



**Fiscal Year 2006  
Explanatory Notes  
and  
Annual Performance Plan**

**Prepared for the  
Committee on Appropriations**

**February 2005**



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

February 10, 2005

The Honorable Jerry Lewis  
Chairman  
Committee on Appropriations  
United States House of Representatives  
The Capitol, Room H-218  
Washington, DC 20515-6015

Dear Mr. Chairman:

I am pleased to transmit to you the Explanatory Notes and Annual Performance Plan of the Office of Government Ethics (OGE). The Explanatory Notes reflect funding for \$11,148,000, and 80 full-time equivalents, as set forth in the President's FY 2006 budget.

We will be pleased to discuss our request with representatives from your office, and we look forward to our annual hearing on OGE's plan and budget. If you need additional information with regard to this request please contact Daniel D. Dunning, Deputy Director, Office of Administration and Information Resources Management, at 202-482-9203.

Sincerely,

A handwritten signature in dark ink, appearing to read "Marilyn L. Glynn", is written over the typed name.

Marilyn L. Glynn  
Acting Director

Cc: (w/Encl.): The Honorable F. James Sensenbrenner, Jr.  
Chairman  
Committee on the Judiciary  
United States House of Representatives  
2138 Rayburn House Office Building  
Washington, DC 20515-6216

The Honorable Tom Davis  
Chairman  
Committee on Government Reform  
United States House of Representatives  
2157 Rayburn House Office Building  
Washington, DC 20515



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

February 10, 2005

The Honorable Thad Cochran  
Chairman  
Committee on Appropriations  
United States Senate  
The Capitol, Room S-128  
Washington, DC 20510-6025

Dear Mr. Chairman:

I am pleased to transmit to you the Explanatory Notes and Annual Performance Plan of the Office of Government Ethics (OGE). The Explanatory Notes reflect funding for \$11,148,000, and 80 full-time equivalents, as set forth in the President's FY 2006 budget.

We will be pleased to discuss our request with representatives from your office, and we look forward to our annual hearing on OGE's plan and budget. If you need additional information with regard to this request please contact Daniel D. Dunning, Deputy Director, Office of Administration and Information Resources Management, at 202-482-9203.

Sincerely,

  
Marilyn L. Glynn  
Acting Director

CC: (w/Encl.): The Honorable Susan M. Collins  
Chair  
Committee on Homeland Security  
and Governmental Affairs  
United States Senate  
340 Dirksen Senate Building  
Washington, DC 20510-6250

OFFICE OF GOVERNMENT ETHICS  
RESOURCES BY OFFICE

(in 000's)

	2004 ACTUAL	2005 APPROPRIATED	2006 REQUEST
OFFICE	AMOUNT	AMOUNT	AMOUNT
DIRECTOR	\$565	\$640	\$640
GENERAL COUNSEL & LEGAL POLICY	\$2,401	\$2,756	\$2,756
ADMINISTRATION & INFORMATION MANAGEMENT	\$2,658	\$2,048	\$2,048
AGENCY PROGRAMS	\$4,316	\$5,014	\$5,014
GOVERNMENT RELATIONS & SPECIAL PROJECTS	\$457	\$690	\$690
Direct Obligations	\$10,397	\$11,148	\$11,148
Reimbursable Obligations (ANNUAL ETHICS CONFERENCE)	\$250	\$300	\$300
Total	\$10,647	\$11,448	\$11,448
FTE	76	80	80

1. A rescission of \$63,354 was applied against the FY 04 Appropriation.
2. A rescission of \$89,904 was applied against the FY 05 Appropriation.

## OFFICE OF GOVERNMENT ETHICS

## OBJECT CLASSIFICATION

in (000's)

Direct Obligations	2004 Actual	2005 Appropriated	2006 Requested
11.1 Salaries	\$6,805	\$7,475	\$7,475
12.1 Civilian personnel benefits	\$1,400	\$1,500	\$1,500
21.0 Travel & Transportation/persons	\$168	\$168	\$168
22.0 Transportation of things	\$4	\$5	\$5
23.1 Rental payments to GSA	\$442	\$1,110	\$1,317
23.3 Communications, utilities, misc	\$51	\$65	\$65
24.0 Printing and Reproduction	\$61	\$75	\$75
25.2 Other Services	\$864	\$540	\$405
26.0 Supplies and materials	\$162	\$105	\$80
31.0 Equipment/Land & Structures	\$440	\$105	\$58
99.0 Subtotal, direct obligations	\$10,397	\$11,148	\$11,148
99.0 Reimbursable obligations	\$250	\$300	\$300
99.9 Total obligations	\$10,647	\$11,448	\$11,448

1. A rescission of \$63,354 was applied against the FY 04 Appropriation.
2. A rescission of \$89,904 was applied against the FY 05 Appropriation.

## BUDGET REQUEST

### OFFICE OF GOVERNMENT ETHICS

#### Fiscal Year 2004 Appropriated Level

The Director, with the assistance of two immediate staff persons, is responsible for overseeing and directing the functions of the four offices below and provides support to the Deputy Directors to implement their various initiatives.

#### Office of General Counsel and Legal Policy

- Reviewed and certified for the Senate, the public financial disclosure statements filed by Presidential nominees
- Provided ethics training through OPM, and the White House if requested, to incoming Presidential appointees, new Schedule C's and noncareer SES, and White House staff
- Continued to review the Standards of Ethical Conduct for Executive Branch employees, to decide if changes are warranted
- Issued a final regulation implementing OGE's gift acceptance authority
- Continued a review of the criminal conflict of interest statutes with a view toward their modernization
- Issued proposed and final "plain English" regulations implementing Certificate of Divestiture and qualified trust requirements
- Supported the Office of Government Relations and Special Projects Congressional relations by drafting testimony, responding to Congressional requests, and reviewing legislative proposals and testimony
- Assisted the Office of Director preparing reports to Congress
- Responded to requests for Certificates of Divestiture, and administered the blind trust program
- Provided oral and written interpretive opinions on sections 202 through 209 of Title 18 U.S.C., and on other statutory provisions related to conflicts of interest and ethics
- Provided legal services for OGE as an agency

- Worked as liaison with the Department of Justice on litigation in which OGE is a party
- Functioned as the liaison with the Office of Legal Counsel and the Criminal and Civil Divisions of the Department of Justice in coordinating advice, regulations and referrals
- Assisted the Office of Agency Programs in reviewing and developing ethics training materials, computer-based training, and pamphlets, and providing legal review of materials used in training
- Developed and offered, with the assistance of the Office of Agency Programs, specialized single statute or issue seminars targeted for ethics officials who provide legal advice
- Supported OGE speaking/training and outreach programs by providing speakers and presenters
- Provided support to the Program Services Division, including working with desk officers to address complex questions concerning conflicts of interest and ethics statutes and regulations
- Provided support to the Program Review Division by developing appropriate areas of inquiry prior to an agency's review, assisting with the review and the advice to be provided to that agency and advising on appropriate areas of inquiry for single issue audits
- Supported OGE's public information requirements including answering press inquiries
- Supported the OGE Records Management System for maintaining the majority of OGE's substantive program records
- Handled administrative responsibilities, including reports and requests under FOIA and the Privacy Act, liaison with OMB, GSA and Federal Register
- Conducted special analysis required by Congress or the Administration
- Supported the Director's activities in her role as a member of the President's Council on Integrity and Efficiency

- Continued to study ethics issues arising from contractors in the Federal work place
- Addressed issues raised by the Government Accountability Office regarding the ethics programs of individual agencies and ethics issues of Executive Branch wide applicability
- Is issuing final regulations designating Agency components under 18 U.S.C. section 207

#### Office of Government Relations and Special Projects

- Pursued clearances and enactment of major legislative package
- Provided OGE's Congressional Relations requirements, including drafting testimony and responding to congressional requests
- Coordinated and provided OGE's response to requests from OMB for reviews of draft bills, legislation, bill reports and testimony
- Coordinated and provided OGE's technical assistance and special international program oversight in support of the U.S. efforts at encouraging anti-corruption measures throughout the world
- Provided OGE's assistance in responding to the Council of Europe's (GRECO) evaluation of USG's anti-corruption efforts arising from an international agreement entered into by USG
- Provided OGE's assistance to USG negotiators of international agreements that include anti-corruption provisions and to USG representatives in discussions of implementation measures for the agreements (i.e. UN Convention Against Corruption)

#### Office of Agency Programs

- Maintained an emailing list service to communicate with 2,000 ethics practitioners and enforcement personnel across the Executive Branch
- Planned, organized and supported the Fourteenth Annual National Government Ethics Conference for approximately 500 ethics practitioners



- Supported the Outreach Program to non-government organizations, private sector organizations, and state, local, and international governments
- Continued surveys to assess customer satisfaction with OGE services and products
- Monitored the ethics agreements of approximately 97 presidential appointees of the new administration concerning their financial interests and ensure that such agreements are completed within 90 days of confirmation
- Tracked, collected, reviewed and certified approximately 1,000 annual and termination financial disclosure statements of presidential appointees confirmed by the Senate
- Assisted the Office of General Counsel and Legal Policy in the review and certification of financial disclosure statements of presidential nominees prior to their Senate confirmation hearings
- Released over 900 financial disclosure statements to the news media and the public
- Tracked, collected, and made available to the public, the semiannual reports from departments and agencies of travel payments accepted under 31 U.S.C. § 1353 from non-government sources
- Responded to agency requests for administrative exemptions from the public financial disclosure system for Schedule C positions
- Maintained a desk officer system to monitor, assist and respond to telephone requests from all executive branch agency ethics staffs on a daily basis
- Held periodic seminars with small groups of agency ethics officials to discuss current ethics issues
- Determined the accuracy and quality of written agency ethics advice given to employees by ethics officials
- Monitored newly-established executive branch boards and commissions to ensure ethics support is timely provided by the appropriate agency
- Received, reviewed and analyzed the Annual Agency Ethics Program Questionnaire required by the Ethics in Government Act of 1978, as amended
- Conducted ethics program evaluations in 30 Federal agencies, regional offices, and military commands,

focusing OGE's legal, educational and program assistance resources in assisting the agencies in the development of better ethics systems and the resolution of outstanding ethics issues

