



DEFENSE LOGISTICS AGENCY
HEADQUARTERS
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March 24, 2020

MEMORANDUM FOR DLA EXECUTIVE BOARD
DLA MAJOR SUBORDINATE COMMANDS

SUBJECT: DLA OGC Policy on Confidential Disclosure Report Filers (OGE Form 450)

Purpose. The 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.

References. Part 2634 of title 5, Code of Federal Regulations and DoD 5500.07-R, The Joint Ethics Regulation (JER).

DLA Personnel Required to File - General. Each year civilian employees and military personnel who are classified as “Confidential Filers” are required to file an annual Confidential Financial Disclosure Report (OGE Form 450) before February 15 for the preceding year. Any employee newly assigned to a position identified below must file a new entrant report within 30 days of assignment. A “Confidential Filer” per 5 C.F.R. Section 2634.904 is a:

Civilian employee, GS-15 and below, military personnel below the grade of O-7, whose duties and responsibilities require them to participate personally and substantially¹ without substantial supervision and review, in making decisions or exercising significant judgment when taking a government action regarding:

- a. Contracting or procurement;
- b. Administering or monitoring grants, subsidies, licenses, or other federally conferred financial or operational benefits;
- c. Regulating or auditing any non-federal entity;
- d. Other activities in which the final decision or action will have a direct and substantial economic effect on interests of any non-federal entity.

DLA Personnel Identified as Confidential Filers. Unless expressly exempted by the Designated Agency Ethics Official (DAEO) or their designee, DLA civilian and military personnel who are not required to file a public financial disclosure statement (OGE 278) shall file an OGE Form 450 when serving in the following positions for more than 60 days:

¹ 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. Participation may be substantial even if not outcome determinative. It is more than official responsibility, knowledge, perfunctory involvement, or involvement on an administrative or peripheral issue. Substantial participation determination is based not only on level of effort, but also on the importance of the matter.

- a. All Commanders and Site Directors at all levels and locations;
- b. All Deputy Commanders, Executive Officers and Chiefs of Staff at the Major Subordinate Command level;
- c. Directors, Deputy Directors, Chiefs of Staff and Executive Officers of all Headquarters elements to include all J/D sections;
- d. All attorneys;
- e. Contracting Officers and their immediate supervisory officials;
- f. Contracting Officer Representatives (including Contracting Officer Technical Representatives);
- g. Supervisory Property Disposal Specialists;
- h. Supervisory Quality Assurance Representatives;
- i. Supervisory Quality Assurance Specialists;
- j. Quality Assurance Representative-in-Charge;
- k. All auditors;
- l. Investigators (1811 series);
- m. Employees, with independent acceptance authority for products (supply and construction) and services work who make a determination for acceptance of product or service requirements;
- n. Special Government Employees or Highly Qualified Experts that are not required to file an OGE 278.

Government Purchase Card (GPC) Holders and Approvers and those with Micro Purchase Warrants. These individuals are not required to file an OGE 450, unless otherwise identified above or directed to file by their supervisor in accordance with this memorandum.

Special Designation. DLA personnel not serving in positions designated above may still be required to file an OGE 450 if their supervisor makes a written determination reviewed by an ethics counselor that the duty position involves responsibilities that may have a direct and substantial economic effect on a non-federal entity.

Training Requirement. All OGE 450 filers must complete interactive annual ethics training each calendar year before November 30th in accordance guidance from Secretary Esper and 5 C.F.R. Section 2638.307.

Delegation. The Deputy DAEOs are hereby delegated authority to determine additional positions or grade levels that require filing.

MATTHEW F. PAUSCH
General Counsel
Designate Agency Ethics Official (DAEO)