

Asset Declarations / Personal Financial Disclosure Reports

U.S. Federal Level



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History

- 1965 Presidential Order for Executive branch officials (Confidential)
- 1978 Law for all senior officials, Members of Congress, Federal Judges (Publicly Available)



Purpose?

- Prevention and detection of conflicts of interest/corruption
- Not detection of illicit enrichment



Why Make Them Public?

- Increase public confidence in Government
- Demonstrate the high level of integrity of the vast majority of Government officials
- Deter conflicts of interest from arising because official activities would be subject to public scrutiny



Why Make Them Public? (Cont.)

- Deter persons whose personal finances would not bear up to public scrutiny from entering public service
- Better enable the public to judge the performance of public officials in light of an official's outside financial interests



What Is Reported?

- Financial and non-financial information necessary to apply conflict of interest laws and standards of conduct



Financial Information Reported:

- Assets (+ value)
- Sources of income (+ type and amount)
- Purchases, sales and exchanges (value & date)
- Liabilities (+ amount and interest rate)
- Gifts, reimbursements and travel expenses (+ source and value)



Non-financial Information Reported:

- Positions held (what type, with whom and when)
- Agreements and arrangements with past or future employers
- Names of “clients” (for first-time filers typically coming from private sector)

Do not complete Schedule B if you are a new entrant, nominee, or Vice Presidential or Presidential Candidate

Reporting Individual's Name	SCHEDULE B	Page Number _____ of _____
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Part I: Transactions

Report any purchase, sale, or exchange by you, your spouse, or dependent children during the reporting period of any real property, stocks, bonds, commodity futures, and other securities when the amount of the transaction exceeded \$1,000. Include transactions that resulted in a loss.

Do not report a transaction involving property used solely as your personal residence, or a transaction solely between you, your spouse, or dependent child. Check the "Certificate of divestiture" block to indicate sales made pursuant to a certificate of divestiture from OGE.

None

	Identification of Assets		Transaction Type (x)		Date (Mo., Day, Yr.)	Amount of Transaction (x)											
	Example		Purchase	Sale		\$1,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$250,000	\$250,001 - \$500,000	\$500,001 - \$1,000,000	Over \$1,000,000*	\$1,000,001 - \$5,000,000	\$5,000,001 - \$25,000,000	\$25,000,001 - \$50,000,000	Over \$50,000,000	Certificate of divestiture
	Central Airlines Common		x		2/1/99			x									
1																	
2																	
3																	
4																	
5																	

*This category applies only if the underlying asset is solely that of the filer's spouse or dependent children. If the underlying asset is either held by the filer or jointly held by the filer with the spouse or dependent children, use the other higher categories of value, as appropriate.

Part II: Gifts, Reimbursements, and Travel Expenses

For you, your spouse and dependent children, report the source, a brief description, and the value of: (1) gifts (such as tangible items, transportation, lodging, food, or entertainment) received from one source totaling more than \$350 and (2) travel-related cash reimbursements received from one source totaling more than \$350. For conflicts analysis, it is helpful to indicate a basis for receipt, such as personal friend, agency approval under 5 U.S.C. § 4111 or other statutory authority, etc. For travel-related gifts and reimbursements, include travel itinerary, dates, and the nature of expenses provided. Exclude anything given to you by

the U.S. Government; given to your agency in connection with official travel; received from relatives; received by your spouse or dependent child totally independent of their relationship to you; or provided as personal hospitality at the donor's residence. Also, for purposes of aggregating gifts to determine the total value from one source, exclude items worth \$140 or less. See instructions for other exclusions.

Add Page None

	Source (Name and Address)	Brief Description	Value
Examples	Nat'l Assn. of Rock Collectors, NY, NY	Airline ticket, hotel room & meals incident to national conference 6/15/99 (personal activity unrelated to duty)	\$500
	Frank Jones, San Francisco, CA	Leather briefcase (personal friend)	\$385
1			
2			
3			
4			
5			

SCHEDULE C

Part I: Liabilities

Report liabilities over \$10,000 owed to any one creditor at **any time** during the reporting period by you, your spouse, or dependent children. Check the highest amount owed during the reporting period. **Exclude**

a mortgage on your personal residence unless it is rented out; loans secured by automobiles, household furniture or appliances; and liabilities owed to certain relatives listed in instructions. See instructions for revolving charge accounts.