- Conducted six-month follow-up reviews in all agencies in which recommendations were made to improve the ethics program during the initial program review
- Conducted a single-issue review Government-wide of major ethics issues to determine whether OGE and agency ethics policies are effectively meeting intended objectives
- Conducted pre-reviews of ethics programs including surveys of agency employees to determine the effectiveness of the agency ethics program and areas in need of a more in-depth review
- Developed instructor and participant guides to be used by executive branch departments and agencies to deliver their annual ethics training. This includes the Ethical Leadership and Initial Ethics Orientation courses
- Developed training evaluation instruments to measure the extent to which employees acquired knowledge from various instructor-led and web-based training courses
- Continued to modify, design and develop courses based on the results of the end of courses evaluations, observations and annual needs assessment
- Developed and conducted needs analyses to identify the training needs of the ethics community
- Developed and conducted instructor-led ethics training courses for ethics practitioners, trainers, counselors, financial disclosure reviewers, and enforcement officials in headquarters and the regions
- Evaluated OGE ethics training courses to determine whether they are effective in meeting the needs of the ethics community
- Assisted agencies in conducting annual ethics training when their good faith efforts to complete the requirement are unsuccessful placing special emphasis on micro agencies
- Planned, organized and supported Region Symposiums to be held three times a year for approximately 240 ethics practitioners

- Developed and maintained case tracking system for advice provided by Desk Officers to executive branch ethics officials
- Developed and maintained tracking system for public financial disclosure reports and ensure that such reports are filed by year end
- Designed and produced reference materials for Designated Agency Ethics Officials
- Responded to public requests for information that arrive via phone, mail, and internet
- Summarized and consolidated agency information collected across OGE program areas

#### Office of Administration and Information Management

- Continued to provide intra-agency support to all OGE program offices in the areas of payroll/personnel, finance and budget, small purchasing and contracting, personnel, security, printing, and mail services
- Produced in-house desktop published ethics training and conference materials, brochures, flyers, pamphlets, posters, and ethics and administrative forms
- Provided Records Management (RM) services, including forms clearance, developing policies and procedures, providing RM guidance and training, identifying, organizing and disposing of files, and developing and drafting records schedules
- Developed enhancements and additional information services on OGE's Internet World Wide Web Page, including the ability to provide on-line registration for OGE sponsored ethics training workshops and conferences
- Provided software applications training to OGE staff members
- Provided computer security awareness training to all OGE staff per the Computer Security Act of 1987 (PL 100-235)
- In accordance with the Federal Information Security Management Act (FISMA), the ISSO updated and implemented OGE's annual security awareness and training program designed to ensure that employees are aware of their responsibilities for protecting the OGE resources entrusted to them
- Provided Section 508 compliance advice and policy guidance on OGE purchases and projects

- Drafted and submitted annual report to OMB regarding OGE's information quality standards
- Coordinated, completed and submitted DOJ Section 508 Survey
- Continued the development of a new web-based Financial Disclosure Tracking System (FDTS) to be used by OGE staff to track the processing and review of SF 278 Public Financial Disclosure reports filed with OGE
- Initiated the design and development of a new web-based Audit Tracking System, which will be available within OGE and remotely via a secure Internet connection.
- Modified OGE's Correspondence Tracking System (COTS) to provide OGE telecommuters the ability to access the program remotely via a secure Internet connection
- Managed a technical support contract that involved the installation and configuration of multiple routers, firewalls, and an intrusion detection system
- Completed all requirements for the Certification and Accreditation of OGE's General Support System (GSS) and Major Application (MA)
- Installed and configured a new SMTP (e-mail) Gateway filtering system to ensure optimum performance and enforcement of OGE IT security policy, and to enhance fault-tolerance and improve information assurance by configuring the devices for load-balancing and failover protection
- Enrolled OGE for participation in the FedCIRC's Patch Authentication & Dissemination Capability (PADC), which will ensure that OGE receives all software patches and fixes necessary to protect its information systems

OFFICE OF GOVERNMENT ETHICS

Fiscal Year 2005 Request Level

Office of General Counsel and Legal Policy

- Review and certify for the Senate, the large volume of public financial disclosure reports filed by Presidential nominees in the first year after a Presidential election
- Provide ethics training through OPM, and the White House if requested, to incoming and outgoing Presidential appointees, Schedule C's and noncareer SES, and White House staff
- Issue a proposed regulation to implement any necessary revisions to the public financial disclosure system
- Issue a proposed regulation revising the Standards of Ethical Conduct for Executive Branch employees
- Develop a legislative proposal to modernize the criminal conflict of interest statutes
- Issue final regulations implementing any revised provisions of the criminal conflict of interest statutes in Title 18
- Develop any required regulations implementing any statutory changes to other conflict of interests, ethics or financial disclosure statutes, including regulations pertaining to the blind trust and CD programs
- Issue proposed regulations implementing the blind trust programs
- Issue final regulations designating agency components under 18 U.S.C. § 207
- Support the Office of Government Relations and Special Projects Congressional relations by drafting testimony, responding to Congressional requests, and reviewing legislative proposals and testimony
- Assist the Office of Director in preparing reports for Congress
- Respond to a large number of requests for Certificates of Divestiture, and administer the blind trust program
- Provide oral and written guidance and interpretations of the executive branch standards of ethical conduct

- Issue oral and written interpretive opinions on sections 202 through 209 of Title 18 U.S.C., and on other statutory provisions related to conflicts of interest and ethics
- Provide legal services for OGE as an agency
- Work as liaison with the Department of Justice on litigation in which OGE is a party
- Function as the liaison with Office of Legal Counsel and the Criminal and Civil Divisions of the Department of Justice in coordinating advice, regulations and referrals
- Assist the Office of Agency Programs in reviewing and developing ethics training materials, computer-based training, and pamphlets, and providing legal review of materials used in training
- Prepare new educational materials required because of any statutory changes to the financial disclosure and criminal conflict of interest laws
- Issue guidance regarding ethics issues arising from contractors in the Federal work place
- Develop and offer, with the assistance of the Office of Agency Programs, specialized single statute or issue seminars targeted for ethics officials who provide legal advice
- Support OGE speaking/training and outreach programs by providing speakers and presenters
- Provide support to the Program Services Division, including working with desk officers to address complex questions concerning conflicts of interest and ethics statutes and regulations
- Provide support to the Program Review Division by developing appropriate areas of inquiry prior to an agency's review, assisting with the review and the advice to be provided to that agency and advising on appropriate areas of inquiry for single issue audits
- Support OGE's public information requirements including answering press inquiries
- Support OGE's Record Management System for maintaining OGE's substantive program records
- Handle administrative responsibilities, including reports and requests under FOIA and the Privacy Act, liaison with OMB, GSA and Federal Register

- Conduct any special analysis required by Congress or the Administration
- Advise the Director, when necessary, on individual corrective actions required to be addressed by OGE, including assisting the Director with any recommendations to the head of an agency or the President
- Support the Director's activities in her role as a member of the President's Council on Integrity and Efficiency
- Address issues raised by Congress and the Government Accountability Office regarding the ethics programs of individual agencies and ethics issues of Executive Branch wide applicability

#### Office of Government Relations and Special Projects

- Provide OGE's Congressional Relations requirements, including drafting testimony and responding to congressional requests
- Coordinate and provide OGE's response to requests from OMB for reviews of draft bills, legislation, bill reports and testimony
- Coordinate and provide OGE's technical assistance and special international program oversight in support of the U.S. efforts at encouraging anti-corruption measures throughout the world
- Provide OGE's assistance in preparing for and responding to any evaluation of USG's anti-corruption efforts arising from international agreements entered into by USG
- Provide OGE's assistance to USG negotiators of international agreements that include anti-corruption provisions and to USG representatives in discussions of implementation measures for the agreements, and to U.S. delegations in discussions of multilateral anti-corruption programs such as Global Forum IV
- Coordinate and provide the staff work of OGE on any special projects or analyses required by the Director, the Administration or Congress

#### Office of Agency Programs

- Maintain an emailing list service to communicate with 2,000 ethics practitioners and enforcement personnel across the Executive Branch

- Plan organize and support the Fifteenth Annual National Government Ethics Conference for approximately 600 ethics practitioners
- Support the Outreach Program to non-government organizations, private sector organizations, and state, local, and international governments
- Continue surveys to assess customer satisfaction with OGE services and products
- Monitor the ethics agreements of approximately 300 presidential appointees of the new administration concerning their financial interests and ensure that such agreements are completed within 90 days of confirmation
- Track, collect, review and certify approximately 1,000 annual and termination financial disclosure statements of presidential appointees confirmed by the Senate
- Assist the Office of General Counsel and Legal Policy in the review and certification of financial disclosure statements of presidential nominees prior to their Senate confirmation hearings
- Release over 2,000 financial disclosure statements to the news media and the public
- Track, collect, and make available to the public, the semiannual reports from departments and agencies of travel payments accepted under 31 U.S.C. § 1353 from non-government sources
- Respond to agency requests for administrative exemptions from the public financial disclosure system for Schedule C positions
- - Maintain a desk officer system to monitor, assist and respond to telephone requests from all executive branch agency ethics staffs on a daily basis
- Hold periodic seminars with small groups of agency ethics officials to discuss current ethics issues
- Determine the accuracy and quality of written agency ethics advice given to employees by ethics officials
- Monitor newly-established executive branch boards and commissions to ensure ethics support is timely provided by the appropriate agency
- Receive, review and analyze the Annual Agency Ethics Program Questionnaire required by the Ethics in Government Act of 1978, as amended



