

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



March 31, 2017

Philip Shebest
Designated Agency Ethics Official
Farm Credit Administration
1501 Farm Credit Drive
McLean, VA 22102

Dear Mr. Shebest:

In a letter to the Office of Government Ethics dated March 29, 2017, you requested approval to use an alternative financial disclosure procedure in accordance with 5 C.F.R. § 2634.905. The alternative financial disclosure procedures are prescribed in FCA DAEO-4 (Enclosure 1). Filers subject to the alternative financial disclosure procedures, employees in pay grades VH-39 and above and examiners in pay grades VH-38 and above who do not file public financial disclosure reports (OGE Form 278) or confidential financial disclosure reports (OGE Form 450), will be required to complete form FCA-449 (Enclosure 2). The form FCA-449 will be completed by employees upon entering a covered position and again every third year, unless reportable information has changed.

As a reminder, employees who are subject to FCA's alternative financial disclosure procedure are considered confidential financial disclosure filers under 5 C.F.R. part 2634. As such, they are subject to the same annual ethics training requirements as those who file the OGE Form 450.

If you have any questions regarding this matter, please contact me at 202-482-9223.

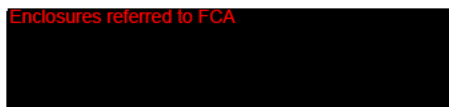
Sincerely,

A handwritten signature in black ink, appearing to read "Doug Chapman", with a long horizontal flourish extending to the right.

Doug Chapman
Chief, Program Review Branch

Enclosures

Enclosures referred to FCA



UNITED STATES OFFICE OF
GOVERNMENT ETHICS



April 20, 2017

Yasaman Sutton
Office of the General Counsel
Office of Management and Budget
725 17th Street, NW.
Washington, DC 20503

Dear Ms. Sutton:

This responds to your Letter, dated April 18, 2017, requesting approval for an alternative confidential financial disclosure procedure pursuant to 5 C.F.R. § 2634.905(a). Your request is approved.

Pursuant to 5 C.F.R. § 2634.905(a) agencies may implement an alternative financial disclosure procedure approved in writing by the Office of Government Ethics based on criteria set forth in 5 C.F.R. sections 2634.904 and 2634.905. Under your alternative procedure, Office of Management and Budget (OMB) confidential filers would continue to file the OGE form 450 using OMB's electronic filing system. The alternative financial disclosure procedure would mirror the standard confidential financial disclosure system, however; filers would file their annual reports on July 15 of each year. The reporting period covered would be from June the previous year to June of the current year. Based upon an examination of the proposed alternative financial disclosure procedure, the Office of Government Ethics has determined that the alternative that you propose is an appropriate method for identifying and preventing real and potential conflicts of interest and is now approved for use.

Sincerely,

A handwritten signature in black ink, appearing to read "Doug Chapman", written over a horizontal line.

Doug Chapman
Chief, Program Review Branch



UNITED STATES OFFICE OF
GOVERNMENT ETHICS



April 20, 2017

Treyer Mason-Gale
Alternate Designated Agency Ethics Official
U.S. Merit Systems Protection Board
Office of the General Counsel
1615 M Street, NW.
Washington, DC 20419

SUBJECT: Request for exclusion from disclosure reporting requirements for (b)(6)

Dear Mr. Mason-Gale:

You have requested that (b)(6) a Schedule C employee, be excluded from the public financial disclosure reporting requirements of Title I of the Ethics in Government Act of 1978, as amended. Your request was made pursuant to 5 CFR § 2634.203, which allows the United States Office of Government Ethics (OGE) to exclude the incumbents of Schedule C positions from reporting requirements if the incumbent has no policy-making role with respect to agency programs. Based upon (b)(6) current position description, your request to exclude (b)(6) from reporting requirements is denied.

The documents submitted in support of your request reflect that (b)(6) position does entail policy-making responsibilities. In particular, the following language provided by your office indicates that the position includes responsibilities that could impact policy-making decisions.

