

## SUPPORTING STATEMENT - PART A

Office of the Secretary of Defense Confidential Conflict-of-Interest Statement for Advisory Committee Members – 0704-0551

### 1. Need for the Information Collection

Executive Order (EO) 12674, issued April 12, 1989, and later modified by E.O. 12731, sets forth basic obligations of public service and enumerates 14 principles of ethical conduct for Government officers and employees. The E.O. authorizes the Office of Government Ethics (OGE), in consultation with the Department of Justice and the Office of Personnel Management, to issue “regulations that establish a single, comprehensive, and clear set of executive branch standards of conduct.” On August 7, 1992, OGE published the Standards of Ethical Conduct for Employees of the Executive Branch, codified at 5 CFR part 2635. See 57 FR 35005-35067, as corrected at 57 FR 48557, 57 FR 52583, and 60 FR 51667, and amended at 59 FR 4779-4780, 60 FR 6390-6391, and 60 FR 66857-66858.

Section 201(d) of E.O. 12674 makes OGE responsible for the establishment of a system of nonpublic (confidential) financial disclosure by executive branch employees to complement the system of public financial disclosure under the Ethics in Government Act of 1978 (the “Ethics Act”), as amended, 5 U.S.C. appendix. Additionally, section 107(a) of the Ethics Act, 5 U.S.C. app., sec. 107(a), further provides authority for OGE as the supervising ethics office for the executive branch of the Federal Government to require that appropriate executive agency employees file confidential financial disclosure reports, “in such form as the supervising ethics office may prescribe.” The OGE Form 450, together with the underlying executive branch-wide financial disclosure regulation (5 CFR part 2634), constitutes the basic report form OGE has prescribed for such confidential financial disclosure in the executive branch.

The OGE Form 450 (OMB control number 3209-0006) collects information from covered department and agency officials as required under OGE's executive branch-wide regulatory provisions in subpart I of 5 CFR part 2634. The OGE Form 450 serves as the uniform report form for collection, on a confidential basis, of financial information required by the OGE regulation from certain new entrant and incumbent employees of the Federal Government executive branch departments and agencies. With the approval of OGE, an agency may use an alternative procedure in lieu of the OGE Form 450. The alternative procedure may be an agency-specific form to be filed in place of the OGE Form 450. The “Office of the Secretary of Defense Confidential Conflict-of-Interest Statement for Advisory Committee Members,” SD Form 0830, is the Office of the Secretary of Defense’s (OSD) alternate procedure for collection of the required information. The requested information is necessary to identify potential conflicts of interest of individuals serving on advisory committees.

### 2. Use of the Information

Individuals using the Conflict-of-Interest Statement are members or potential members of advisory committees. These individuals, who primarily hail from the private sector, are selected by the Secretary of Defense to provide independent advice and recommendations to senior Department of Defense (DoD) officials on matters of special interest to the Department.

As detailed in 5 CFR 2634.904, all special Government employees, who do not file a public financial disclosure form, are required to file an OGE Form 450 or alternatively an agency-specific form, such as the SD Form 0830. Information reported on the form is used to conduct conflict of interest reviews and to resolve actual or potential conflicts of interest.

When an individual is selected to serve as a member of a DoD advisory committee, the Conflict-of-Interest Statement is emailed to them. The Conflict-of-Interest Statement is returned to DoD by email. The information contained on the Conflict-of-Interest Statement is subsequently reviewed to ensure that a member's employment, outside business activities, or financial holdings do not raise conflicts of interest that would hinder or preclude their service to the Department.

3. Use of Information Technology  
100% of this information is collected electronically.

4. Non-duplication  
The information obtained through this collection is unique and is not already available for use or adaptation from another cleared source.

5. Burden on Small Businesses  
This information collection does not impose a significant economic impact on a substantial number of small businesses or entities.

6. Less Frequent Collection  
Per regulation, 5 CFR 2634.903, collection of this information is required on an annual basis and cannot be collected less frequently. If it is collected less frequently, it could violate 5 CFR 2634.903.

7. Paperwork Reduction Act Guidelines  
This collection of information does not require collection to be conducted in a manner inconsistent with the guidelines delineated in 5 CFR 1320.5(d)(2).

8. Consultation and Public Comments

Part A: PUBLIC NOTICE

A 60-Day Federal Register Notice (FRN) for the collection published on Tuesday, November 23, 2021. The 60-Day FRN citation is 86 FR 66542.

No comments were received during the 60-Day Comment Period.

A 30-Day Federal Register Notice for the collection published on Tuesday, February 22, 2022. The 30-Day FRN citation is 87 FR 9586.