None

Examples	Creditors (Name and Address)	Type of Liability	Date Incurred	Interest Rate	Term if applicable	Category of Amount or Value (x)													
						\$10,001 - \$15,000	\$15,001 - \$50,000	\$50,001 - \$100,000	\$100,001 - \$250,000	\$250,001 - \$500,000	\$500,001 - \$1,000,000	Over \$1,000,000*	\$1,000,001 - \$5,000,000	\$5,000,001 - \$25,000,000	\$25,000,001 - \$50,000,000	Over \$50,000,000			
	First District Bank, Washington, DC	Mortgage on rental property, Delaware	1991	8%	25 yrs.			x											
	John Jones, Washington, DC	Promissory note	1999	10%	on demand					x									
1																			
2																			
3																			
4																			
5																			

*This category applies only if the liability is solely that of the filer's spouse or dependent children. If the liability is that of the filer or a joint liability of the filer with the spouse or dependent children, mark the other higher categories, as appropriate.

Part II: Agreements or Arrangements

Report your agreements or arrangements for: (1) continuing participation in an employee benefit plan (e.g. pension, 401k, deferred compensation); (2) continuation of payment by a former employer (including severance payments); (3) leaves

of absence; and (4) future employment. See instructions regarding the reporting of negotiations for any of these arrangements or benefits.

None

Example	Status and Terms of any Agreement or Arrangement	Parties	Date
1			
2			
3			
4			
5			
6			

SCHEDULE D

Part I: Positions Held Outside U.S. Government

Report any positions held during the applicable reporting period, whether compensated or not. Positions include but are not limited to those of an officer, director, trustee, general partner, proprietor, representative, employee, or consultant of any corporation, firm, partnership, or other business enterprise or any non-profit

organization or educational institution. **Exclude** positions with religious, social, fraternal, or political entities and those solely of an honorary nature.

None

	Organization (Name and Address)	Type of Organization	Position Held	From (Mo., Yr.)	To (Mo., Yr.)
Examples	Nat'l Assn. of Rock Collectors, NY, NY	Non-profit education	President	6/92	Present
	Doe Jones & Smith, Hometown, State	Law firm	Partner	7/85	1/00
1					
2					
3					
4					
5					
6					

Part II: Compensation in Excess of \$5,000 Paid by One Source

Report sources of more than \$5,000 compensation received by you or your business affiliation for services provided directly by you during any one year of the reporting period. This includes the names of clients and customers of any corporation, firm, partnership, or other business enterprise, or any other

non-profit organization when you directly provided the services generating a fee or payment of more than \$5,000. You need not report the U.S. Government as a source.

Do not complete this part if you are an Incumbent, Termination Filer, or Vice Presidential or Presidential Candidate.

None

	Source (Name and Address)	Brief Description of Duties
Examples	Doe Jones & Smith, Hometown, State	Legal services
	Metro University (client of Doe Jones & Smith), Moneytown, State	Legal services in connection with university construction
1		
2		
3		
4		
5		
6		



When to Report?

- When appointed or selected to a “covered” position
- Annually thereafter
- When leaving a “covered” position



Review of Reports

- By agency in which person is employed
- Second-level review by OGE for Presidential appointees
- Not an audit



Penalties

- Fines for filing late
- Fines for failure to file
- Fines/imprisonment for knowingly making false statements on reports



Most Valuable “Good Practices”

- Review of reports for potential conflicts prior to Presidential appointment
- Ethics agreements on how to handle conflicts



Information Resources:

- Public financial disclosure law

http://www.usoge.gov/pages/laws_regs_fedreg_stats/comp_fed_ethics_laws.pdf

- Public and confidential financial disclosure regulations

http://www.usoge.gov/pages/laws_regs_fedreg_stats/oge_regs/5cfr2634.html

- Public financial disclosure form

http://www.usoge.gov/pages/forms_pubs_otherdocs/fpo_files/forms/sf278_2004/sf278_access_v4_1.pdf

- Confidential financial disclosure form

http://www.usoge.gov/pages/forms_pubs_otherdocs/fpo_files/forms/oge450_2006/oge450_accessible_06.pdf



Most Valuable Good Prevention Practice

- Public financial disclosure form reviewer's reference guide

http://www.usoge.gov/pages/forms_pubs_otherdocs/fpo_files/reference/rf278guide_04.pdf

- Ethics agreement guide

http://www.usoge.gov/pages/forms_pubs_otherdocs/fpo_files/other_docs/ethics_agreement_guide_0208.pdf

- Frequently asked questions on financial disclosure

http://www.usoge.gov/pages/financial_disclosure/financial_disclosure_faqs.html