Reviews, where appropriate, inquiries from Members of Congress and officials of executive agencies, which are directed to the personal attention of the Chairman. Identifies primary issues, obtains relevant background information and develops responses for the Chairman. Reviews reports, documents, and other materials of importance to the Chairman and provides comments and recommendations reflecting the Chairman's views.

Assigns cases to the Chairman's staff based on knowledge of staff's expertise and workload, and the relative complexity and sensitivity of cases.

Performs special studies and research for the Chairman, developing and analyzing information and recommending action. Subjects of studies include a full array of administrative management issues pertaining to the Board. Reviews and summarizes information from a variety of sources for the Chairman's use based on the purpose for which it is used, and the Chairman's interests and objectives.



Participates in the formulation of Board policies and procedures governing the administration of the various Board projects under the jurisdiction of the Chairman. Keeps the Chairman informed of developments, progress, and problems, and follows up with responsible officials to expedite necessary action and final settlement of the matter or issue. May speak for the Chairman at executive staff meetings in planning special study projects and organizing study groups to develop policy recommendations. Participates as a member of such groups in formulating policy recommendations and positions for presentation to the Chairman. Participates in planning and conducting studies of the various aspects of the Chairman's functions to provide a basis for policy determinations.

Analyzes new or proposed regulations, policies, or procedures to determine the impact on program operations and management within the Office of the Chairman. Develops new or modified administrative program policies, regulations, goals, or objectives.

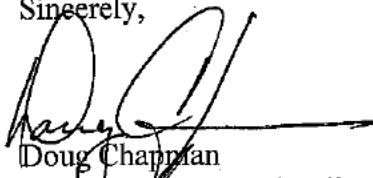
Develops or coordinates the development of background information and composes drafts of introductions and talks to be presented at various meetings by the Chairman.

Serves as a principal advisor to the Chairman on current and historical internal policies related to agency operations, issues of the budget, and special projects.

Please advise (b)(6) that (b)(6) is required to submit a public financial disclosure report. The due date for (b)(6) report will be 45 calendar days from the date of this letter.

If you have any questions regarding this matter, please contact me at 202-482-9223.

Sincerely,



Doug Chapman
Chief, Program Review Branch

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



April 20, 2017

Treyer Mason-Gale
Alternate Designated Agency Ethics Official
U.S. Merit Systems Protection Board
Office of the General Counsel
1615 M Street, NW.
Washington, DC 20419

SUBJECT: Request for exclusion from disclosure reporting requirements for (b)(6)

Dear Mr. Mason-Gale:

You have requested that (b)(6) a Schedule C employee, be excluded from the public financial disclosure reporting requirements of Title I of the Ethics in Government Act of 1978, as amended. Your request was made pursuant to 5 CFR § 2634.203, which allows the United States Office of Government Ethics (OGE) to exclude the incumbents of Schedule C positions from reporting requirements if the incumbent has no policy-making role with respect to agency programs. Based upon (b)(6) current position description, your request to exclude (b)(6) from reporting requirements is denied.

The documents submitted in support of your request reflect that (b)(6) position does entail policy-making responsibilities. In particular, the following language provided by your office indicates that the position includes responsibilities that could impact policy-making decisions.

- Serves as Confidential Adviser to the Member on appeals, adverse actions, and related matters in conjunction with the overall policy responsibilities of the Member. In this regard, the incumbent advises on regulatory and other requirements which should have been considered by agencies in effecting disciplinary actions, removals, and suspensions.
- Interprets regulations, guides, and precedents and makes recommendations concerning the resolution of employee relations problems.
- Provides advice and guidance concerning awareness of human needs and utilization of human resources.
- Advises the Member on policy analysis matters, mission objectives, and program development advances adopted or being proposed by the Board.



Mr. Treyer Mason-Gale

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- Performs independent, high priority, studies aimed at reviewing special problems within the Board, referring them to the Member with recommendations for resolution.

