



April 14, 2017
PA-17-01

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 (2017 Filing Cycle)

This program advisory announces deadlines for the public financial disclosure reports of executive branch employees and procedures for the public financial disclosure reports of executive branch employees whose reports agencies are required to transmit to the U.S. Office of Government Ethics (OGE). At the end of this program advisory is a consolidated list of the deadlines.

As used in this program advisory, the term “2017 annual report” refers to a public financial disclosure report of an executive branch employee that is due in May 2017 and covers calendar year 2016. The term “public filers” refers to executive branch employees who are subject to requirements for public financial disclosure pursuant to 5 U.S.C. app. § 101(d).

I. Requests to Post Executive Schedule Level I and II Reports on OGE’s Website

As a reminder, please note that the STOCK Act requires agencies to post the reports of Executive Schedule Level I and II filers on their websites by **Wednesday, June 14, 2017**, or, in the case of a filer who receives an extension, within 30 days of the agency’s receipt of the filed report. Pub. L. No.112-105§11(a)(1). In order to assist agencies in meeting this deadline, OGE has offered that agencies may forward the filed report of any Level I or II filer to OGE for posting prior to the agency’s certification, with the understanding that OGE will later replace the uncertified report with the certified report on its website.

To request posting of an uncertified Level I or II report on OGE’s website, the DAEO needs to send an email to 278Tracking@oge.gov as soon as possible after the report is filed, using the following subject line: “LEVEL I OR II UNCERTIFIED REPORT FOR POSTING

ON OGE’S WEBSITE.” Agencies using *Integrity* may print an uncertified report as a PDF and attach it to the request email. *Integrity* will automatically transmit the final report to OGE after the agency has certified it.

II. Deadlines for 2017 Annual Reports

Unless an extension is granted, public filers must file their 2017 annual reports with their agencies on or before **Monday, May 15, 2017**. DAEOs are required to ensure that their agency’s certification process for each 2017 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 promptly transmit to OGE copies of the 2017 annual reports of all DAEOs and certain Presidentially appointed Senate-confirmed (PAS) employees, pursuant to 5 U.S.C. app. § 103. Even with regard to reports involving unusual circumstances, OGE generally expects agencies to finalize work on the reports and transmit them to OGE by no later than **Thursday, October 12, 2017**, in order to ensure that OGE’s review of the reports and collection of any additional information needed for certification from agencies is completed, at the latest, by the end of the calendar year.

The deadlines for 2017 annual reports of public filers are listed immediately below.

Without an extension

Monday, May 15 – deadline for filing the report

Friday, July 14 – deadline for certifying the report

With a 45-day extension

Thursday, June 29 – deadline for filing the report

Monday, August 28 – deadline for certifying the report

With a 90-day extension

Monday, August 14 – deadline for filing the report

Friday, October 13 – deadline for certifying the report

III. 30-Day Deadline for Responses to OGE’s Requests for Additional Information

If additional information is needed for OGE’s certification of a 2017 annual report after its transmission to OGE, OGE will promptly notify agency ethics officials. Agency ethics officials are required to respond to requests from OGE for additional information regarding these reports as soon as practicable, but **not later than 30 days** after OGE’s request.

IV. Year-End Status Reports

As soon as practicable, but not later than **Friday, January 12, 2018**, OGE will provide agency heads with year-end status reports regarding the processing of 2017 annual reports required to be transmitted to OGE. OGE will provide copies of these reports to DAEOs.

These year-end status reports will advise each agency head if any of the following is the case as of **Friday, December 29, 2017**:

- (1) The agency has not transmitted required financial disclosure reports;
- (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 reports 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 report, etc.).

The year-end status report also will advise agency heads that OGE will decline to certify any reports that that OGE has not certified by **Wednesday, January 31, 2018**. Please bear in mind the following:

- (1) This policy requires certification by OGE on or before January 31, 2018, 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.
- (2) In the event that OGE notifies the agency that it will decline 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.

If you have any questions about this program advisory or the 2017 filing cycle, please contact Lori Kelly at 202-482-9306 or lkelly@oge.gov.

On the next page is a list of deadlines for the 2017 filing cycle.

**DEADLINES FOR THE 2017 FILING CYCLE (FOR
REPORTS OF EXECUTIVE BRANCH EMPLOYEES ONLY)**

- May 15 – Deadline for filing a 2017 annual report (if filed without an extension)
- June 14 – Deadline for posting the report of an Executive Schedule Level I or II filer’s report on a website, unless the filer has received a filing extension
- June 29 – Deadline for filing a 2017 annual report (if filed with a 45-day extension)
- July 14 – Deadline for certifying a 2017 annual report (if filed without an extension)
- August 14 – Deadline for filing a 2017 annual report (if filed with a 90-day extension)
- August 28 – Deadline for certifying a 2017 annual report (if filed with a 45-day extension)
- October 13 – Deadline for certifying a 2017 annual report (if filed with a 90-day extension)
- December 29 – Normal deadline for obtaining OGE’s certification of a public financial disclosure report (meaning the report has been transmitted to OGE, additional information has been provided to OGE upon request, and OGE’s review has been completed), except in unusual circumstances
- January 12 – Deadline for OGE’s year-end status reports
- January 31 – Last day on which OGE will certify a 2017 annual report
- 30 days after –* Deadline to respond to a request by OGE for additional information
OGE’s request