE Form 450).

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Mere disclosure of the required information does not authorize holdings, income, liabilities, affiliations, positions, gifts or reimbursements which are otherwise prohibited by law, Executive order, or regulation.

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**If you need assistance in completing this form, contact the ethics officials in the agency in which you serve or will serve.**

## Executive Branch CONFIDENTIAL FINANCIAL DISCLOSURE REPORT

Page Number
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Employee's Name <i>(Last, first, middle initial)</i>		Position/Title		Grade	Reporting Status: <input type="checkbox"/> New entrant <input type="checkbox"/> Annual
Agency		Branch/Unit and Address		Work Phone	If New Entrant, Date of Appointment
Check box if special Government employee (SGE) <input type="checkbox"/>		If an SGE, Home Address <i>(Number, Street, City, State and ZIP Code)</i>			
I certify that the statements I have made on this form and all attached statements are true, complete, and correct to the best of my knowledge.				Signature of Employee	Date

Date Received by Agency	On the basis of information contained in this report, I conclude that the filer is in compliance with applicable laws and regulations (except as noted in "comments" box below).	Signature and Title of Supervisor/Other Intermediate Reviewer <i>(If agency requires)</i>	Date
Signature of Agency's Final Reviewing Official and Title		Date	Comments of Reviewing Officials
			(Check box if continued on reverse) <input type="checkbox"/>

### Part I: Assets and Income

None

**Identify for you, your spouse, and dependent children:** 1) assets with a fair market value greater than \$1,000 at the close of the reporting period or producing income over \$200; and 2) sources of earned income such as salaries, fees, honoraria (other than U.S. Government salary or retirement benefits, such as the Thrift Savings Plan) which generated over \$200 in income during the reporting period. Earned income sources of your spouse must be reported if greater than \$1,000 (greater than \$200 for honoraria). No earned income needs to be reported for dependent children.

Assets include (but are not limited to): stocks, bonds, tax shelters, real estate, mutual funds, pensions, annuities, IRAs, trusts, commodity futures, trades and businesses, and partnership interests.

Exclude your personal residence, unless you rent it out, and deposit accounts in financial institutions. See instructions for additional exclusions.

	Assets and Income Sources <i>(Identify specific employer, business, stock, bond, mutual fund, type/location of real estate, etc.)</i>	(X) if no longer held	Nature of Income over \$200 <i>(Rent, interest, dividends, capital gains, salary, etc.)</i>	Date <i>(Only for honoraria)</i>
Examples	Rental Condo, Anchorage, Alaska		Rent	
	Dee, Jones & Smith, Hometown, USA	X	Salary	
	(S) Alexandria Medical Clinic, Alexandria, VA		Salary	
	Franklin Equity Mutual Fund		Dividends/Capital Gains	
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

**Use copies of blank pages for continuation**

Employee's Name (Last, first, middle initial)	Work Phone
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**Part II: Liabilities** None

**Report for you, your spouse, and dependent children,** liabilities over \$10,000 owed at any time during the reporting period (over \$10,000 at the end of the period if revolving charge accounts). **Exclude** a mortgage on your personal residence unless it is rented out; loans for autos, household furniture or appliances; and liabilities owed to certain family members (see instructions).

Creditors (Name and address)		Type of Liability (Mortgage, promissory note, etc.)
Example	First Alaska Bank, Anchorage, Alaska	Mortgage on rental property in Anchorage, AK
1		
2		
3		

**Part III: Outside Positions** None

Report any positions, whether or not compensated, which you held outside the U.S. Government during the reporting period. Positions include (but are not limited to) an employee, officer, director, trustee, general partner, proprietor, representative, executor, or consultant for a business, non-profit or labor organization, or educational institution. **Exclude** positions with religious, social, fraternal, or political entities or those solely of an honorary nature. You need not report any positions of your spouse or dependent children.

Organization (Name and address)	Type of Organization	Position	(X) If no longer held
Example	Dee, Jones & Smith, Hometown, USA	Law Firm	Associate X
1			
2			
3			
4			

**Part IV: Agreements or Arrangements** None

Report your agreements or arrangements for current or future employment, leaves of absence, continuation of payment by a former employer (including severance payments), or continuing participation in an employee benefit plan. You need not report agreements or arrangements of your spouse or dependent children.

Terms of Any Agreement or Arrangement		Parties	Date
Example	Will receive retained pension benefits (independently managed, fully funded, defined contribution plan)	Dee, Jones & Smith, Hometown, USA	2/99
1			
2			
3			

**Part V: Gifts and Travel Reimbursements** None

Do not complete this part if you are a new entrant or special Government employee.

**Report for you, your spouse, and dependent children,** gifts or travel reimbursements you have received from one source totaling more than \$260. **Exclude** anything valued at \$104 or less; anything received by your spouse or dependent child totally independent of their relationship to you; anything from a relative or from the U.S. Government; anything given to your agency in connection with your official travel; and food, lodging, or entertainment received as personal hospitality at the donor's residence or premises.

Source	Description (For travel-related items, include itinerary)	Date
Example	Dee, Jones & Smith, Hometown, USA	Leather briefcase as a departing gift
1		
2		
3		
4		