

Request to Inspect or Receive Copies of Executive Branch Personnel Public Financial Disclosure Reports or Other Covered Records.

OGE Form 201 (April 2020)

I. Application

1. Applicant's name and address (please print):

Benjamin Berg

Agency Use Only

Received date: _____

Filled date: _____

1a. Office telephone number: (555) 555-5555 ext. _____

2. Occupation:

Counsel

3. If application is for or on behalf of any other person or organization, give the other's name:

Cern Corp

3a. Address of the other person or organization:

Cern Corp, 1111 Diamond Ave, Suite 606, Wilmington, DE

4. Type of applicant:

☐ news media ☐ private citizen ☐ public interest group ☐ law firm ☒ other private organization ☐ government

5. ☒ Copy of the most recent (or other, specify which and whether to include OGE Form 278-Ts) Public Financial Disclosure Report Form OGE Form 278/SF 278 requested for the following named individual(s):

a. Singh-Smith (all available 278e and 278t)

d.

b.

e.

c.

f.

Certain other types of records ("covered records") can also be requested using this form (see Part III below); if you are requesting another covered record, check this box ☒ and specify which type of record(s): [Ethics agreement/Waivers](#)

6. Indicate how you wish to receive this request:

☐ Pick up at OGE ☒ By mail (at the address listed above)

I am aware that this request for access to a public financial disclosure report is an official Government form (OGE Form 201). In completing this OGE Form 201, any intentionally false or misleading statement, certification, or response provided in this form is a violation of law punishable by a fine or imprisonment, or both, under 18 U.S.C. § 1001. Pursuant to section 105(c) of the Ethics in Government Act of 1978 and 5 C.F.R. § 2634.603(f) of the implementing OGE regulation, it is unlawful for any person to obtain or use a report:

- (1) for any unlawful purpose;
- (2) for any commercial purpose, other than by news and communications media for dissemination to the general public;
- (3) for determining or establishing the credit rating of any individual; or
- (4) for use, directly or indirectly, in the solicitation of money for any political, charitable, or other purpose.

The U.S. Attorney General may bring a civil action against any person who obtains or uses a report for any such prohibited purpose as set forth above. The court may assess against such a person a penalty in any amount not to exceed \$20,489. Such remedy shall be in addition to any other remedy available under statutory or common law.

7. Applicant's signature:

Date:

II. Notice of Action

☐ Copies of the report(s) or other covered record(s) you requested are enclosed.

☐ Picked up by (signature): _____ Date: _____

☐ Your request does not comply with the requirements of the statute. Please complete Part I of this form and return so we may comply with your request.

☐ Fees. If applicable, amount: _____ (when fees are required, make out a check payable to the U.S. Treasury and send it to the executive branch agency processing this request form).

(form continued on reverse side)

A. Privacy Act Statement

Sections 105 and 402(b)(1) of the Ethics in Government Act, as amended (5 U.S.C. app. 101) and 5 C.F.R. § 2634.603 authorize the solicitation of the information requested in this form. The primary use of the information on this form is to permit officials of the recipient agency to consider and process requests for inspection or receipt of copies of the OGE Form 278e Executive Branch Personnel Public Financial Disclosure Report and OGE Form 278-T Periodic Transaction Report, or other covered records to which you seek access. Furnishing the requested information is voluntary. However, failure to furnish this information will result in the recipient agency's inability to allow access to, or to provide a copy/copies of, the financial disclosure report(s) or other record(s) requested. Information on the form itself may be publicly disclosed pursuant to a proper request under section 105(b) of the Ethics in Government Act or as otherwise authorized by law.