## Part B: CONSULTATION

Consultation with the U.S. Office of Government Ethics and other Federal agencies regarding this information collection has been ongoing. The Office of Government Ethics provides direction for all Executive Branch agencies on how to collect reports. The guidance is ongoing. At times, reports are available from another agency because an employee is also serving that agency. This report has been available for about 15 years. Rarely have filers asked any questions since the form is short and answers many questions by way of example. Filers meet with an ethics official at least once a year.

### 9. Gifts or Payment

No payments or gifts are being offered to respondents as an incentive to participate in the collection.

### 10. Confidentiality

The collection instrument requires a Privacy Act Statement, which is included at the top of the form.

A System of Record Notice (SORN) is required for this collection and is included with the package.

Two Privacy Impact Assessments (PIA) are required for this collection and are included with the package. Their titles are Department of Defense Network Unclassified Domain System and Joint Service Provider.

Information collection is retained under OGE/GOVT-2, a system of records containing confidential financial disclosure reports, including OGE Form 450, and agency supplemental or alternative confidential report forms.

These records are retained for six years after filing, except when filed by or with respect to a nominee and the nominee ceases to be under consideration for the position. If any records are needed in an ongoing investigation, they will be retained until no longer needed in the investigation. Destruction is by shredding or electronic deletion.

### 11. Sensitive Questions

No questions considered sensitive are being asked in this collection.

### 12. Respondent Burden and its Labor Costs

## Part A: ESTIMATION OF RESPONDENT BURDEN

### 1) Collection Instrument

Confidential Conflict-of-Interest Statement for Advisory Committee Members

- a) Number of Respondents: 125
  - b) Number of Responses Per Respondent: 1
  - c) Number of Total Annual Responses: 125
  - d) Response Time: 1 hour
  - e) Respondent Burden Hours: 125 hours
- 2) Total Submission Burden
- a) Total Number of Respondents: 125
  - b) Total Number of Annual Responses: 125
  - c) Total Respondent Burden Hours: 125 hours

Part B: LABOR COST OF RESPONDENT BURDEN

- 1) Collection Instrument  
Confidential Conflict-of-Interest Statement for Advisory Committee Members
- a) Number of Total Annual Responses: 125
  - b) Response Time: 1 hour
  - c) Respondent Hourly Wage: \$7.25
  - d) Labor Burden per Response: \$7.25
  - e) Total Labor Burden: 906.25
- 2) Overall Labor Burden
- a) Total Number of Annual Responses: 125
  - b) Total Labor Burden: \$906.25

The Respondent hourly wage was determined by using the Department of Labor Wage Website <http://www.dol.gov/dol/topic/wages/index.htm>.

13. Respondent Costs Other Than Burden Hour Costs  
There are no annualized costs to respondents other than the labor burden costs addressed in Section 12 of this document to complete this collection.

14. Cost to the Federal Government

Part A: LABOR COST TO THE FEDERAL GOVERNMENT

- 1) Collection Instrument  
Confidential Conflict-of-Interest Statement for Advisory Committee Members
- a) Number of Total Annual Responses: 125
  - b) Processing Time per Response: 1 hour
  - c) Hourly Wage of Worker(s) Processing Responses: \$38.83
  - d) Cost to Process Each Response: \$38.83
  - e) Total Cost to Process Responses: \$4,854
- 2) Overall Labor Burden to the Federal Government
- a) Total Number of Annual Responses: 125
  - b) Total Labor Burden: \$4,854

Part B: OPERATIONAL AND MAINTENANCE COSTS

- 1) Cost Categories
  - a) Equipment: \$0
  - b) Printing: \$0
  - c) Postage: \$0
  - d) Software Purchases: \$0
  - e) Licensing Costs: \$0
  - f) Other: \$0

2) Total Operational and Maintenance Cost: \$0

Part C: TOTAL COST TO THE FEDERAL GOVERNMENT

- 1) Total Labor Cost to the Federal Government: \$ 4,854
- 2) Total Operational and Maintenance Costs: \$0
- 3) Total Cost to the Federal Government: \$4,854

15. Reasons for Change in Burden

There has been no change in burden since the last approval.

16. Publication of Results

The results of this information collection will not be published.

17. Non-Display of OMB Expiration Date

We are not seeking approval to omit the display of the expiration date of the OMB approval on the collection instrument.

18. Exceptions to "Certification for Paperwork Reduction Submissions"

We are not requesting any exemptions to the provisions stated in 5 CFR 1320.9.