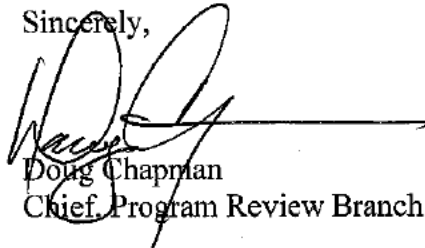
Confidentially advises the Member of developments and progress concerning problems, including those of a most controversial nature, and follows up with responsible officials to expedite necessary action and final settlement of any issue in light of special political implications.

Represents the Member at meetings with officials of the Executive and Legislative Branches to articulate the role of the Board in the Federal community. Drafts responses to Congressional inquiries, Congressional testimony and speeches where controversial issues are involved.

Please advise (b)(6) that (b)(6) is required to submit a public financial disclosure report. The due date for (b)(6) report will be 45 calendar days from the date of this letter.

If you have any questions regarding this matter, please contact me at 202-482-9223.

Sincerely,



Doug Chapman
Chief, Program Review Branch

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



February 22, 2017

Aswathi Zachariah
Alternate Designated Agency Official
National Endowment for the Arts
1100 Pennsylvania Avenue NW, Suite 608
Washington, DC 20506

SUBJECT: Request for exclusion from disclosure reporting requirements for
Staff Assistant (Utility)

(b)(6)

Dear Ms. Zachariah:

You have requested that (b)(6) a Schedule C employee, be excluded from the public financial disclosure reporting requirements of Title I of the Ethics in Government Act of 1978, as amended. Your request was made pursuant to 5 CFR § 2634.203, which allows the United States Office of Government Ethics to exclude the incumbents of Schedule C positions from reporting requirements if the incumbent has no policy-making role with respect to agency programs. Based upon (b)(6) current position description, your request is approved.

The documents submitted in support of your request reflect that (b)(6) position, Staff Assistant (Utility), has no policy-making role with respect to agency programs and, therefore; we find that the position meets the exclusion criteria. Accordingly, the position is hereby excluded from the public financial disclosure reporting requirement of Title I of the Ethics in Government Act of 1978, as amended.

The exclusion and its conditions apply to all subsequent incumbents who fill the position unless the duties of the position change. Because the position description may not change for several years, we recommend attaching this document to the position description to avoid inadvertent destruction that might occur in accordance with record retention policies.

If you have any questions regarding this matter, please contact me at 202-482-9223.

Sincerely,

A handwritten signature in black ink, appearing to read "Doug Chapman", written over a horizontal line.

Doug Chapman
Chief, Program Review Branch



UNITED STATES OFFICE OF
GOVERNMENT ETHICS



March 16, 2017

Shira Pavis Minton
Ethics Counsel and
Designated Agency Ethics Official
U.S. Securities and Exchange Commission
100 F Street NW.
Washington, DC 20549

SUBJECT: Request for exclusion from disclosure reporting requirements for (b)(6)

Dear Ms. Pavis Minton:

You have requested that (b)(6) a Schedule C employee, be excluded from the public financial disclosure reporting requirements of Title I of the Ethics in Government Act of 1978, as amended. Your request was made pursuant to 5 CFR § 2634.203, which allows the United States Office of Government Ethics (OGE) to exclude the incumbents of Schedule C positions from reporting requirements if the incumbent has no policy-making role with respect to agency programs. Based upon (b)(6) current position description, your request to exclude (b)(6) from reporting requirements is denied.

The documents submitted in support of your request reflect that (b)(6) position does entail policy-making responsibilities. In particular, the following language provided by your office indicates that the position includes responsibilities that could impact policy-making decisions.

Serves as an analyst and adviser to management of an assigned organization within a SEC Headquarters office, a division, or a regional office. Performs a wide range of studies, special projects, and one-of-a-kind assignments supporting actions including providing contracting/procurement oversight, budget/financial management direction, and records management program oversight; developing training programs and administering the GPRA program; developing responses for Congressional requests; monitoring special recruitment operations; working with clients and SEC stakeholders; and/or developing analyses for highly sensitive and high-profile issues.

