

Reclamation Manual

Policy

Financial Disclosure Program

1. **Purpose.** The goal of the financial disclosure program is to promote public confidence in the integrity of Government officials and to help prevent employee financial conflicts of interest. The public may lose confidence in the integrity of our programs and operations if people perceive that an employee's Government work is influenced by personal interests or by payments from an outside source. This appendix provides applicable information regarding the financial disclosure process for Reclamation employees.
2. **Identifying Financial Disclosure Filers.**
 - A. Public financial disclosure filers include all employees required to file a public financial disclosure report in accordance with 5 CFR 2634.202. This includes all Senior Leaders (SL) and Senior Executives (SES) as well as all political appointees. NOTE: All ethics services, including financial disclosure review, for political appointees may only be provided by the Office of the Secretary and Office of the Solicitor (OS/SOL) Team within the Departmental Ethics Office.
 - B. The supervisor is the final authority in determining whether an employee is designated a confidential financial disclosure filer. In consultation with ethics officials and using the Bureau of Reclamation Job Aid – Filer Determination Worksheet (refer to Exhibit 1 of this appendix), the supervisor must review the details of the work the employee is required to perform and the level of responsibility to act on behalf of Reclamation to determine if the employee's duties warrant the filing designation. In particular instances, the Commissioner may determine a specific occupational series or collateral designation of any group of Reclamation employees, regardless of location, should warrant the filing designation.
 - (1) The official record of a filer's designation will be found in the Federal Personnel and Payroll System (FPPS). Human Resources must update the filer code in FPPS when appropriate if a change to the employee's status and supervisor's determination necessitate. Human Resources will also ensure that a filer designation is recorded in each applicable Position Description and employment offer letters.
 - (2) In circumstances when an employee is designated a P.L 93-638 Awarding Official or Awarding Official Technical Representative (AOTR) and the filer designation will not appear in FPPS, the office responsible for the designation, must notify the ethics team of the change in filing status within 5 days.
 - C. **Annual Filer Audits.** During the final quarter of the calendar year, the Bureau of Reclamation Ethics Team will perform a comprehensive audit to identify all annual financial disclosure filers that will be required to submit their year's report by February 15 (for confidential financial disclosure report filers) or May 15 (for public financial

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disclosure report filers) the following year. Supervisors must confirm the filer designation within 5 business days of receiving an ethics official's inquiry during the audit.

3. Method for Financial Disclosure Filing.

- A. Public financial disclosure filers must use the Integrity Program (Integrity.gov) to prepare and file their financial disclosure reports.
- B. Confidential financial disclosure filers must use the FDOOnline Program (fd.intelliworx.com) to prepare and file financial disclosure reports.

4. Required Filing Periods.

- A. All filers are required to file a new entrant report within 30 days of assuming a covered position within the Department of the Interior.
- B. Annual public financial disclosure filers must file no later than May 15 each year (if May 15 falls on a weekend or holiday, the reports must be filed by the first workday following May 15).
- C. Confidential disclosure filers must file no later than February 15 each year (if February 15 falls on a weekend or holiday, the reports must be filed by the first workday following February 15).
- D. Filers may request in writing from their ethics official a maximum of two extensions of no more than 45 days each for good cause. Examples of good cause include:
 - (1) Long periods of official travel,
 - (2) Significant illness,
 - (3) Extremely pressing duty assignments, and
 - (4) The convenience of filing a combined annual and termination report.
- E. Public financial disclosure filers must complete a termination report no later than 30 days after leaving a covered position. Termination reports may be filed up to 14 days prior to termination but require the filer to update any changes to reportable interests until the date of termination.
- F. Public financial disclosure filers must complete a periodic transaction report (OGE 278-T) for purchases, sales, or exchanges of stocks, bonds, or other securities if the amount of the transaction exceeds \$1,000. Transaction reports must be submitted the earlier of 45 days after the transaction or 30 days after notification of the transaction.

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- G. Filers who fail to complete a required report or fail to submit reports in a timely manner are subject to disciplinary or administrative action.
5. **Required Responses Regarding Financial Disclosure Reports.** Ethics officials will contact employees regarding their financial disclosure reports to confirm certain entries, correct technical aspects of reports, and to provide cautionary guidance regarding potential conflicts of interest. When requested by an ethics official, employees will respond to requests for additional information regarding a financial disclosure report within 3 calendar days of a request or the date provided by the ethics official in the communication, whichever is sooner. Remedial actions for resolving conflicts will be done in accordance with 43 CFR Part 20, Subpart F.
6. **Late Filing Fees.** Late filing fees apply only to Public Financial Disclosure filers (OGE 278 reports).
- A. Public financial disclosure filers who submit a late report are required to pay a \$200 late fee per late report. When an ethics official determines that a public filer submitted a new entrant, annual, periodic transaction, or termination public financial disclosure report 31 days or more after the relevant deadline, the ethics official must inform the public filer, in writing, that the public financial disclosure filer must remit a \$200 fee for each late report, payable to the U.S. Treasury.
- B. Absent extraordinary circumstances, the filer must submit payment to the ethics official within 15 calendar days after notification of the late filing fee assessment.
- C. The Designated Agency Ethics Official (DAEO) or Alternate Designated Agency Ethics Official (ADAEO) retain exclusive authority to consider a request for a waiver of the late filing fee. A public financial disclosure filer must request a waiver of the late filing fee, in writing, within 5 calendar days of the receipt of the late filing fee assessment. The request must be accompanied by a written recommendation from the Deputy Ethics Counselor as to whether or not a waiver is appropriate. The Deputy Ethics Counselor's recommendation must document:
- (1) The detailed facts and circumstances that led to the employee failing to timely submit a financial disclosure, including specific dates and a complete timeline, and
 - (2) The specific steps that the ethics official will take to improve the financial disclosure program or process improvements that aim to prevent similar delinquent reports.
7. **Penalties for Failure to File or Falsifying Reports.** Employees who fail to file, fail to respond to ethics official inquiries about a report, or willfully provide false information may be subject to civil, criminal, disciplinary or adverse action.

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8. **Confidentiality.**
 - A. OGE 278 reports may be released to the public, if requested. To protect your privacy, do NOT include your spouse's name, your child's name, street addresses, or financial account numbers on your financial disclosure report.
 - B. Although the OGE 450 report is not publicly available, forms may be provided to the Office of the Inspector General, law enforcement, or other Government offices that may need to review your information. To protect your privacy, do NOT include your spouse's name, your child's name, street addresses, or financial account numbers on your financial disclosure report.
9. **Mandatory Annual Ethics Training.** All annual financial disclosure filers and those new entrant filers who entered a covered position prior to November 1 in any given calendar year will take at least one hour of live ethics training annually. The Deputy Ethics Counselor, in consultation with the Reclamation Leadership Team and Departmental Ethics Office, will determine the format and content of the training.