

U.S. Department of Energy

Washington, D.C.

NOTICE

DOE N 326.2

APPROVED: 4-5-96

EXPIRES: 7-5-96

SUBJECT: ANNUAL SUBMISSION OF PUBLIC FINANCIAL DISCLOSURE REPORT (SF 278)

This Notice applies to all employee **who** file annual public financial disclosure reports as required by the Ethics in Government Act of 1978 (Public Law No. 95-521, as amended by Public Law No. 101-94, Public Law No. 101-280, and Public Law No. 104-65). These requirements apply to employees in the following categories who have served 61 days **or** more during the previous calendar year (1995):

- (1) Employees occupying Senior Executive Service, Executive Schedule, Excepted Service under the National Defense Authorization Act or the Department of Energy Organization Act (only if base pay for 1995 exceeded \$81,529), and Senior-Level positions, or the equivalent;
- (2) All members of the Board of Contract Appeals;
- (3) Special Government employees who were paid in 1995 at a daily rate at or above \$330;
- (4) All Schedule C appointees regardless of grade;
- (5) Members of the uniformed services whose pay grade is 0-7 or above; and
- (6) Administrative Law Judges:

1. Availability of SF 278's and When Due

- (a) SF 278's are available from your administrative officer, who should make distribution to employees. Administrative officers may obtain SF 278's from supply rooms by submitting DOE F 4250.2, "Requisition for Supplies, Equipment, or Services."
- (b) SF 278's should be signed and submitted directly to the Office of the Assistant General Counsel for General Law, GC-80, Room 6A-211, Forrestal Building, no later than May 15, 1996. Failure to file an SF 278 within 30

DISTRIBUTION:

All Departmental Employees

INITIATED BY:

Office of General Counsel

days of the date the report is required to be filed may subject the individual to a \$200 late filing fee. In addition, the civil penalty for knowing and willful falsification of information or failure to file or report information is \$10,000.

2. Important Reporting Reminders

- (a) In general, the information to be reported is for the previous calendar year (1995) unless the instructions on the form state otherwise.
- (b) SF 278's should be completed in accordance with their instructions, as modified by the following two amendments:

(1) New Categories of Value

Recent changes to the financial disclosure law added new categories of value or amount that are not shown on the SF 278. If you have any entry checked in a column labeled "over \$1 million" on Schedules A or C, you must annotate that entry, either by footnote or other notation directly on the form or a separate attachment, to specify the following:

In the case of Assets (Block B of Schedule A) or Liabilities, (Part I of Schedule C) whether the value or amount is

- between \$1,000,001 and \$5,000,000;
- between \$5,000,001 and \$25,000,000;
- between \$25,000,001 and \$50,000,000; or
- over \$50,000,000.

In the case of Income (Block C of Schedule A), whether the value or amount is

- between \$1,000,001 and \$5,000,000; or
- over \$5,000,000.

Exception: For assets, income or liabilities of your spouse or dependent children, you are only required to specify these additional categories of value or amount if the assets, income or liabilities are held jointly with you.

(2) Gifts

In the instructions for the completion of Schedule B, Part II (see page 9 of the "Instructions for Completing SF 278" and the instructions at the beginning of Schedule B, Part II) the threshold amount for aggregating "other gifts" should be \$250 instead of \$100 and the threshold **amount** for exclusions should be \$100 instead of \$75.

- (c) Please note that every section in Schedules A, B, C, and D of the SF 278 requires a response (even if that response is "not applicable"). Filers who do not have anything to report in a particular section should check the box for "none."
- (d) Assets included on Schedule A must be adequately identified (e.g., provide the full name of mutual funds and the composition of individual retirement accounts).
- (e) Sales or exchanges of assets reported on Schedule B, Part I, which resulted in capital gains or other income in excess of \$200, must also be reported on Schedule A.
- (f) Employees are expected to make and retain copies of their completed reports for their personal files. The Office of the Assistant General Counsel for General Law will mail a notice of receipt to each filer showing the date the filer's SF 278 was received in that office. Filers who have not received such acknowledgement within two weeks of mailing the SF 278 should so advise that office.
- (9) Questions regarding completion of SF 278's may be addressed to the Office of the Assistant General Counsel for General Law (2-2-586-1522).

BY ORDER OF THE SECRETARY OF ENERGY:



ARCHER L. DURHAM
Assistant Secretary for
Human Resources and Administration