- Conduct ethics program evaluations in 35 Federal agencies, regional offices, and military commands, focusing OGE's legal, educational and program assistance resources in assisting the agencies in the development of better ethics systems and the resolution of outstanding ethics issues
- Conduct six-month follow-up reviews in all agencies in which recommendations were made to improve the ethics program during the initial program review
- Conduct a single-issue review Government-wide of major ethics issues when necessary to determine whether OGE and agency ethics policies are effectively meeting intended objectives
- Conduct pre-reviews of ethics programs including surveys of agency employees to determine the effectiveness of the agency ethics program and areas in need of a more in-depth review
- Develop instructor and participant guides to be used by executive branch departments and agencies to deliver their annual ethics training. This includes the Ethical Leadership and Initial Ethics Orientation courses
- Develop training evaluation instruments to measure the extent to which employees acquired knowledge from various instructor-led and web-based training courses
- Continue to modify, design and develop courses based on the results of the end of courses evaluations, observations and annual needs assessment
- Develop and conduct needs analyses to identify the training needs of the ethics community
- Develop and conduct instructor-led ethics training courses for ethics practitioners, trainers, counselors, financial disclosure reviewers, and enforcement officials in headquarters and the regions
- Evaluate OGE ethics training courses to determine whether they are effective in meeting the needs of the ethics community
- Assist agencies in conducting annual ethics training when their good faith efforts to complete the requirement are unsuccessful, placing special emphasis on micro agencies
- Plan, organize and support Regional Symposiums to be held three times a year for approximately 180-240 ethics practitioners

- Develop and maintain case tracking system for advice provided by Desk Officers to executive branch ethics officials
- Develop and maintain tracking system for public financial disclosure reports and ensure that such reports are filed by year end
- Design and produce reference materials for Designated Agency Ethics Officials
- Respond to public requests for information that arrive via phone, mail, and internet
- Summarize and consolidate agency information collected across OGE program areas

#### Office of Administration and Information Management

- Continue to provide intra-agency support to all OGE program offices in the areas of payroll/personnel, finance and budget, small purchasing and contracting, personnel, security, printing, and mail services
- Continue producing in-house desktop published ethics training and conference materials, brochures, flyers, pamphlets, posters, and ethics administrative forms
- Continue providing Records Management (RM) services, including forms clearance, developing policies and procedures, providing RM guidance and training, identifying, organizing and disposing of files, and developing and drafting records schedules
- Continue developing enhancements and additional information services on OGE's Internet World Wide Web Page, including the ability to provide on-line registration for OGE sponsored ethics training workshops and conferences
- Continue providing new and upgraded software applications training to each OGE staff member
- Continue providing computer security awareness training to all OGE staff per the Computer Security Act of 1987 (PL 100-235)
- Continue to provide Section 508 policy guidance to OGE staff
- Complete the development of a new web-based Financial Disclosure Tracking System (FDTS) to be used by OGE staff to track the processing and review of SF 278 Public Financial Disclosure Reports filed with OGE. This system

will be available both within OGE and remotely for telecommuters via a secure Internet connection

- Complete the design and development of a new web-based Audit Tracking System, which will be available within OGE and remotely for telecommuters via a secure Internet connection
- Begin development of a tactical implementation plan and accompanying security plan for modifying OGE's existing network architecture in a way that will provide remote telephone and video connectivity for OGE telecommuters

OFFICE OF GOVERNMENT ETHICS

Fiscal Year 2006 Request Level

Office of General Counsel and Legal Policy

- Review and certify for the Senate, the public financial disclosure reports filed by Presidential nominees
- Provide ethics training through OPM, and the White House if requested, to incoming and outgoing Presidential appointees, Schedule C's and noncareer SES, and White House staff
- Issue a final regulation revising the Standards of Conduct for Executive Branch employees
- Issue final regulations implementing any revised provisions of the criminal conflict of interest statutes in Title 18
- Develop any required regulations implementing any statutory changes to other conflicts of interests, ethics or financial disclosure statutes, including regulations pertaining to the blind trust and CD programs
- Issue final regulations implementing the blind trust program
- Issue final regulations designating agency components under 18 U.S.C. § 207
- Support the Office of Government Relations and Special Projects Congressional relations by drafting testimony, responding to Congressional requests, and reviewing legislative proposals and testimony
- Assist the Office of Director in preparing reports for Congress
- Respond to a large number of requests for Certificates of Divestiture, and administer the blind trust program
- Provide oral and written guidance and interpretations of the executive branch standards of ethical conduct
- Issue oral and written interpretive opinions on sections 202 through 209 of Title 18 U.S.C., and on other statutory provisions related to conflicts of interest and ethics
- Provide legal services for OGE as an agency

- Work as liaison with the Department of Justice on litigation in which OGE is a party
- Function as the liaison with Office of Legal Counsel and the Criminal and Civil Divisions of the Department of Justice in coordinating advice, regulations and referrals
- Assist the Office of Agency Programs in reviewing and developing ethics training materials, computer-based training, and pamphlets, and providing legal review of materials used in training
- Prepare new educational materials required because of any statutory changes to the financial disclosure and criminal conflict of interest laws
- Develop and offer, with the assistance of the Office of Agency Programs, specialized single statute or issue seminars targeted for ethics officials who provide legal advice
- Support OGE speaking/training and outreach programs by providing speakers and presenters
- Provide support to the Program Services Division, including working with desk officers to address complex questions concerning conflicts of interest and ethics statutes and regulations
- Provide support to the Program Review Division by developing appropriate areas of inquiry prior to an agency's review, assisting with the review and the advice to be provided to that agency and advising on appropriate areas of inquiry for single issue audits
- Support OGE's public information requirements including answering press inquiries
- Support OGE's Record Management System for maintaining OGE's substantive program records
- Handle administrative responsibilities, including reports and requests under FOIA and the Privacy Act, liaison with OMB, GSA and Federal Register
- Conduct any special analysis required by Congress or the Administration
- Advise the Director, when necessary, on individual corrective actions required to be addressed by OGE, including assisting the Director with any recommendations to the head of an agency or the President
- Support the Director's activities in her role as a member of the President's Council on Integrity and Efficiency

- Address issues raised by Congress and GAO regarding the ethics program ethics program of individual agencies and ethics issues of Executive Branch wide applicability

#### Office of Government Relations and Special Projects

- Provide OGE's Congressional Relations requirements, including drafting testimony and responding to congressional requests
- Coordinate and provide OGE's response to requests from OMB for reviews of draft bills, legislation, bill reports and testimony
- Coordinate and provide OGE's technical assistance and special international program oversight in support of the U.S. efforts at encouraging anti-corruption measures throughout the world
- Provide OGE's assistance in preparing for and responding to any evaluation of USG's anti-corruption efforts arising from international agreements entered into by USG
- Provide OGE's assistance to USG negotiators of international agreements that include anti-corruption provisions, to USG representatives in discussions of implementation measures for the agreements, and to U.S. delegations in discussions of multilateral anti-corruption programs
- Coordinate and provide the staff work of OGE on any special projects or analyses required by the Director, the Administration or Congress

#### Office of Agency Programs

- Maintain an emailing list serve to communicate with 2,000 ethics practitioners and enforcement personnel across the executive branch
- Plan, organize, and support the Sixteenth Annual National Government Ethics Conference for approximately 600 ethics practitioners
- Support the Outreach Program to non-government organizations, private sector organizations, and state, local and international governments
- Continue surveys to address customer satisfaction with OGE services and products

- Monitor the ethics agreements of approximately 200 presidential appointees of the new administration concerning their financial interests and ensure that such agreements are completed within 90 days of confirmation
- Track, collect, review and certify approximately 1,000 annual and termination financial disclosure statements of presidential appointees confirmed by the Senate
- Assist the Office of General Counsel and Legal Policy in the review and certification of financial disclosure statements of presidential appointees prior to their senate confirmation hearings
- Release over 2,000 financial disclosure statements to the news media and the public
- Track, collect and make available to the public, the semi-annual reports from departments and agencies of travel payments accepted under 31 U.S.C. § 1353 from non-government sources
- Respond to agency requests for administrative exemptions from the public financial disclosure system for Schedule C positions
- Maintain a desk officer system to monitor, assist and respond to telephone requested from all executive branch agency ethics staffs on a daily basis
- Hold periodic seminars with small groups of agency ethics officials to discuss current ethics issues
- Determine the accuracy and quality of written agency ethics advice given to employees by ethics officials
- Monitor newly-established executive branch boards and commissions to ensure ethics support is timely provided by the appropriate agency
- Receive, review, and analyze the Annual Agency Ethics Program Questionnaire required by the Ethics in Government Act of 1978, as amended
- Conduct ethics program evaluations in 35 Federal agencies, regional offices, and military commands focusing OGE's legal, educational, and program assistance resources in assisting the agencies in the development of better ethics systems and the resolution of outstanding ethics issues
- Conduct six-month follow-up reviews in all agencies in which recommendations were made to improve the ethics program during the initial program review

