

U.S. Department of Energy
Washington, D.C.

NOTICE

DOE N 326.12

Approved: 9-30-05

Expires: 9-30-06

SUBJECT: ANNUAL CONFIDENTIAL FINANCIAL DISCLOSURE REPORT
(OGE Form 450 or 450A)

This Notice addresses the Executive Branch confidential financial disclosure reporting requirements. These requirements apply to career GS/GM and prevailing rate system and administratively determined employees as well as employees serving in excepted service positions designated EJ, EK, and EN.

NOTE: The list of positions that are exempt from filing a Confidential Financial Disclosure Report is identical to that contained in DOE N 326.11.

Who Must File. All employees of the Department of Energy, including those in the National Nuclear Security Administration, who have for more than 60 days from October 1, 2004, to September 30, 2005, occupied positions:

- (1) at GS-15/GM-15 or below,
- (2) at Excepted Service pay band IV or below,
- (3) that are in the prevailing rate system, or
- (4) whose compensation is administratively determined

must file a Confidential Financial Disclosure Report (OGE Form 450 or Form 450A) unless they are required to file a Public Financial Disclosure Report (SF 278, due May 15th of each year) or they occupy a position that is exempt from filing as shown on the list at the end of this Notice.

Also, each person working at the Department pursuant to an Interagency Personnel Act agreement must file OGE Form 450 or 450A unless he or she occupies a position that is required to file a Public Financial Disclosure Report (SF 278).

Further, the Department may require an OGE Form 450 or 450A from an employee who performs duties that require a Report in accordance with 5 C.F.R. 2634.904(a), regardless of whether such employee occupies a position on the exempt list. Ethics counsel will notify employees who are affected by this requirement on an individual basis.

All special Government employees (i.e., employees who serve less than 130 days during any 365-day period and who are not SF 278 filers) are required to file OGE Form 450 when appointed and, thereafter, only on their respective anniversary/reappointment date.

NOTE: Successful applicants for positions that are exempt from filing an annual Confidential Financial Disclosure Report are also not required to file such a Report when a new entrant to that position.

When to File. *Annual Reports* (OGE Form 450) must be completed, signed, and submitted on or after October 1 and no later than October 31, 2005. *New Entrant Reports* (OGE Form 450)

must be completed, signed, and submitted within 30 days of entering a position that requires the filing of a report.

Where to File. Headquarters personnel should submit Reports (OGE Form 450) directly to the Office of the Assistant General Counsel for General Law, GC-77, Room 6A-211, Forrestal Building. Unless otherwise instructed, field personnel should submit the Report directly to their respective field counsels.

Reporting Period. The reporting period covered by the Annual Report (OGE Form 450 or 450A) is the 12-month period beginning October 1, 2004, and ending September 30, 2005. The reporting period for New Entrant Reports is stated in the Report instructions.

Forms. All Confidential Financial Disclosure Report filers must use OGE Form 450 or OGE Form 450A. Filers should obtain either OGE Form 450 or OGE Form 450A from their Administrative Officers, who may obtain them from supply rooms or directly from the Internet at: http://www.usoge.gov/pages/forms_pubs_otherdocs/forms_pubs_other_pg3.html. Under limited circumstances, you may qualify to file OGE Form 450A, an abbreviated form. You may file OGE Form 450A only if you are able to certify that since filing your most recent OGE Form 450:

1. You, your spouse, and your dependant child have no new reportable:
 - a. assets or sources of unearned income,
 - b. liabilities (debts), or
 - c. gifts or travel reimbursements;
2. You and your spouse have no new reportable sources of income from non-Federal employment;
3. You have no new reportable:
 - a. outside positions, or
 - b. agreements or arrangements concerning future, current, or past non-Government employment; and
4. You have not changed positions at the Department, including not having a new position description or other significant change in duties.

All four of these eligibility requirements must be met. If you are not able to make the eligibility certification, then you must file an OGE Form 450.

Information Required. The instructions on OGE Form 450 and OGE Form 450A answer most questions. However, if additional guidance is needed, please consult the publication "OGE Form 450: A Review Guide," or the Department's Procedures for Confidential Financial Disclosure which have been provided to Administrative Officers. Also employees may contact

the Office of the Assistant General Counsel for General Law, 202-586-1522, StandardsOfConduct@hq.doe.gov, or respective field counsel.

Please note: When using OGE Form 450, you must provided an answer to each part of the Report. If the correct answer is none, you must check the “None” box. Do **not** use “NA” or “Not Applicable.” Also, the following information may prove helpful in completing the Report:

Part I: All assets that you held as of September 30, 2005, having a fair market value of over \$1,000.00, must be reported. In addition, report all sources of income (salaries, fees, honoraria, capital gains, dividends, interest, etc.) exceeding \$200.00 during the reporting period. If the security or other source of income is no longer held at the close of the reporting period, you should also check the box in the second column labeled A(X) if no longer held.”

For pension plans, you must report the name of the sponsoring employer. However, if you have control over the specific investments held in the pension account, you must also list the underlying investments or assets (or attach an account statement that lists them).

Also, you must report each investment or asset held in an IRA, 401(k), or other investment account.

For publicly available mutual funds, you must report the complete name of each specific mutual fund. For stocks, bonds, and other securities, report the name of the corporation; the stock market trading symbol for the corporation is not sufficient.

