



April 10, 2018
PA-18-01

MEMORANDUM

TO: Designated Agency Ethics Officials

FROM: Dale A. Christopher, Jr.
Deputy Director for Compliance

SUBJECT: Deadlines and Procedures for Annual Public Financial Disclosure Reports of
Executive Branch Employees (2018 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 “2018 annual report” refers to a public financial disclosure report of an executive branch employee that is due in May 2018 and covers calendar year 2017. 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 2018 Annual Reports

Unless an extension is granted, public filers must file their 2018 annual reports with their agencies on or before **Tuesday, May 15, 2018**. Designated Agency Ethics Officials (DAEOs) are required to ensure that their agency’s certification process for each 2018 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. Agencies must, upon certification, promptly transmit to OGE copies of the 2018 annual reports of all DAEOs and certain Presidentially appointed Senate-confirmed (PAS) employees, pursuant to 5 U.S.C. app. § 103.

The deadlines for 2018 annual reports of public filers are listed immediately below.

Agency certification deadline

60 days – from the date the agency received the report from the filer

Filing deadline without an extension

Tuesday, May 15 – deadline for filing the report

Filing deadline with a 45-day extension

Friday, June 29 – deadline for filing the report

Filing deadline with a 90-day extension

Monday, August 13 – deadline for filing the report

Final transmission and OGE certification deadlines¹

Monday, December 17 – deadline for transmitting reports to OGE

Thursday, January 31 – last day on which OGE will certify a 2018 annual report

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

If additional information is needed for OGE’s certification of a 2018 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 will decline to certify any 2018 annual report for which OGE has not received sufficient information to certify the report by **Thursday, January 31, 2019**. Please bear in mind the following:

- (1) This policy requires certification by OGE on or before **January 31, 2019**, absent extraordinary circumstances, which necessarily means that 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.

¹ OGE generally expects agencies to finalize work on 2018 annual reports and transmit them to OGE by **Friday, October 12, 2018** (90-day extension plus 60 days to certify). Reports having the maximum 90-day filing extension and requiring additional information to certify should be received by OGE no later than **Monday, December 17, 2018**.

- (2) In the event that OGE declines to certify a report, as applicable, 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.

IV. Year-End Status Letters

As soon as practicable, but not later than **Friday, February 15, 2019**, OGE will provide agency heads with year-end status letters regarding the processing of 2018 annual reports required to be transmitted to OGE. OGE will provide copies of these letters to DAEOs.

In most cases, these year-end status letters have allowed OGE to inform the agency head that the agency has successfully completed the annual filing cycle. These letters will further advise each agency head, as appropriate, if any of the following is the case:

- (1) The agency has not transmitted all annual financial disclosure reports to OGE by **December 17, 2018**;
- (2) The agency has not responded to any outstanding requests for information; or
- (3) OGE has declined to certify any financial disclosure report that the agency transmitted to OGE.

In the event of any of these circumstances, the year-end status letters will normally name the filers whose reports are at issue, except when OGE determines that identifying the filer is not in the interests of the executive branch ethics program (e.g., due to a pending investigation, a filer's incapacitation, OGE's subsequent receipt of a report needing little additional work, or OGE's receipt of an adequate response prior to issuance of the year-end status letter, etc.).

If you have any questions about this program advisory or the 2018 filing cycle, please contact Dan Skalla at 202-482-9222 or dlskalla@oge.gov.