- Conduct a single-issue review Government-wide of major ethics issues when necessary to determine whether OGE and agency ethics policies are effectively meeting intended objectives
- Conduct pre-reviews of ethics programs, including surveys of agency employees to determine the effectiveness of the agency ethics program and areas in need of a more in-depth review
- Develop instructor and participant guides to be used by executive branch departments and agencies to deliver their annual ethics training.
- Develop training evaluation instruments to measure the extent to which employees acquired knowledge from various instructor-led and web-based training courses
- Continue to modify, design and develop courses based on the results of the end of course evaluations, observations and annual needs assessments
- Develop and conduct needs analyses to identify the training needs of the ethics community
- Develop and conduct instructor led ethics training courses for ethics practitioners, trainers, counselors, financial disclosure reviewers and enforcement officials
- Evaluate OGE ethics training courses to determine whether they are effective in meeting the needs of the ethics community
- Assist agencies in conducting annual ethics training when their good faith efforts to complete the requirement are unsuccessful, placing special emphasis on micro agencies
- Plan, organize and support Regional Symposiums to be held three times a year for approximately 240 ethics practitioners in regional offices and at military bases
- Maintain a case tracking system for advice provided by desk officers to executive branch ethics officials
- Design and produce reference materials for Designated Agency Ethics Officials
- Respond to public requests for information that arrive via phone, mail and internet
- Summarize and consolidate agency information collected across OGE program areas



### Office of Administration and Information Management

- Continue to provide intra-agency support to all OGE program offices in the areas of payroll/personnel, finance and budget, small purchasing and contracting, personnel, security, printing, and mail services
- Continue producing in-house desktop published ethics training and conference materials, brochures, flyers, pamphlets, posters, and ethics and administrative forms
- Continue providing Records Management(RM) services, including forms clearance, developing policies and procedures, providing RM guidance and training, identifying, organizing and disposing of files, and developing and drafting records schedules
- Obtain relocation site for emergency situations in accordance with Federal Continuity of Operations Planning
- Continue developing enhancements and additional information services on OGE's Internet World Wide Web Page, including the ability to provide on-line registration for OGE sponsored ethics training workshops and conferences
- Continue providing new and upgraded software applications training to OGE staff members
- Continue providing computer security awareness training to all OGE staff per the Computer Security Act of 1987 (PL 100-235)
- Provide computer help desk assistance to OGE staff having computer problems and related issues
- Continue providing Section 508 advice and guidance
- Complete requirements for re-certification and accreditation of OGE's general support system and major application

# **STRATEGIC AND PERFORMANCE GOALS**

## **FY 2006**

### **OGE's MISSION** **(from OGE's Strategic Plan)**

The Office of Government Ethics exercises leadership in the executive branch to prevent conflicts of interest on the part of Government employees, and to resolve those conflicts of interest that do occur. In partnership with executive branch agencies and departments, we foster high ethical standards for employees and strengthen the public's confidence that the Government's business is conducted with impartiality and integrity.

### **OGE's STRATEGIC GOALS**

OGE's Strategic Plan includes the following goals and objectives:

**GOAL I.**           **OGE will provide overall policy direction to the executive branch ethics program.**

**Objective 1.**   Develop, evaluate, and promote ethics policies for employee conduct that protect executive branch processes from conflicts of interest, as well as from appearances of conflicts of interest. Ensure that these policies are consistent, reasonable, and understandable to employees.

**Objective 2.**   Serve as the primary authoritative source of Federal executive branch ethics policy.

**Objective 3.**   Solicit the advice of agency ethics officials in policy-making processes.

**GOAL II.**       **OGE will support the President, executive branch agency ethics heads and employees in administering effective, fair, and consistent ethics programs within the branch and individual agencies.**

**Objective 1.**   Provide evaluations of agency ethics programs to agency heads and ethics officials which identify strengths and weaknesses of the program. Make specific recommendations for program enhancement designed to help ensure integrity in Government operations.

**Objective 2.**   Provide timely and accurate written and oral opinions and be available for informal consultations concerning matters involving the applications of the standards of ethical conduct, criminal conflict of interest statutes, and other

related statutes and regulations.

**Objective 3.** Provide technical assistance to agencies in order to implement well-run and employee-helpful agency ethics programs.

**Objective 4.** Provide expert review and conflict of interest analysis of the nominee, annual, and termination financial disclosure reports filed by Presidential appointees requiring Senate confirmation to assist agencies in providing appropriate advice on and taking appropriate actions to prevent financial conflicts of interest by those appointees. Monitor follow-up by agencies and officials regarding ethics commitments made by nominees during the confirmation process.

**Objective 5.** Promote the importance of the ethics program to department and agency heads and other Government officials in order to secure personal commitment and sufficient agency resources.

**Objective 6.** Provide professional enhancement opportunities and utilize appropriate Government-wide personnel program innovations for OGE staff in order to attract and retain highly effective and efficient human resources necessary to support this goal.

**Objective 7.** Enhance Federal customer service by fully integrating information technology (IT) into the mission planning and business processes of the agency so as to reduce costs, improve effectiveness, and provide greater reliability and efficiency in the collection, maintenance, and dissemination of ethics program information.

**GOAL III.** OGE will develop and make available to agencies innovative training and ethics education materials and promote and provide quality education and training experiences for agency ethics officials and employees.

**Objective 1.** Provide quality education and training courses for agency ethics officials.

**Objective 2.** Provide accurate, consistent, beneficial and cost effective materials for agencies to use in their ethics education and training programs for employees.

**Objective 3.** Create opportunities for inter-agency educational programs to disseminate information and encourage the sharing of ideas and knowledge.

**GOAL IV.** OGE will administer an effective outreach program.

- Objective 1.** Foster a greater appreciation on the part of the public and future employees of the fact that there is a strong ethics program for employees of the executive branch and that standards are enforced.
- Objective 2.** Share the programmatic and policy development experiences of OGE with other governments, non-profits, corporations, professional and trade associations and institutions of higher education that are pursuing the development or enhancement of their own educational or ethics programs.

## **PERFORMANCE GOALS**

**FY 2006**

### **GOAL I**

1. How often OGE's advice was sought and incorporated by the Office of Management and Budget (OMB) in its legislative and policy review functions for the executive branch.

#### **PERFORMANCE GOAL**

OGE will maintain a strong working relationship with OMB so that advice is sought and employed by them in 90% of legislative and policy issues having a substantial effect on the executive branch ethics program.

<b>PERFORMANCE INDICATORS</b>	<b>Target</b>
• How often OMB requests input	TBD
• Percentage of timely inputs	90%
• Percentage of input employed on direct ethics program issues	90%

#### **MEANS OF VALIDATING MEASURED VALUES**

- Use OGE Legislative Referral Memorandum tracking system with dates of request/response
- Tracking legislation through Congress as well as contact with OMB on results of recommendations.
- General tracking through CQ.com/Congressional Record of Administration-generated legislation having an effect on ethics program in which OGE has no record of having its views sought.

#### **OUTCOME GOAL**

Fairness, clarity and consistency in ethics policy in the executive branch. OGE's role as primary authority and policy determiner for executive branch ethics policy articulated through statute and Executive Order is respected by the Administration through OMB. OGE's recommendations are given substantial if not controlling weight in the clearance process.

2. How often OGE sought to identify, with consultation with ethics officials, with enforcement entities such as the Inspectors General (IG) or Department of Justice (DOJ), or with the White House or Congress, an ethics policy that needed to be developed or amended either by statute, regulation, or otherwise and whether appropriate steps were taken to formulate that policy.

#### PERFORMANCE GOAL

OGE speaks continuously on a formal or informal basis to ethics officials, enforcement officials, the White House or Congress with regard to any recommendations for changes or additions to present policies or with regard to the recognition of any trends that serve as a precursor to a needed policy change.

Within 6 months of formally identifying a needed policy change, OGE will draft a proposal to implement that policy.

#### PERFORMANCE INDICATORS

#### Target

- How often ethics policy is discussed with Presidents Council of Integrity and Efficiency (PCIE) and the Executive Council of Integrity and Efficiency (ECIE) Once a year with each
- How often OGE seeks information from IG's or DOJ on types of alleged misconduct investigated TBD
- How often OGE creates an opportunity for discussion of a regulation or discusses a proposed Executive order with Office of Legal or Counsel, White House officials or OMB proposal Each draft
- Length of time between formal identification of needed policy change and internal implementing draft months 90% of instances time is < 6
- Percentage of time OGE was not consulted or asked to draft ethics Executive orders 0%

#### MEANS OF VALIDATING MEASURED VALUES

- Notes from meetings with ethics officials
- Notes from PCIE and ECIE meetings
- Memos from discussions with IG's or DOJ
- Review of issued Executive orders

- Paper trail for regulations and Executive orders consultations
- Memos of phone consultations

#### **OUTCOME GOAL**

Ethics policies within the executive branch, to the extent allowed by the political process, are properly focused upon and correctly addressed in a timely fashion the issues involved in a Federal ethics program.

3. How often OGE formally proposed statutory amendments in response to needed changes that were given Administration backing for transmittal to Congress for action and the number enacted.

#### PERFORMANCE GOAL

Within 6 months of determining to seek a needed statutory change, OGE has submitted it for clearance to OMB and, after clearance, pursues it to enactment within 18 months at least 75% of the time.