Evaluates and analyzes organization-wide programs, functions, and processes to determine whether the systems in current use efficiently accomplish the objectives sought, and whether they provide the controls necessary for sound management. Uses complex analytical techniques and evaluates the result of internal management studies to assess their validity, effectiveness, and possible application. Participates in developing office standards, practices, and instructions resulting from surveys and studies.



Designs and conducts comprehensive studies where the boundaries are extremely broad and difficult to determine in advance. The studies are to improve efficiency by identifying, proposing, and devising new organizational structures, and realignment of functions and/or staffing levels.

Develops new ways to measure program accomplishments, results, and effectiveness. Analytical assignments involve efforts to develop and implement broad changes. Applies knowledge of the assigned organization's business processes and customers to provide high quality services and solutions. Uses best practices and consulting techniques to ensure customer expectations are managed/met.

Reviews programs to determine progress against long-range plans and SEC strategic goals and recommends necessary adjustments. Reviews organizational production to identify operating problems and to determine changes necessary to meet long-range objectives. Maintains continuing review of status of long-range plans to determine adequacy, ensure timeliness, and identify problem areas. Investigates variances from established program, standards, and schedules revealed by analysis and evaluation of progress reports.

Provides support for a broad range of special projects. Compiles special reports and presents formal and informal oral and written reports and briefings; develops long-range requirements to improve productivity and organizational and management practices; monitors the implementation of process improvements; develops work metrics and standards; and/or serves as a team leader for reviews.

Supports a variety of management programs requiring analysis and oversight of program status and progress toward attainment of established goals such as conducting quality improvement assessments, serving as a contracting officer's technical representative (COTR), monitoring specialized recruitment operations, reviewing utilization of human and financial resources, analyzing communication efforts with customers, industry, and the academic community, and conducting follow-up interviews to identify outcomes of SEC programs.

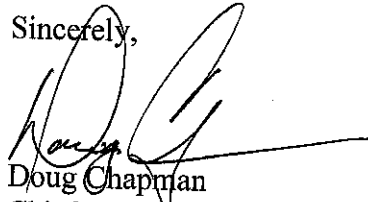
Represents the office in meetings with staff of other federal agencies and the securities industry. Responds to inquiries concerning the work of the office. Displays an up-to-date knowledge and understanding of the assigned specialized area of responsibility, utilizes technological advancement, and maintains productive work relationships with federal and state agencies and the industry.

Please advise (b)(6) that (b)(6) is required to submit a public financial disclosure report. The due date for (b)(6) report will be 45 calendar days from the date of this letter.

Ms. Shira Pavis Minton
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If you have any questions regarding this matter, please contact me at 202-482-9223.

Sincerely,

A handwritten signature in black ink, appearing to read "Doug Chapman", with a long horizontal flourish extending to the right.

Doug Chapman
Chief, Program Review Branch

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



November 9, 2017

David P. Huitema
Alternate Designated
Agency Ethics Official
U.S. Department of State
L/EFD
2401 E. Street, NW
Washington, DC 20522

SUBJECT: Request for exclusion from disclosure reporting requirements for (b)(6)
Secretary, U.S. Mission to the United Nations

Dear Mr. Huitema:

You have requested that (b)(6) a Schedule C employee, be excluded from the public financial disclosure reporting requirements of Title I of the Ethics in Government Act of 1978, as amended. Your request was made pursuant to 5 CFR § 2634.203, which allows the Office of Government Ethics (OGE) to exclude the incumbents of Schedule C positions from reporting requirements if the incumbent has no policy-making role with respect to agency programs. Based upon the current position description, your request to exclude the incumbent from reporting requirements is approved.

The documents submitted in support of your request reflect that the position, Secretary, has no policy-making role with respect to agency programs and, therefore; we find that the position meets the exclusion criteria. Accordingly, the position is hereby excluded from the public financial disclosure reporting requirement of Title I of the Ethics in Government Act of 1978, as amended.

The exclusion applies to all subsequent incumbents who fill the position unless the duties of the position change. Because the position description may not change for several years, we recommend attaching this document to the position description to avoid inadvertent destruction that might occur in accordance with record retention policies.