Additional disclosures of the information on this form may be made pursuant to the routine uses set forth in the [OGE/GOVT-1](#) Privacy Act system of records:

- (1) to any requesting person, subject to the limitation contained in section 208(d)(1) of title 18, any determination granting an exemption pursuant to sections 208(b)(1) and 208(b)(3) of title 18;
- (2) to a Federal, State, or local law enforcement agency if the disclosing agency becomes aware of violations or potential violations of law or regulation;
- (3) to a source when necessary to obtain information relevant to a conflict of interest investigation or determination;
- (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;
- (6) when the disclosing agency determines that the records are arguably relevant to a proceeding before a court, grand jury, or administrative or adjudicative body; or in a proceeding before an administrative or adjudicative body when the adjudicator determines the records to be relevant to the proceeding;
- (7) to reviewing officials in a new office, department or agency when an employee transfers or is detailed from one covered position to another;
- (8) to a Member of Congress or a congressional office in response to an inquiry made on behalf of, and at the request of, an individual who is the subject of the record;
- (9) to contractors and other non-Government employees working on a contract, service, or assignment for the Federal Government when necessary to accomplish a function related to this OGE Governmentwide system of records;
- (10) on the OGE Website and to any person, department or agency, any written ethics agreements filed with OGE by an individual nominated by the President to a position requiring Senate confirmation;
- (11) on the OGE website and to otherwise disclose to any person, including other departments and agencies, any certificate of divestiture issued by the Office of Government Ethics, pursuant to 26 U.S.C. 1043;
- (12) on the OGE website and to otherwise disclose to any person, including other departments and agencies, any waiver issued by the President or the President's designee of the restrictions contained in Executive Order 13770 "Ethics Commitments by Executive Branch Appointees" (January 28, 2017) or any superseding Executive order;
- (13) to appropriate agencies, entities, and persons when: (1) the agency maintaining the records suspects or has confirmed that there has been a breach of the system of records; (2) the agency maintaining the records has determined that as a result of the suspected or confirmed breach there is a risk of harm to individuals, the agency (including its information systems, programs, and operations), the Federal Government, or national security; and (3) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the agency's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm; and
- (14) to another Federal agency or Federal entity, when the agency maintaining the record determines that information from this system of records is reasonably necessary to assist the recipient agency or entity in (1) responding to a suspected or confirmed breach or (2) preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity (including its information systems, programs, and operations), the Federal Government, or national security, resulting from a suspected or confirmed breach.

See also [OGE/GOVT-1](#) Executive Branch Personnel Public Financial Disclosure Reports and Other Name-Retrieved Ethics Program Records.

B. Public Burden Information

Public burden reporting for this collection of information is estimated to take approximately ten minutes per response, including time for reviewing instructions, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Program Counsel, U.S. Office of Government Ethics, Suite 500, 1201 New York Avenue, NW., Washington DC 20005-3917. **Do not** file this form with this official; rather, file it with the appropriate office of the executive branch department or agency from which you are seeking access to a financial disclosure report or other covered records.

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, 3209-0002, is displayed here and in the lower right-hand corner of the front page of this OGE Form 201).

III. Other Covered Records

In addition to requests for access to public OGE Form 278/SF 278 and OGE Form 278-T reports, this form can also be used to request access to certain other agency records which are covered under the access procedures of section 105 of the Ethics in Government Act and the implementing OGE regulations ("covered records"). Such other covered records are: (1) certificates of divestiture; (2) Ethics in Government Act qualified blind trust and qualified diversified trust instruments (other than those provisions which relate to the testamentary disposition of the trust assets), the list of assets transferred to such trusts (and of assets sold in the case of a qualified blind trust), as well as, in the case of trust dissolution, the report thereon and the list of trust assets at that time, and the certificates of independence and compliance with respect to qualified trusts; (3) 18 U.S.C. § 208(b)(1) & (b)(3) waivers granted by the recipient agency (after deletion of any material withholdable pursuant to the Freedom of Information Act, 5 U.S.C. § 552 (see 18 U.S.C. § 208(d)(1))); (4) other OGE Form 201 requests for access; (5) cover letters for approved gifts reporting waiver requests; and (6) cover letters for approved public reporting waiver requests for certain less than 130-day special Government employees. If you seek access to any such additional record(s), check the second box in Part I.5 on the front page and specify the record(s) sought.
