



United States  
**Office of Government Ethics**  
1201 New York Avenue, NW., Suite 500  
Washington, DC 20005-3917

October 1, 2004  
DO-04-030

MEMORANDUM

TO: Designated Agency Ethics Officials

FROM: Marilyn L. Glynn  
Acting Director

SUBJECT: Publication of *Public Financial Disclosure: A Reviewer's Reference*, Second Edition

The Office of Government Ethics (OGE) is pleased to announce the publication of the second edition of *Public Financial Disclosure: A Reviewer's Reference*. The Reference, which was originally published in March 1994, is an introduction to the public financial disclosure system and a comprehensive guide to the review of the Standard Form 278.

The second edition of the Reference is structured in the same manner as the original manual. Part I: The Review Process, addresses the procedural aspects of SF 278 completion and review, as well as methods for resolving conflicts of interest. Part II: Reviewing Common Entries, discusses various types of investment and employment interests, disclosure requirements, and individualized conflicts of interest analysis. Part III: Appendixes, contains a variety of documents useful in the review of 278s such as a summary of ethics laws and regulations, model letters, case studies and an index.

The new edition contains updates, clarifications and new documents. In particular, we have updated various sections to incorporate current OGE policy. The following is a description of some of the more significant changes:

- The Reference describes agency authority to grant extensions for filing public financial disclosure reports and late filing fee waivers. Pages 2-14 and 2-16.

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- Guidance has been added to clarify circumstances that must be met for non-disclosure of confidential clients on Schedule D, Part II of the financial disclosure report. Page 3-31.
- Reference to new exemption amounts as well as the sector fund exemption found at 5 C.F.R. § 2640 is included in the discussion of remedies. Page 5-11.
- The Certificate of Divestiture section incorporates the final rule amendments to 5 C.F.R. § 2634.1004. Pages 5-15-18.
- There is new guidance on reporting sole proprietorships held by a spouse, as well as sole proprietorships formed to handle speaking engagements. Page 6-7.
- The term “publicly available” is now defined in the Excepted Investment Fund section. Page 7-2.
- The reporting requirements for TIAA-CREF plans are now discussed in the Defined Contribution Plans section. Page 7-9.
- An improved description of the reporting requirements for a spouse’s interest in a defined benefit plan has been added. Page 7-12.
- Various changes have been made to the Trusts and Estates section to make the guidance consistent with a series of DAE0grams issued on this topic. Pages 7-27-32.
- A discussion of prepaid tuition plans has been added. Page 7-33.
- A description of exchange traded funds is now included in the Mutual Funds and Unit Investment Trusts section. Page 8-22.

- The Limited Partnerships section contains better guidance on when a filer must report exact amounts of partnership income and disclose underlying assets of limited partnership interests. Pages 8-28-29.
- There are 3 new model documents in Chapter 14: a Model Ethics Agreement, a new model Recusal Letter, and a model Screening Arrangement. Pages 14-6-14.
- Current versions of the SF-278, OGE Form 201 and OGE Form 202 have been inserted in Chapter 15.
- Finally, values and thresholds have been updated throughout.

The Reference is in loose-leaf form, to be inserted in a three-ring binder, with dividers between the chapters. There will be an external cover insert for use in binders that have insert slots. The Reference contains approximately 400 pages of text and sample 278 entries.

If you wish to ride OGE's requisition order, please complete an SF 1, Printing and Binding Requisition Form, and forward it directly to the Government Printing Office no later than Wednesday, October 27, 2004. Please include the following information on your SF 1:

Public Financial Disclosure: A Reviewer's  
Reference, Second Edition  
GPO jacket number: 312-242  
OGE requisition number: 4-00024

Mail or fax completed SF 1 forms to:

U.S. Government Printing Office  
Room C-830  
North Capitol and H Streets, NW.  
Washington, DC 20401  
TEL: 202-512-1800  
FAX: 202-512-1260

We anticipate a price not exceeding \$3.00, but the actual cost will be determined after the rider closes. The new

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edition of the Reference also will be available on OGE's website at [www.usoge.gov](http://www.usoge.gov) in November 2004.

If you have any questions about the SF 1 and/or rider process, please contact GPO directly at 202-512-1800. For any questions pertaining to OGE's requisition order, please contact Deborah Bortot at 202-482-9214.