#### PERFORMANCE INDICATORS

#### Target

- |   |  |             |
|---|--|-------------|
| ● | Number of proposals submitted to OMB             | TBD         |
| ● | Percentage cleared for transmittal               | 75%         |
| ● | Length of time between transmittal and enactment | < 18 months |

#### MEANS OF VALIDATING MEASURED VALUES

- Track number of identified and needed changes to statutes
- Track time between OGE identification and submission to OMB
- Number of transmittals to Congress
- Use of bill tracking system to determine success

#### OUTCOME GOAL

Ethics policy effected through legislation is continually reviewed, and appropriate amendments are pursued in a timely and successful manner.



4. How often OGE's assistance as a representative of U.S. corruption prevention programs was sought and incorporated by U.S. foreign policy agencies when negotiating international agreements with corruption prevention elements and/or ethics program requirements or when meeting U.S. obligations under existing agreements.

#### PERFORMANCE GOAL

OGE will maintain strong working relationships with the Departments of State and Justice (and others) so that they seek and employ OGE advice and assistance in 90% of the international negotiations or agreements having an actual or potential effect on the executive branch ethics program.

#### PERFORMANCE INDICATORS

#### Target

- |  |     |
|--|-----|
| • Number of multilateral program discussions with prevention as a topic  | TBD |
| • Number of required U.S. responses to existing agreements with corruption prevention or ethics program elements                           | TBD |
| • Percentage of multilateral discussions in which OGE assistance is sought   | 90% |
| • Percentage of USG corruption prevention or ethics program actions required by international agreements in which OGE assistance is sought | 90% |

#### MEANS OF VALIDATING MEASURED VALUES

- Intra-governmental calendars of international anti-corruption activities
- OGE submissions within the USG for inclusion in USG responses
- USG responses to mutual evaluation requests

#### OUTCOME GOAL

International agreements the USG is negotiating and follow-up actions required by existing agreements will not or do not impinge upon the fairness, clarity, and consistency of executive branch ethics policy or programs, and OGE's leadership and overall grasp of critical elements of Government programs designed to prevent corruption is respected within the USG.

## GOAL II

1. The number of agency ethics programs to be reviewed to meet a four year cycle and a percentage of restructuring recommendations implemented.

### PERFORMANCE GOAL

Over a four year cycle, OGE will conduct ethics program evaluations in many Federal agencies focusing OGE's legal, educational, and program assistance resources in assisting agencies in the development of better ethics systems and the resolution of outstanding ethics issues. OGE will also evaluate major ethics issues during single issue reviews to determine whether OGE and agencies are effectively meeting intended objectives.

To meet this performance goal, OGE will conduct reviews in 20 agencies and conduct one single-issue review or survey in FY 2004. OGE will make recommendations to improve the program when deficiencies are found in systems and procedures. OGE will also share with agencies the best practices and procedures found during program reviews. These will be shared with agencies during program reviews, and also publicized on OGE's Website and other forms of communication and outreach.

PERFORMANCE INDICATORS	Target
● Number of agencies reviewed	35
● Number of recommendations	TBD
● Percent of Follow-up Reviews (where recommendations are made)	100%
● Correction of program deficiencies by agencies	80%
● Number of single-issue reviews or surveys	1
● Best practices shared with agency during program reviews	80%

### MEANS OF VALIDATING MEASURED VALUES

- Audit tracking system which captures information on program reviews to include agency responses to our review reports, the status of open recommendations and follow-up reports
- Reports on best practices found in agencies posted to OGE's Website
- Results of surveys sent to agency ethics officials after a program review report is issued

#### **OUTCOME GOAL**

OGE will be able to provide assurance that agencies reviewed have an ethics program with adequate systems and procedures in place to guard against conflicts of interest and to assist employees. OGE, through its single issue reviews will be able to detect problem areas for agencies in implementing ethics regulations or in operating their ethics program. Through reporting of best practices, OGE will save agencies time and effort when they must correct program deficiencies.

2. Numbers of ethics agreements documented as adequately completed within the time frame established during Senate confirmation.

**PERFORMANCE GOAL**

OGE will track and monitor the ethics agreements of presidential appointees confirmed by the Senate concerning their financial interests and ensure that such agreements are completed within 90 days of confirmation or within time frames established during the confirmation process. Ethics agreements may call for divestitures, qualified trusts, recusals, seeking waivers of 18 U.S.C. § 208, or resignations from positions. OGE will take action to resolve cases where agreements have not been satisfied.

PERFORMANCE INDICATORS	Target
● Number of appointees with ethics agreements	TBD
● Number of ethics agreements	TBD
● Percent of ethics agreements completed within established time frames	80%
● Percent of cases resolved after OGE took action	100%

**MEANS OF VALIDATING MEASURED VALUES**

- OGE's computerized tracking system for monitoring the status of ethics agreements

**OUTCOME GOAL**

OGE will be able to provide reasonable assurance that presidential appointees confirmed by the Senate have met their responsibilities in taking agreed upon steps to assist them in avoiding conflicts of interest.

3. Number of contacts for advice and information from ethics officials, employees and other interested parties handled by the Program Services Division and adequacy of advice and information.

#### **PERFORMANCE GOAL**

The Program Services Division staff will respond to a large number of requests for advice and information on administering an effective agency ethics program, applying the standards of conduct, the criminal conflict of interest statutes, financial disclosure regulations and other related rules and regulations. The advice and information will be adequate in 99% of the cases. The Program Services Division will initiate the dissemination of information and advice on administering an effective ethics program when necessary and appropriate.

#### **PERFORMANCE INDICATORS**

#### **Target**

- |   |  |
|---|--|
| ● Number of requests for advice and information                           | TBD                                    |
| ● Number of contacts concerning adequacy of advice                        | < 1%                                   |
| ● Time expended to adequately satisfy requests for advice and information | within 2 day<br>for 90%<br>of requests |

#### **MEANS OF VALIDATING MEASURED VALUES**

- Associate Director will track the number of instances where a requestor contacts OGE questioning the adequacy of advice and information received
- Database maintained to collect statistics from the Program Services Division staff on all requests for advice and information
- Periodic meetings to discuss advice and information provided

#### **OUTCOME GOAL**

The Program Services Division will provide timely, professional advice and information to executive branch ethics officials responsible for administering the ethics program for their agencies and to employees and other interested parties.

**4. Number of contacts handled by the legal staff in providing oral and written statutory or regulatory interpretations and adequacy of interpretations.**

**PERFORMANCE GOAL**

The Office of General Counsel and Legal Policy will respond to a large number of requests from agency ethics officials, the DOJ, the White House, IG's, Congress, executive branch employees, and members of the public for interpretations of the standards of ethical conduct, the criminal conflict of interest statutes, and other related statutes and regulations. The interpretations will be adequate in 99% of the cases.

To meet these performance goals, the Office of General Counsel and Legal Policy will establish a work tracking system that will quantify annually, the number of inquiries requiring interpretation of relevant statutes and regulations. In 90% of the cases, OGE attorneys will respond to requests for information and for oral statutory and regulatory interpretations within 2 workdays of obtaining the information necessary to respond. In 75% of the cases, OGE attorneys will respond to requests for written statutory and regulatory interpretations within 20 workdays of obtaining the information necessary to respond. In addition, in order to measure the adequacy of the responses, the Office of General Counsel and Legal Policy will track the number of instances where a requester or other person contacts OGE questioning the adequacy of advice.

**PERFORMANCE INDICATORS**

**Target**

- |   |                                     |
|---|-------------------------------------|
| ● Number of inquiries   | TBD                                 |
| ● Number of contacts concerning adequacy of advice                  | 1%                                  |
| ● Length of time to respond to requests for oral interpretations    | 2 work days<br>90% of the requests  |
| ● Length of time to respond to requests for written interpretations | 20 work days<br>67% of the requests |

**MEANS OF VALIDATING MEASURED VALUES**

- Standardized work measurement data collection instruments
- Supervisors will track complaints or comments received about adequacy of advice

#### **OUTCOME GOAL**

OGE will provide valuable advice to persons within the Government charged with administering ethics-related statutes and regulations or who are subject to these statutes and regulations, and to persons outside the Government who have interests related to the relevant statutes and regulations.

5. Following guidance developed by the Director for when meetings should occur, the number of meetings sought with Congress, White House officials, OMB, and the heads of agencies where the purpose is to encourage support for the ethics program.

#### **PERFORMANCE GOAL**

The Director or a member of the staff shall meet with Members of Congress or their staffs on each OGE legislative initiative, on each bill which would amend or add to direct (core) ethics provisions, on each OGE appropriations bill and on at least half of bills seriously considered which contain agency specific ethics measures.

The Director shall meet with the head of each agency when the agency is to receive or has recently received a notice that the agency's ethics program is not properly performing. The Director shall inform White House Counsel of any findings by OGE when a corrective action order has been sent to an agency head that the agency's ethics program is not properly performing.

#### **PERFORMANCE INDICATORS**

#### **Target**

- |  |      |
|--|------|
| ● Percentage of agency heads met following issuance of a corrective action order                               | 100% |
| ● New resources devoted to the program by agency head to correct problems after OGE finding                    | 100% |
| ● Percentage of White House ethics initiatives on which OGE met with White House staff                         | 100% |
| ● Percentage of discussions held with White House after they expressed concerns for an OGE proposed regulation | 100% |
| ● Numbers of meetings or discussions with Members/staff for purposes of seeking support of program             | 10   |

#### **MEANS OF VALIDATING MEASURED VALUES**

- Confirmation date tracking/Director's calendar of meetings
- Notes in regulatory files with regard to meetings
- Notes from meetings with Congress
- Notes in agency review files with regard to meetings
- Appropriations levels for OGE



- Agency resource levels for supporting the program

#### **OUTCOME GOAL**

Support for the program by agency heads, the White House and the Congress will be visible through the resources devoted by an agency, actions and speeches of the agency head and White House officials, and through activities supportive of OGE's legislative program evidenced by votes and public statements made at hearings and on the floor of the Congress.