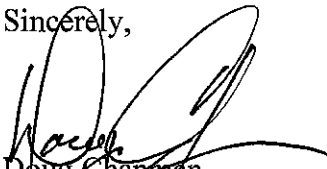
While the position description submitted to OGE supports excluding the position from public financial disclosure requirements, ethics officials should make a determination as to whether the position's incumbent should be required to file a confidential financial disclosure report. The determination as to whether an official is required to file a confidential financial disclosure report is at the discretion of the official's agency.



Mr. David P. Huitema
Page 2

If you have any questions regarding this matter, please contact me at 202-482-9223.

Sincerely,



Doug Chapman
Chief, Program Review Branch

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



February 28, 2017

Maureen E. Rudolph
General Counsel and
Designated Agency Ethics Official
U.S. Commission on Civil Rights
1331 Pennsylvania Ave., NW. Suite 1150
Washington, DC 20425

SUBJECT: Request for exclusion from disclosure reporting requirements for Commissioner Assistants (Schedule C Employees)

Dear Ms. Rudolph:

You have requested that the eight Schedule C positions whose incumbents serve or will serve as Special Assistants to Commissioners be excluded from the public financial disclosure reporting requirements of Title I of the Ethics in Government Act of 1978, as amended. Your request was made pursuant to 5 CFR § 2634.203, which allows the United States Office of Government Ethics (OGE) to exclude the incumbents of Schedule C positions from reporting requirements if the incumbent has no policy-making role with respect to agency programs. Based upon the position description you provided, which OGE takes to be uniform for all eight of the Commissioners' Special Assistants, your request to exclude these positions from reporting requirements is denied.

The documents submitted in support of your request reflect that Special Assistant positions do entail policy-making responsibilities. In particular, the following language provided by your office indicates that the position includes responsibilities that could impact policy-making decisions.

The incumbent provides administrative support, performs background research, prepares briefing documents, develops draft positions, etc., related to the Commissioner's activities and the commission's work.

Serves as liaison between the Commissioner and the Commission staff members by communicating and providing accurate timely advice on procedures, reports, requirements, and other matters necessary to implement programs, policies and instructions.

Coordinates plans for speaking engagements with appropriate USCCR staff; obtains and provides background information to be discussed based on subject matter, geographical area, and organization being addressed; prepares briefing



materials and/or speeches for use at the Commissioner's meetings or other engagements; and prepares narrative material related to the varied functions and programs of the USCCR.

Performs other special or confidential assignments such as: (1) establishment and maintenance of special case and report files; (2) development or coordination of information requests received from members of Congress, White House Staff, key Federal officials, etc...

Expert knowledge of the Commission's structure, functions, policies and procedures to provide advice, make recommendations, process inquiries, and coordinate requests, studies and significant policies/proposals.

Very thorough knowledge of the Commissioner's policies/priorities to be able to represent his/her position in liaison activities with other Commissioners' staff, or organizations to assure that projects are carried out consistent with such views and priorities. Ability to generate and develop new projects/initiatives based on own knowledge and knowledge of the commissioner's viewpoint.

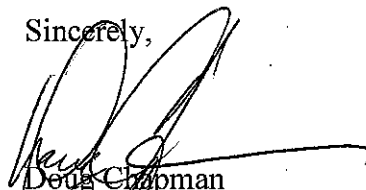
Expert knowledge and expertise to carry out, monitor and conduct research in connection with proposals being considered by the Commissioner. Ability to generate proposals and conduct research on own initiative based on knowledge of the Commissioner's priorities.

The Commissioner provides direction with assignments in terms of the mission or function of the Commission. The employee has responsibility for independently planning, designing and carrying out programs, projects, research, and other work.

Please advise current incumbents they are required to submit their public financial disclosure reports. The due date for current incumbents to submit their reports is 45 calendar days from the date of this letter. Future incumbents must file reports in accordance with established deadlines.

If you have any questions regarding this matter, please contact me at 202-482-9223.

Sincerely,



Doug Chipman
Chief, Program Review Branch