Exclude:

- Bank accounts or accounts in other depository financial institutions, including certificates of deposit;
- Money market accounts;
- U.S. Government-backed securities; and
- U.S. obligations, such as Treasury bonds, bills, or notes, and U.S. Savings Bonds.

Part II: Liabilities exceeding \$10,000.00 owed to any creditor at any time during the reporting period must be reported, even if the amount owed has fallen below \$10,000.00 as of September 30, 2005.

Part III: All positions that you held outside the U.S. Government at any time during the reporting period must be reported, including positions no longer held and positions that are not compensated.

Part IV: Interests in employer pension plans, excluding U.S. Government plans, must be reported.

Part V: Gifts to you valued in excess of \$305.00, aggregated from any one source, must be reported. Include gifts of travel-related expenses, such as in-kind airfare or accommodations or cash reimbursements, that you received from any source except an agency of the U.S. Government or a Non-Federal Source that made an approved gift to DOE for your official travel.

Nonexempt Positions. ALL employees (except those filing a Public Financial Disclosure Report) must file a Confidential Financial Disclosure Report (OGE Form 450 or 450A) regardless of whether their position is otherwise exempt, if the employee is in one of the following categories:

- o holds a contracting officer's warrant;
- o serves as a contracting officer's representative or contracting officer's technical representative; or
- o is a purchase card holder with a transactional limit exceeding \$2,500.00.

Exempted Positions. Unless you are in one of the nonexempt categories listed above, all other exempted positions are listed below in numerical order by occupational series, with the respective exempted grade levels. For example, all employees in the occupational series 00018 at grade 13 and below are exempt from filing a Report. In addition, all employees who occupy wage grade positions in occupational series 02600 and higher are exempt.

Occupational Series	This grade & lower grades are exempt	Occupational Series	This grade & lower grades are exempt
00018	13	00401	13
00019	15	00403	13
00020	13	00415	13
00023	15	00430	13
00028	13	00440	13
00029	15	00460	13
00080	13	00462	15
00081	15	00480	13
00084	15	00482	13
00086	15	00486	13
00099	15	00499	15
00101	13	00501	13
00110	13	00503	15
00130-132	14	00505	13

Occupational Series	This grade & lower grades are exempt	Occupational Series	This grade & lower grades are exempt
00134	15	00510	11
00150	15	00511	no exemptions
00170	15	00525	15
00180	13	00540	15
00193	13	00544	15
00199	15	00560	13
00201-299	15	00561	15
00301	13	00599	15
00302-305	15	00601-603	13
00312-313	15	00610	15
00318-319	15	00621	15
00322	15	00670-671	13
00326	15	00690	13
00334	13	00699	15
00335	15	00801-804	13
00340-343	13	00806-810	13
00344	15	00817-818	15
00346	15	00819	13
00350-351	15	00830	13
00360-361	15	00840	13
00382	15	00850	13
00390	15	00854-855	13
00391	13	00856	15
00392	15	00861	13
00394	15	00880-881	13
00399	15	00892-893	13
00896	13	01315	13
00899	15	01316	15
00904	15	01320	13
00905	12	01321	13
00930	12	01340	13
00950	15	01341	15
00963	15	01350	13
00986	15	01370	13
00999	15	01371	15
01001	13	01372-1373	13
01015	13	01374	15
01016	15	01399	15
01020	15	01410-1412	15
01035	13	01420-1421	15
01060	15	01499	15

Occupational Series	This grade & lower grades are exempt	Occupational Series	This grade & lower grades are exempt
01071	13	01510	13
01082-1084	13	01515	13
01071	13	01520	13
01087	15	01521	15
01099	15	01529	13
01101	12	01530	13
01102	11	01531	15
01103-1105	12	01550	13
01106-1107	15	01599	15
01130	12	01601	13
01140	12	01640	13
01150	12	01654	13
01152	12	01670	13
01160	12	01699	15
01163	12	01701	12
01170-1171	12	01702	15
01176	12	01712	13
01199	15	01750	13
01202	15	01799	15
01220-1222	12	01801	12
01299	15	01810	no exemptions
01301	13	01811	no exemptions
01306	13	01825	12
01310	13	01899	15
01311	15	01910	12
01313	13	01999	15
02001	13	02150-2151	13
02003	13	02181	15
02005	15	02199	15
02010	13	02210	13
02030	15	02299	15
02050	15	02600 and above	all are exempt
02099	15	Prevailing rate	all are exempt
02101	13	Administratively	
02102	15	Determined	all are exempt
02130-2131	13		

Employees Occupying Excepted Service Positions. Employees occupying an Excepted Service position (EJ, EK, and EN series) might be exempt from filing a Confidential Financial Disclosure Report, depending on his or her pay band and occupational series. First, on the chart

below, an EJ, EK, or EN employee should use his or her Excepted Service pay band to determine the equivalent grade. (For example, the chart below shows that an EJ employee in pay band III has an equivalent grade of 12.) Then an EJ, EK, or EN employee may determine whether he or she is required to file a Report by referring to his or her occupational series and the equivalent grade level on the above list of Exempt Positions. (Continuing the example, if the same EJ employee at pay band III is in occupational series 00850, she would be exempt from filing this Report because the Exempt List shows that this occupational series to be exempt at grade 13 and below.)

Excepted Service Pay Band	Equivalent Grade
I	07
II	09
III	12
IV	14
V	All file a Public Financial Disclosure Report (SF 278).

BY ORDER OF THE SECRETARY OF ENERGY:



CLAY SELL
Deputy Secretary