**6. Number of nominee, annual and termination financial disclosure statements reviewed and certified on a timely basis.**

**PERFORMANCE GOAL**

Track, collect, review, and certify the nominee, annual and termination financial disclosure statements of approximately 1,000 presidential appointees confirmed by the U.S. Senate to assure Senate confirmation committees and executive branch agencies that appointees financial interest are free from conflicts of interest with the position to which they are appointed. OGE will assist filers in fashioning appropriate remedies to alleviate an actual or apparent conflict of interest. Filers may be advised to consider undertaking several different types of actions which are tailor-made to suit the circumstances. These actions such as commitments to divest, create a qualified trust, recuse in certain circumstances, resign from certain positions or seek waivers of conflicts or impartially standards will be memorialized in ethics agreements that are approved by OGE.

**PERFORMANCE INDICATORS**

**Target**

- |  |     |
|--|-----|
| ● Number of nominee statements received  | TBD |
| ● Percentage of nominee statements certified, and opinions rendered to Senate within two weeks of either nomination or OGE's receipt of receiving final certified form from agency, whichever occurs later | 95% |
| ● Number of annual and termination financial disclosure statements received  | TBD |
| ● Percentage of annual and termination statements reviewed within 60 days of receipt   | 90% |

**MEANS OF VALIDATING MEASURED VALUES**

- Reports generated by OGE's computerized financial disclosure tracking system of all public financial disclosure statements filed by presidential appointees

**OUTCOME GOAL**

OGE will be able to provide reasonable assurance to Senate confirmation committees, to agencies, to the public and to presidential appointees confirmed by the Senate that the entries on the appointees' financial disclosure reports have been reviewed for actual or potential conflicts and appropriate steps have been recommended in order to avoid even the appearance of conflict. Annual reviews of financial disclosure statements provides a continued opportunity to address changed circumstances and to ensure that all ethics agreements have been completed.

### GOAL III

1. Schedules to be followed to identify the most relevant topics to be covered by ethics education courses and materials for ethics officials and employees as well as the appropriate formats for conveying those topics and the target number of courses and materials to be developed.

Time frames and standards which OGE will use to evaluate the effectiveness of the ethics training courses and materials it develops for use by agencies in their ethics training programs.

#### PERFORMANCE GOAL

Within the second quarter of the FY, the Education Division will perform an annual ethics training and education needs analysis executive branch wide to 1) identify subjects ethics officials feel need to be emphasized in training courses and educational products developed by OGE for employees and ethics officials, and 2) identify agencies' logistical needs, i.e., locations for conducting OGE ethics training courses and the types, media and distribution of educational products.

During the third quarter of the FY, the Education Division will determine what topics and the types of courses and products it will begin to develop during the FY. During the fourth quarter of the FY, the Education Division will develop a plan and schedule to produce these courses and educational products and will follow that schedule.

During the first half of the FY, the Education Division will be completing course development and educational products begun in the previous fiscal year.

By the beginning of the FY, the Education Division will have developed an evaluation instrument to evaluate each of the OGE conducted training courses during the fiscal year. The Education Division will collect and analyze the evaluations completed by students attending the courses. The Education Division will use the results of the analysis to monitor the effectiveness of the courses and to identify areas where improvement is warranted or that have been especially effective.

The Education Division will encourage agencies, which use OGE developed training products (such as web based training, pamphlets or videos) to train employees, to evaluate the effectiveness of those products. The Education Division will supply agencies that agree to administer an evaluation with a short evaluation instrument.

**PERFORMANCE INDICATORS****Target**

- Number of Needs Analysis TBD
- Number of agencies providing input for the Needs Analysis TBD
- Number of training courses conducted for ethics officials 35
- Number of training courses conducted for employees (at agency request) TBD
- Number of new educational products developed TBD
- Number of evaluation instruments requested (training courses) TBD
- Number of evaluation instruments received from ethics official training TBD
- Overall rating of training courses for Ethics officials at least 4 on a on a 5 pt scale)
- Number of evaluation instruments received for OGE educational products TBD
- Number of educational products downloaded from the OGE web site TBD
- Number of visitors to the Web site TBD

**MEANS OF VALIDATING MEASURED VALUES**

- Ethics training needs analysis
- Training courses and products
- Student evaluations
- Records on materials requested/distributed

**OUTCOME GOAL**

OGE will provide executive branch ethics officials and employees with professionally developed and appropriate ethics training courses and products which will facilitate employees' understanding of their responsibilities under the standards of conduct, the criminal conflict of interest statutes and other ethics related rules and regulations.

2. Schedules for development and administration of the annual agency ethics program reporting requirement and identification of trends in agency ethics programs.

**PERFORMANCE GOAL**

Annually OGE will develop, administer, and analyze an ethics program survey executive branch wide to determine the state of the executive branch ethics program, identifying trends and areas of weakness/strength which it will incorporate into and address in its policy-making, interpretation and opinion function.

**PERFORMANCE INDICATORS**

**Target**

- |  |                  |
|--|------------------|
| ● Number of surveys distributed        | TBD              |
| ● Number of completed surveys received | 100 % compliance |

**MEANS OF VALIDATING MEASURED VALUES**

- Analysis of survey reports
- Survey report summaries
- Analysis of issues/trends indicating success or problems in the program

**OUTCOME GOAL**

OGE will obtain a "snapshot" perspective on the executive branch ethics program. OGE will be able to utilize the summary data to hone in on potential problem areas, areas of weakness or successes and either address the problem, strengthen the program or share the successes by incorporating the information into its policy-making and interpretation work.

3. Schedules for planning, developing, conducting an annual executive branch-wide ethics conference, including initiatives to conduct post-conference sessions for ethics officials unable to attend the conference.

#### PERFORMANCE GOAL

OGE will plan, develop, host and conduct an annual ethics conference for approximately 450 executive branch ethics officials where attendees will have an opportunity to participate in working sessions on the most current and common ethics issues, receive updates from OGE on all aspects of the ethics program and hear from outside sources and each other on the administration of their ethics programs. Immediately after the annual conference, OGE will identify from among the best rated concurrent session conducted ones that would be relevant for presentation to the regions. These sessions will be offered to ethics officials at selected regional locations as well as in Washington, D.C.

#### PERFORMANCE INDICATORS

#### Target

- |  |  |
|--|--|
| • Number of conference attendees       | TBD                                      |
| • Number of agencies represented       | 70%                                      |
| • Evaluations of the conference higher | Overall score 3 or higher (scale 1 to 4) |

#### MEANS OF VALIDATING MEASURED VALUES

- Evaluations solicited from attendees including post conference session attendees for each working session, speaker or other plenary session
- Overall conference evaluations

#### OUTCOME GOAL

OGE will be able to develop and conduct effective and informative conferences which will enhance and strengthen a larger segment of the ethics community and the ethics program. Agencies will be able to share common issues and offer each other practical solutions and suggestions which will also enhance and strengthen the program.

## **GOAL IV**

1. Target levels of the type of requests received for, or the opportunities sought by OGE to participate in meetings, conferences and courses sponsored by private organizations or submit articles to publications in order to describe and promote the executive branch ethics program.

### **PERFORMANCE GOAL**

OGE will seek to participate in 20 in person or electronic presentations where the public will be able to hear about the executive branch ethics program and will pursue the publication of one article or speech by an OGE employee about the program with a publication with a circulation of at least 2000.

### **PERFORMANCE INDICATORS**

### **Target**

- |  |    |
|--|----|
| ● Numbers of presentations to private groups | 20 |
| ● Numbers of articles or speeches published  | 1  |

### **MEANS OF VALIDATING MEASURED VALUES**

- Audience evaluation of the presentation
- Any follow-up questions, invitations or comments sent to OGE as a result of a presentation or publication
- Copies of published articles

### **OUTCOME GOAL**

The public will have an opportunity to gain a greater understanding and appreciation of the executive branch ethics program and potentially more confidence in a government free from conflicts.

2. Maintain an Ethics Information E-Mail Service to enhance communications with executive branch ethics and enforcement personnel throughout the world.

#### PERFORMANCE GOAL

During FY 2004, OGE will maintain an Ethics Information E-Mail Service to enhance communications from OGE to the executive branch ethics and enforcement communities. This will ensure that executive branch ethics officials and enforcement personnel throughout the world receive timely announcements from OGE of the latest Daeograms, advisory opinions, training announcements, scheduled program reviews, report deadlines, and other materials that will aid them in maintaining effective ethics programs.

#### PERFORMANCE INDICATORS

#### Target

- |   |       |
|---|-------|
| • Number of subscriptions                               | 2,000 |
| • Number of messages transmitted per year               | 35    |
| • Number of agencies represented in total subscriptions | 120   |

#### MEANS OF VALIDATING MEASURED VALUES

- Record of subscriptions
- Archives of OGE Ethics Information E-Mails

#### OUTCOME GOAL

Agency ethics officials and enforcement personnel throughout the world will receive OGE materials and news announcements instantaneously. This will result in better advice and training being rendered to employees worldwide based on ethics officials having received the latest advice and interpretation from OGE.



