



May 16, 2019
PA-19-06

PROGRAM ADVISORY

TO: Designated Agency Ethics Officials

FROM: David J. Apol
General Counsel

SUBJECT: Deadlines and Procedures for Annual Public Financial Disclosure Reports of Executive Branch Employees (2019 Filing Cycle)

This program advisory announces deadlines for the public financial disclosure reports of executive branch employees and procedures for those reports agencies are required to transmit to the U.S. Office of Government Ethics (OGE).

As used in this program advisory, the term “2019 annual report” refers to a public financial disclosure report of an executive branch employee that is due in May 2019 and covers calendar year 2018. The term “public filers” refers to executive branch employees who are subject to the requirements for public financial disclosure pursuant to 5 U.S.C. app. § 101(d).

I. Deadlines for 2019 Annual Reports

Unless an extension is granted, public filers must file their 2019 annual reports with their agencies on or before **Wednesday, May 15, 2019**. Agencies must release, upon request, any report within **30 days** after receipt.¹ Designated Agency Ethics Officials (DAEOs) are required to ensure that their agency’s certification process for each 2019 annual report is completed within **60 days** of receipt, except in unusual circumstances in which acquiring additional information needed for certification takes longer than 60 days.² Agencies must, upon certification, promptly transmit to OGE copies of the 2019 annual reports of all DAEOs and certain Presidentially appointed Senate-confirmed (PAS) employees, pursuant to 5 U.S.C. app. § 103, for OGE’s review and certification.

The deadlines for 2019 annual reports of public filers are listed immediately below.

Wednesday, May 15 – deadline for filing the report with the agency without an extension

¹ 5 C.F.R. § 2634.603(c).

² 5 C.F.R. § 2634.605(a).



Friday, June 14 – reports filed on May 15 must be released to the public upon request

Monday, July 15 – deadline for agency certification of reports filed on May 15 and not requiring additional information

Thursday, August 15 – deadline for filing the report if a filer has been given the maximum 90-day extension

Friday, December 13 – final deadline for agencies to transmit reports to OGE which required additional information³

II. 15-Day Deadline for Responses to OGE’s Requests for Additional Information

If additional information is needed for OGE’s certification of a 2019 annual report after its transmission to OGE, OGE will promptly notify agency ethics officials. Agency ethics officials are required to provide a substantive response to requests from OGE for additional information as soon as practicable, but not later than 15 days after OGE’s request.

III. Declined Certification

OGE may decline to certify any 2019 annual report for which OGE has not received sufficient information to certify the report by **Friday, January 10, 2020**. The agency is responsible for transmitting the report and such other information as OGE may request sufficiently in advance to provide OGE enough time to review and certify the report by that date. In the event that OGE declines to certify a report, the agency will remain responsible for collecting the report, reviewing the report, transmitting the report to OGE, and obtaining any additional information needed by OGE to evaluate conflicts of interest.

OGE may also decline to certify any 2019 annual report for other reasons, including the filer’s unresolved potentially conflicting holding or position, non-compliance with applicable ethics rules, or continued non-compliance with the ethics agreement.

IV. Year-End Status Letters

Not later than **Wednesday, January 15, 2020**, OGE will provide each agency head with a year-end status letter regarding their agency’s compliance with their financial disclosure responsibilities under the Ethics in Government Act, including the requirement to timely submit reports to OGE and to promptly provide any additional information necessary for OGE to certify the reports.⁴ OGE will provide additional information on the year-end status letters later in the 2019 reporting cycle.

If you have any questions about this program advisory or the 2019 filing cycle, please contact Megan Granahan at 202-482-9204 or mvgranah@oge.gov.

³ OGE generally expects agencies to finalize work on 2019 annual reports and transmit them to OGE by Tuesday, October 15, 2019 (90-day extension plus 60 days to certify). Reports requiring extensive additional information to certify should nonetheless be received by OGE no later than Friday, December 13, 2019.

⁴ 5 C.F.R. § 2638.108(a)(11).