

Legal Expense Fund Trustee’s Guide for

Information Collection Compliance

Thank you for agreeing to serve as a Legal Expense Fund (LEF) trustee. You are an important partner for the employee beneficiary through your work ensuring that all contributions and payments are permissible under the governing regulation, 5 C.F.R part 2635, subpart J. This document is designed to be a reference guide for your information collection responsibilities. If you have questions, you can consult the regulation or contact the Designated Agency Ethics Official (DAEO) at the beneficiary’s employing agency. The contact information for the DAEOs can be found here: https://www.oge.gov/web/oge.nsf/about_ethics-contact-list. If you are the trustee for a DAEO or an anonymous whistleblower, please contact the U.S. Office of Government Ethics (OGE), at 202-482-9300, and ask for the LEF program manager to discuss any questions.¹

Information Collection for Donations

When you accept contributions for the LEF, you will have the responsibility to collect some information from the donors so that you can provide information to the beneficiary for quarterly reporting purposes, which will be discussed in detail in the Trustee Handbook [LINK].

For each contribution, you are required to collect:

- The name of the donor,
- If the donor is an individual, the donor’s employer,
- City and state of residence/location,

¹ Throughout this Guide, OGE regularly refers trustees to “the DAEO at the beneficiary’s employing agency.” Please note, however, that trustees for DAEOs and anonymous whistleblowers are not required to contact the beneficiary’s employee agency and may instead contact OGE directly with questions. The trustee for an anonymous whistleblower should not reveal the employee’s identity to agency or OGE.

- Date of the contribution, and
- Amount of the contribution.

You are also required to inform donors that their information will be disclosed on the OGE website and to provide them with a copy of the Privacy Act statement, which is an attachment to this document.

Information Collection for Expense Payments

As with donors, you also have an obligation to track information about payees in order to assist the beneficiary with their reporting obligations. For each payment, you are required to track the name of the person or entity paid, and the date, amount, and purpose of the payment.

You are also required to inform payees that their information will be disclosed on the OGE website and to provide them with copy of the Privacy Act statement, which is in an attachment to this document.

Quarterly and Termination Reports

The beneficiary of the trust is required to file reports each quarter detailing contributions and distributions of \$250 or more during the quarter. The quarterly report form, OGE Form 601, is here: [\[LINK\]](#). The reports are due 30 days after the end of each quarter:

- April 30 for the first quarter
- July 30 for the second quarter
- October 30 for the third quarter
- January 30 for the fourth quarter.

It is important that the reports are filed on time. If the report is not filed by the due date, the trust/beneficiary will be prohibited from accepting contributions and making distributions until the report is filed.

The report must be filed with the DAEO of the beneficiary's employing agency, or with OGE for trusts where the beneficiary is the DAEO or an anonymous whistleblower. The report may be filed by the beneficiary or by you, the trustee, on behalf of the beneficiary. For all trusts, except those of anonymous whistleblowers, the report must be signed by the beneficiary even if it is filed by you.

All reports filed with agencies, except those containing classified information, will be sent to OGE for posting on the OGE website. The reports of DAEOs will also be posted on the OGE website. Reports should only contain the information required to be reported by the regulation. Do not include any other information, such as fee schedules, personal addresses, and account numbers.

Burden information (donor and payee information): The collection of information from donors and payees for quarterly and termination reports is estimated to take an average of 5 minutes per response. Pursuant to the Paperwork Reduction Act, as amended, an agency may not conduct or sponsor, and no person is required to respond to, a collection of information unless it displays a currently valid OMB control number. That number, 3209-000X, is displayed here.

ATTACHMENT

PRIVACY ACT STATEMENT FOR LEF TRUSTS AND REPORTING INFORMATION

OGE's Legal Expense Fund Regulation at 5 CFR part 2635 subpart J ("LEF Regulation") requires the reporting of this information. The information will be reviewed by Government officials to determine compliance with the LEF Regulation and other applicable ethics laws and regulations and provide advice regarding the trust beneficiaries recusal requirements. The information will also be used to permit transparency into the finances of legal expense funds. Failure to provide the requested information may result in the legal expense fund not being approved, prior approval for the legal expense fund being withdrawn, or suspension of the ability to raise or spend funds. Contributions received by executive branch employees for legal expenses that are not in compliance with the LEF Regulation may violate the Standards of Conduct for Employees of the Executive Branch and result in disciplinary action.

This information will be publically posted to the OGE website at www.oge.gov (subject to certain exceptions set forth in the LEF Regulation) in accordance with [OGE/GOVT-3](#), Legal Expense Fund Trust Documents, Reports, and Other Name-Retrieved Records, routine use "c." Please see [OGE/GOVT-3](#) for more information about the maintenance and disclosure of this information.