**3. Establish criteria and evaluate responsiveness to requests for publicly available documents and information.**

**PERFORMANCE GOAL**

OGE will establish target levels of responsiveness to requests for information under the Freedom of Information Act and the Privacy Act, as well as requests for public financial disclosure forms (SF 278), ethics agreements, waivers issued under 18 U.S.C. § 208(b), certificates of divestitures, blind trust documents and reports of agency acceptance of travel reimbursement under 41 U.S.C. § 1353.

To meet this Performance Goal, OGE will establish internal response deadlines and meet them in 90% of the cases.

**PERFORMANCE INDICATORS**

**Target**

- In 67% for FOIA cases, 90% for others, the number of working days to respond to requests for the following:

documents under the Freedom of Information Act and Privacy Act	20
Other documents maintained by OGE, such as 278 forms,	3
ethics agreements,	3
waivers under 18 U.S.C. § 208(b),	3
certificates of divestiture,	3
blind trust documents,	3
agency 1353 reports	3

**MEANS OF VALIDATING MEASURED VALUES**

- OGE will develop a standardized response tracking instrument

**OUTCOME GOAL**

OGE will ensure that its customers receive publicly available information as quickly as possible. Moreover, timely responses will enhance the confidence of requesters in OGE's effective implementation of the executive branch ethics program.

4. How often OGE is asked by U.S. foreign policy agencies and entities to contribute to U.S. efforts at assisting other governments in understanding and developing policies and programs designed to prevent corruption and promote ethics.

#### PERFORMANCE GOAL

OGE's provision of technical assistance and information to representatives of foreign countries results in a positive, tangible response from recipients of more limited informational briefings at least 10% of the time and from recipients who receive more extensive (possibly in-country) assistance 50% of the time.

#### PERFORMANCE INDICATORS

#### Target

- |   |     |
|---|-----|
| ● Number of accepted invitations (through or approved by USG foreign policy agencies /entities) to participate in international anti-corruption/ethics programs | TBD |
| ● Number of requests filled by OGE that come from USG foreign policy agencies/ organizations for OGE briefings of foreign officials during visits to Washington | TBD |
| ● Number of specific long-term programs supported by INL/State  | TBD |
| ● Number of specific foreign government document (e.g. draft codes of conduct) reviews requested by USG foreign policy agencies/entities                        | TBD |
| ● Percentage of recipients of briefings responding in a positive, tangible manner   | 10% |
| ● Percentage of recipients of more extensive assistance responding in a positive manner evidenced by some action within the country                             | 50% |

#### MEANS OF VALIDATING MEASURED VALUES

- Tracking system of all invitations received and accepted
- Tracking system of briefings provided
- Responses to requests from OGE to organizations or agencies hosting visiting delegations for feedback on OGE briefings
- Evaluations from recipients of briefings and/or assistance
- Reports to the U.S. requesting agency/organization

- Information from U.S. embassies in countries where briefings or assistance was provided

**OUTCOME GOAL**

OGE's technical assistance is helpful and supports U.S. efforts at encouraging anti-corruption programs throughout the world.



**Fiscal Year 2007  
Explanatory Notes  
and  
Annual Performance Plan**

**Prepared for the  
Committee on Appropriations**

**February 2006**



United States  
**Office of Government Ethics**

1201 New York Avenue, NW, Suite 500  
Washington, DC 20005-3917

February 6, 2006

The Honorable Thad Cochran  
Chairman  
Committee on Appropriations  
United States Senate  
The Capitol, Room S-128  
Washington, DC 20510-6025

Dear Mr. Chairman:

I am pleased to transmit to you the Explanatory Notes and Annual Performance Plan of the Office of Government Ethics (OGE). The Explanatory Notes reflect funding for \$11,489,000, and 80 full-time equivalents, as set forth in the President's FY 2007 budget.

We will be pleased to discuss our request with representatives from your office, and we look forward to our annual hearing on OGE's plan and budget. If you need additional information with regard to this request please contact Daniel D. Dunning, Deputy Director, Office of Administration and Information Resources Management, at 202-482-9203.

Sincerely,

A handwritten signature in cursive script, appearing to read "Marilyn L. Glynn", is written over a horizontal line.

Marilyn L. Glynn  
General Counsel

CC: (w/Encl.): The Honorable Susan M. Collins  
Chair  
Committee on Homeland Security  
and Governmental Affairs  
United States Senate  
340 Dirksen Senate Building  
Washington, DC 20510-6250

OFFICE OF GOVERNMENT ETHICS  
RESOURCES BY OFFICE

(in 000's)

	2005 ACTUAL	2006 APPROPRIATED	2007 REQUEST
OFFICE	AMOUNT	AMOUNT	AMOUNT
DIRECTOR	\$402	\$402	\$420
GENERAL COUNSEL & LEGAL POLICY	\$2,690	\$2,740	\$2,820
ADMINISTRATION & INFORMATION MANAGEMENT	\$2,606	\$2,634	\$2,710
AGENCY PROGRAMS	\$4,571	\$4,630	\$4,864
GOVERNMENT RELATIONS & SPECIAL PROJECTS	\$598	\$630	\$675
Direct Obligations	\$10,867	\$11,036	\$11,489
Reimbursable Obligations (ANNUAL ETHICS CONFERENCE)	\$277	\$300	\$350
Total	\$11,144	\$11,336	\$11,839
FTE	75	80	80

OFFICE OF GOVERNMENT ETHICS  
OBJECT CLASSIFICATION  
in (000's)

Direct Obligations	2005 Actual	2006 *** Appropriated	2007 Requested
11.1 Salaries	\$7,100	\$7,383	\$7,504
12.1 Civilian personnel benefits	\$1,478	\$1,480	\$1,502
21.0 Travel & Transportation/persons	\$215	\$168	\$232
22.0 Transportation of things	\$4	\$5	\$5
23.1 Rental payments to GSA	\$1,117	\$1,317	\$1,341
23.3 Communications, utilities, misc	\$32	\$65	\$65
24.0 Printing and Reproduction	\$80	\$75	\$65
25.2 Other Services	\$592	\$405	\$608
26.0 Supplies and materials	\$128	\$80	\$75
31.0 Equipment/Land & Structures	\$117	\$58	\$92
41.0 Insurance and Claims	\$4	\$0	\$0
99.0 Subtotal, direct obligations	\$10,867	\$11,036	\$11,489
99.0 Reimbursable obligations **	\$277	\$300	\$350
99.9 Total obligations	\$11,144	\$11,336	\$11,839

\*\* Expected for the Annual Ethics Conference

\*\*\* Net of a \$111,480 rescission

## BUDGET REQUEST

### OFFICE OF GOVERNMENT ETHICS

The Director, with the assistance of two immediate staff persons, is responsible for overseeing and directing the functions of the four offices below and provides support to the Deputy Directors to implement their various initiatives.

#### Fiscal Year 2005 Appropriated Level

##### Office of General Counsel and Legal Policy

- Reviewed and certified for the Senate over 300 public financial disclosure reports filed by Presidential nominees for Senate-confirmed positions in the new Presidential term; trained and updated OGE staff on disclosure report review requirements in anticipation of the increased volume of such reports in the first year of the new term and updated the Public Financial Disclosure Reviewer's manual
- Submitted to Congress a report evaluating the financial disclosure process for employees of the executive branch of Government and making recommendations for improving that process, as required by section 8403(a) of the Intelligence Reform and Terrorism Prevention Act of 2004
- Responded to over 2,000 inquiries, primarily from ethics officials and employees, on a wide variety of ethics or conflicts of interest related matters
- Conducted a comprehensive review of the criminal conflict of interest laws relating to executive branch employment to develop a report for submission to the President and pertinent Congressional committees, in accordance with section 8403(d) of the Intelligence Reform and Terrorism Prevention Act of 2004
- Issued a proposed regulation to amend the confidential financial disclosure system and prepared a revised draft reporting form
- Worked with the Department of Health and Human Services (HHS) in the development of important supplemental ethics rules jointly promulgated by HHS and OGE regarding limits on outside activities and financial interests for employees of the National Institutes of Health
- Provided ethics training through OPM to incoming and outgoing Presidential appointees, Schedule C's and noncareer SES, and White House staff



- Reviewed and approved when appropriate, 77 requests resulting in 110 Certificates of Divestiture; pre-approved and monitored any permissible communications regarding blind trusts between independent trustees and interested parties; and ensured that all quarterly and annual statements, as well as Certificates of Compliance, were filed timely by the trustees
- Worked as liaison with the Department of Justice on four litigation cases in which OGE is or was a party, including one involving a Constitutional challenge to the Standards of Conduct rule on Teaching, Speaking and Writing (10<sup>th</sup> Circuit appeal currently pending)
- Developed an improved system to track consultations on waivers issued under 18 U.S.C. § 208 and comprehensive guidance to agencies on how to consult on waivers
- Testified before the Services Acquisition Reform Act Advisory Committee urging that the Committee's review include an evaluation of ethics issues arising from the presence of contractor employees in the Federal workplace. A provision requiring a study of the issues raised by OGE was included in the Senate's FY 2006 defense authorization bill
- Handled responsibilities under administrative law requirements, including preparing reports and responding to 53 requests under the Freedom of Information Act (18 of which also included requests for information under the Privacy Act), and meeting related deadlines in over 90% of cases
- Supported the Acting Director's activities as a member of the President's Council on Integrity and Efficiency (PCIE) and the Executive Council on Integrity and Efficiency (ECIE) and continued to improve OGE's coordination and communication with the Inspector General (IG) community through meetings and presentations

