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ONE HUNDRED SIXTEENTH CONGRESS

## U.S. House of Representatives

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April 7, 2020

#### MEMORANDUM FOR ALL MEMBERS, OFFICERS, AND EMPLOYEES

FROM: Committee on Ethics  
Theodore E. Deutch, Chairman  
Kenny Marchant, Ranking Member

SUBJECT: Upcoming Financial Disclosure Filing Deadline & Pandemic-Related Relief

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The Ethics in Government Act (EIGA) subjects all Members of the House and certain House employees to financial disclosure (FD) filing requirements. In general, Members and staff who are subject to FD filing requirements must file two types of reports: 1) annual FD Statements, which must be filed regardless of a filer's holdings or financial activity and that are due by May 15 of each year, as well as upon beginning and terminating House employment, and 2) periodic transaction reports (PTRs) that a filer may be required to file throughout the year on an ongoing basis, depending on their actual financial activity. The purpose of this memorandum is to remind filers of the filing requirement and to detail what steps the Committee is taking to address the difficulties of complying, at this time, with the May 15<sup>th</sup> annual FD deadline.

#### Pandemic-Related Relief

The Committee recognizes that the annual FD deadline comes at a time when our country is fighting the COVID-19 pandemic. To address the difficulties of complying with the statutory filing deadline at this time, the Committee has taken the following steps.

First, the Committee has automatically granted all House Members and employees who are required to file an annual FD Statement the full 90-day extension permitted by EIGA. Therefore, the deadline for all annual filers is now August 13, 2020. Annual filers are welcome to submit FD Statements as soon as practicable, or anytime before August 13, 2020. There is no need to request the extension or take any other action. As the Committee is granting an extension to the maximum extent allowed by law, Committee is not authorized to grant any additional extensions. This automatic extension does not apply to Members or staffers filing new employee reports or termination reports. Additionally, this automatic extension does not apply to candidates for the U.S. House of Representatives.<sup>1</sup>

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<sup>1</sup> EIGA also does not permit the Committee to grant extensions for PTRs.

Second, the Committee recognizes that the pandemic presents an extraordinary circumstance. Although we encourage filers to put forth every effort to fulfill the FD filing requirements, we also recognize that timely filing, even at the extended deadline, may not be possible for some individuals. EIGA permits the Committee to waive late filing fees in extraordinary circumstances. Therefore, all late filing fees reasonably related to pandemic-related issues will be waived by the Committee. To request a late fee waiver, filers must submit a request to the Committee. A form for this purpose is available on the Committee's website, [ethics.house.gov](https://ethics.house.gov).

Third, Committee staff are available by phone and by email to provide FD guidance. While our physical offices are temporarily closed due to the Coronavirus outbreak and the need for social distancing, our staff continue to be available to assist you from 9am to 6pm Eastern Standard Time. Simply call the Committee at (202) 225-7103, select option "4," and leave a brief message. A member of the Financial Disclosure team will return your call promptly. You may also email your inquiries to [financial.disclosure@mail.house.gov](mailto:financial.disclosure@mail.house.gov) for assistance. Although the temporary closure of our physical offices prohibits the Committee from prescreening draft filings, this service will resume immediately after our offices reopen.

Additional information about financial disclosure requirements may be found on the Committee's website at <https://ethics.house.gov> under the "Financial Disclosure" tab.

#### Which Staff Must File Financial Disclosure Statements

House staff may be subject to financial disclosure filing requirements for a number of reasons, including 1) they are paid at or above the senior staff rate for 60 days or more during the calendar year, even if on a temporary basis; 2) they are designated a "principal assistant" for financial disclosure filing purposes by their employing Member; or 3) they are a shared employee of three or more offices, regardless of their rate of pay.

"Senior Staff" are those House employees whose "rate of basic pay is equal to or greater than 120 percent of the minimum rate of basic pay payable for GS-15 of the General Schedule" for at least 60 days at any time during a calendar year. Therefore, House employees who were paid at the rate of \$127,914 (\$10,659 monthly salary) for at least 60 days during 2019 will be required to file a Statement by August 13, 2020.<sup>2</sup> It is each employee's responsibility to know if you are senior staff and to comply with the ethics requirements that attach to that designation.

At least one employee in every Member's personal office must file an annual FD Statement. Most offices will have at least one employee who is paid at or above the senior staff rate and therefore is required to file an annual FD Statement. If a Member does not have an employee paid at or above the senior staff rate, the Member must designate at least one current employee as a "principal assistant" to file an annual FD Statement. To designate a principal assistant, the Member must sign and transmit to the Clerk of the House a letter that identifies the designee. A form for this purpose is available on the Clerk's website, [clerk.house.gov](https://clerk.house.gov).

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<sup>2</sup> For 2020, senior staff are House officers and employees whose basic rate of pay is equal to or greater than \$131,239 for at least 60 days during 2020.

Some shared employees are also required to file an annual FD Statement pursuant to a Committee on House Administration Resolution. Each House employee who is employed simultaneously by three or more offices for more than 60 days in a calendar year is required to file an annual FD Statement the following year regardless of their rate of pay.

### How to File Financial Disclosure Statements

Annual FD Statements may be filed with the Legislative Resource Center (LRC) by 1) using the online filing system available at <https://fd.house.gov> or by 2) mailing in pre-printed forms. These forms may not be filed by email, scan, or fax.

The Committee strongly encourages all filers to use the online filing system for submission. We are striving to make the system available for submission of the annual filing no later than April 15, 2020. The system can be used from any place where internet access is available and does not require any physical contact with the LRC in this time of crisis. The login and password for the system remain the same from year to year. If you need to have your login or password reset, please call the LRC at (202) 226-5200 for assistance.

Financial disclosure forms may also be filed by mailing hard copies of the pre-printed forms to the LRC. In-person delivery to the LRC is not available at this time. Members must submit the original, signed form with 2 photocopies. Staff must submit the original, signed form with 1 photocopy. All forms must be sent to the following mailing address:

The Clerk, U.S. House of Representatives  
Legislative Resource Center  
B-81 Cannon House Office Building  
Washington, DC 20515-6612.

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If you have any questions regarding financial disclosure, please contact the Committee at (202) 225-7103 or [financial.disclosure@mail.house.gov](mailto:financial.disclosure@mail.house.gov).