



DEFENSE LOGISTICS AGENCY
HEADQUARTERS
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IN REPLY
REFER TO

DG

AUG 10 2010

MEMORANDUM FOR DLA EXECUTIVE BOARD
DEFENSE SUPPORT ACTIVITIES
ADMINISTRATOR, DTIC

SUBJECT: DLA Ethics Policy Memorandum 2010-1 on Filing the Confidential Financial Disclosure Report (OGE Form 450)

DLA Ethics Policy Letter 2008-1 is hereby rescinded in its entirety and is replaced by DLA Policy Letter 2010-1 on Filing the Confidential Financial Disclosure Report (OGE Form 450).

I. Purpose and Authority

The basic purpose of the confidential financial disclosure system is to assist employees and their agencies in avoiding conflicts of interest between official duties and private financial interests or affiliations. The Office of Government Ethics (OGE) Form 450 is the standardized form used by employees who are required to file a confidential financial disclosure report in the Executive Branch of the Federal Government.

II. DLA Personnel Required to File – General

Each year civilian employees and military personnel who are classified as “Confidential Filers” are required to file a Confidential Financial Disclosure Report (OGE Form 450). The Office of Government Ethics (OGE) defines “Confidential Filer”¹ as a:

GS/GM-15 or below, or a Military member below the grade of O-7; whose duties and responsibilities require the employee to, without substantial supervision and review, participate personally and substantially,² through decision or the exercise of significant judgment, in taking a Government action regarding: (1) contracting or procurement; (2)

¹ 5 C.F.R. 2634.904

² Participating “personally” means to participate directly, and includes the direct and active supervision of a subordinate’s participation in the matter. Participating “substantially” means that the employee’s involvement is of significance to the matter. It is more than official responsibility, knowledge, perfunctory involvement, or involvement on an administrative or peripheral issue. Substantial participation relates to the importance of the employee’s involvement and not solely the amount of time spent on a matter.



administering or monitoring grants, subsidies, licenses, or other federally conferred financial or operational benefits; (3) regulating or auditing any non-Federal entity; or (4) other activities in which the final decision or action will have a direct and substantial economic effect on the interests of any non-Federal entity.

III. DLA Personnel Identified as Confidential Filers

A. Unless expressly exempted by the Designated Agency Ethics Official (DAEO) or his or her designee, DLA civilian and military personnel who are not required to file a public financial disclosure statement (SF 278) shall file an OGE Form 450 when serving in the following positions:

1. Commanders, Deputy Commanders, Site Directors, Deputy Site Directors, Executive Officers and Chiefs of Staff of all field activities;
2. Heads and Deputy Heads of Directorates and Staff Level Organizations or equivalent positions;
3. All attorneys;
4. Contracting Officers and their supervisory officials;
5. Contracting Officer Technical Representatives;
6. Supervisory Value Engineers;
7. Supervisory Value Analysts;
8. Supervisory Industrial Property Administrators;
9. Supervisory Industrial Property Specialists;
10. Supervisory Industrial Property Engineers;
11. Supervisory Property Disposal Specialists;
12. Supervisory Property Disposal Officers;
13. Supervisory Quality Assurance Representatives;
14. Supervisory Quality Assurance Specialists;
15. Quality Assurance Representative-in-Charge;
16. All auditors
17. Investigators (1811 series)
18. Employees, including WG/WL/WS, with independent acceptance authority for products (supply and construction) and services or who make a determination for acceptance of product or service requirements;
19. Claims officers;
20. Government purchase card approving officials; and
21. Any employee whose supervisor determines, in writing with the written concurrence of the local Ethics Counselor or the Deputy Designated Ethics Official, that the employee's actual duties require the filing of a Confidential Financial Disclosure Report.

B. In addition to the above list, certain additional categories of employees are required to file OGE 450s:

1. DLA civilian and military personnel, as set forth above, who serve on detail or by appointment and who are under the Intergovernmental Personnel Act from State or local governments, institutions of higher education, or other eligible organizations.

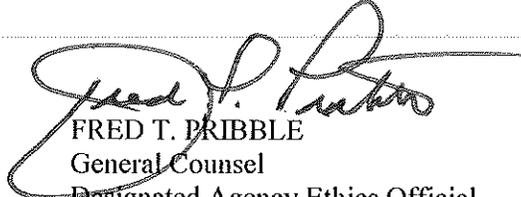
2. Unless required to file a Public Financial Disclosure Report (SF 278), all special government employees (SGEs), including consultants, experts and reservists on active duty, are required to file an initial Confidential Financial Disclosure Report, as set forth above, for each new appointment, re-appointment, or re-designation to a covered position with certain exceptions identified in paragraph IV below.

IV. DLA Personnel Excluded From Filing

1. DLA military or civilian personnel serving in positions not covered in Sections II and III, are **not** required to file an OGE Form 450 unless a written determination has been made by the concerned supervisor, in accordance with Section III.A. 21.
2. Any DLA employee or group of DLA employees that are otherwise required to file may be excluded from filing an OGE Form 450 pursuant to Section 7-300 of the Joint Ethics Regulation, when the concerned supervisor, with the written concurrence of the local Ethics Counselor or the Deputy Designated Ethics Official determines that a report is unnecessary due to the remoteness of any impairment to the integrity of the Federal Government.

V. Delegation

Deputy Designated Agency Ethics Officials are hereby delegated authority to determine additional positions or grade levels that require filing.



FRED T. PRIBBLE
General Counsel
Designated Agency Ethics Official