#### Office of Government Relations and Special Projects

- Prepared OGE's timely response to all 129 requests from OMB for reviews of draft bills, legislation, agency testimony, and statements of administration policy and made comments as appropriate regarding the impact of those proposals on the ethics program or the impact of the ethics laws on the proposal
- Provided technical advice to Congressional staff on legislation raising ethics issues
- Drafted OGE reauthorization legislation and a legislative proposal addressing a concern raised by agencies regarding the impact of one of the conflict of interest

laws, obtained OMB clearance and pursued enactment of cleared drafts

- Served as a principal contributor to the response of the United States Government to questionnaires submitted for purposes of the United States' second round evaluation by the Council of Europe's Group of States Against Corruption (GRECO) and the U.S. first round evaluation under the Follow-Up Mechanism for the Inter-American Convention Against Corruption (MESICIC)
- Represented the U.S. as the substantive expert at the meeting of the Committee of Experts at which the first round evaluation and report on the U.S. by the MESICIC was discussed and adopted
- Served as an Alternate U.S. Representative to GRECO and as a U.S. expert for conflict of interest and good governance projects of the Organization for Economic Co-operation and Development (OECD) Public Governance and Territorial Development Directorate
- Assisted the Departments of State and Justice with international anti-corruption and good governance initiatives, including participating as a US representative and panelist at the Fourth Global Forum Against Corruption and in a Heads-of-Government conference to launch an Initiative for Good Governance and Development in the Arab Countries (GFD)
- Provided, in support of programs of the Departments of State and Justice, briefings to 37 delegations of foreign visitors totaling 287 individuals from 55 countries

#### Office of Agency Programs

- Planned, organized, and hosted the Fourteenth Annual National Government Ethics Conference for approximately 600 ethics officials from 94 executive branch departments and agencies; the 3-day conference featured over 70 speakers, representing the executive and legislative branches and private industry
- Increased the effectiveness of OGE's oversight of more than 100 Presidential appointees who entered into agreements to take specific actions to address any actual or apparent conflicts of interest with financial or fiduciary arrangements reported on their financial disclosure statements
- Increased the effectiveness of the financial disclosure review program covering the more than 1,000 annual and termination public financial disclosure reports filed by senior officials with agencies (for which OGE conducts a

second level review) by implementing an enhanced system for collecting the reports from departments and agencies

- Fulfilled, in a timely manner, requests from 155 individuals and organizations for 1,121 copies of those public financial disclosure reports of senior executive branch officials for which OGE conducts a second level review
- Implemented an enhanced system for tracking and collecting statutorily required, semi-annual reports from executive branch departments and agencies detailing payments for travel, subsistence and related expenses received from non-Federal sources in connection with the attendance of employees at certain meetings or similar functions (31 U.S.C. § 1353)
- Increased liaison services provided to ethics officials in executive branch departments and agencies by OGE desk officers by answering over 8,000 questions from ethics officials on the conflict of interest statutes, standards of conduct regulations, program operations and financial disclosure
- Increased by 9% over FY 2004 to 2,354, the number of ethics officials and enforcement personnel with whom we communicate through the OGE e-mail ListServe on such topics as emerging issues, best practices, general news and job vacancies in the Federal ethics community
- Conducted ethics program evaluations in 34 Federal agencies, regional offices, and military commands as well as 16 six-month follow-up reviews for those programs that had received recommendations to improve their ethics programs during their initial program reviews
- Conducted seven surveys of agency employees to determine, in part, the perceived effectiveness of their agency's ethics program and produced an internal analysis of the results of the 11 surveys conducted between November 2003 and December 2004
- Developed three training programs to be used by ethics officials to deliver annual ethics training to their employees as part of an expanding curriculum for executive branch employees
- Developed two videos and corresponding video discussion guides -- one as part of a two-day orientation program for new ethics officials and one for use in employee training; over 1,200 duplicates were requested and provided
- Developed and delivered two new instructor-led courses for ethics officials -- one entitled "Impartiality" and

the other "Misuse of Position" -- which rounded out the program of basic training offered to ethics officials

- Planned, organized and hosted two regional symposiums for approximately 160 ethics officials
- Responded to over 1,000 public inquiries received through the mail, by phone or through the OGE web page
- Distributed a survey to 600 ethics officials to establish OGE's program priorities and focus resources to meet identified needs

#### Office of Administration and Information Management

- Ensured the publication of Public Financial Disclosure: A Reviewer's Reference as both a hardcopy and as a section 508 compliant version available on the OGE website
- Analyzed results of a quadrennial OPM human resources program audit, took all corrective action necessary, and achieved a satisfactory rating
- Completed the OGE FY 2004 internal control review and resulting report
- Developed or revised eight chapters of OGE's Administration and Human Resources Manuals
- Developed, obtained OPM approval for and implemented a pay-for-performance SES performance management system
- Upgraded, on a timely basis, all systems changes required for continuity of support services including accounting, payroll and travel, which are provided by another agency under contract. Ensured that all necessary agency personnel received appropriate training
- Provided eight in-house training sessions: two pre-retirement seminars, one seminar on managing the telecommuting program, three on using the National Finance Center employee personal page and two on general administrative management
- Implemented Government-wide E-Quips electronic fingerprinting and personnel security system
- Provided computer security awareness training to all OGE staff per the Computer Security Act of 1987 (Pub. L. 100-235)
- Completed the development of a new web-based Financial Disclosure Tracking System (FDTS) to be used by OGE staff to track the processing and review public financial disclosure reports filed with OGE. This system will be

available both within OGE and remotely for telecommuters via a secure Internet connection

- Continued the development of a tactical implementation plan and accompanying security plan for modifying OGE's existing network architecture in a way that will provide OGE telecommuters with enhanced electronic network access and connectivity
- Completed improvements to the electronic version of the Public Financial Disclosure form (SF 278)
- Completed the installation of a new security/gateway to the OGE network

OFFICE OF GOVERNMENT ETHICS

Fiscal Year 2006 Appropriated Level

Office of General Counsel and Legal Policy

- Review and certify for the Senate, the public financial disclosure reports filed by Presidential nominees for appointments requiring Senate confirmation; increase training on financial disclosure requirements for OGE staff and Agency reviewers; administer the blind trust program
- Complete a comprehensive review of the criminal conflict of interest laws relating to executive branch employment and submit report examining those laws to the President and pertinent Congressional committees, in accordance with section 8403(d) of the Intelligence Reform and Terrorism Prevention Act of 2004
- Develop any draft legislation needed to implement any recommendations in OGE's study of the criminal conflict of interest laws, and OGE's study of the public financial reporting process
- Pursue enactment of reauthorization legislation for OGE
- After the first quarter of the fiscal year, provide OGE's Congressional Relations requirements, including drafting testimony and responding to Congressional requests
- Coordinate and provide OGE's response to requests from OMB for reviews of draft bills, legislation, bill reports and testimony
- Issue final post-employment conflict of interest regulation
- Submit to OMB, a draft proposed regulation revising the Standards of Conduct for executive branch employees
- Issue proposed regulations implementing the blind trust program
- Issue a final regulation implementing an improved confidential financial disclosure system, including optional electronic filing
- Work with departments and agencies to issue regulations supplementing, for the employees of those departments and agencies, the executive branch wide Standards of Conduct
- Provide ethics training through OPM, and the White House if requested, to incoming and outgoing Presidential appointees, Schedule C's and noncareer SES, and White House staff

- Working with other executive branch agencies, provide legal support for the development of a secure system for optional electronic filing of public financial disclosure reports
- Respond to a large number of requests for Certificates of Divestiture, including those necessitated by recently adopted supplemental NIH rules
- Provide oral and written guidance and interpretations of the executive branch Standards of Conduct, and sections 202 through 209 of Title 18 U.S.C., and other statutory provisions related to ethics and conflicts of interest
- Raise awareness about ethics issues arising from contractors in the Federal work place, through presentations and educational materials
- Work as liaison with the Department of Justice on litigation in which OGE is a party, including a Constitutional challenge to a provision of the Standards of Conduct
- Support OGE's public information requirements including answering press inquiries
- Handle administrative responsibilities, including reports and requests under FOIA and the Privacy Act, liaison with OMB, GSA and Federal Register
- Function as the liaison with the Office of Legal Counsel and the Criminal and Civil Divisions of the Department of Justice in coordinating advice, regulations and referrals
- Support OGE's activities in the Director's role as a member of the Integrity Committee of the President's Council on Integrity and Efficiency
- Address issues raised by Congress, GAO, and the IGs regarding the ethics programs of individual agencies and ethics issues of executive branch wide applicability

#### Office of Government Relations and Special Projects

- Provide, during the first quarter of the fiscal year, OGE's Congressional Relations requirements, including pursuing enactment of OGE reauthorization legislation, drafting testimony and responding to congressional requests and thereafter, support OGCLP in carrying out same
- Coordinate and provide, during the first quarter of the fiscal year, OGE's response to requests from OMB for reviews of draft bills, legislation, bill reports and testimony and thereafter, support OGCLP in carrying out same

- Plan and then coordinate and provide OGE's domestic good governance initiatives anticipated in the Strategic Plan for fiscal years 2007-2011
- Coordinate and provide OGE's technical assistance and special international program oversight in support of the U.S. efforts at encouraging anti-corruption measures throughout the world
- Serve as a principal contributor in the second round evaluation of the U.S. by the Council of Europe's Group of States Against Corruption (GRECO); plan and coordinate the GRECO evaluation team's on site review of the U.S.
- Serve as an Alternate U.S. Representative to GRECO and as a U.S. expert for conflict of interest and good governance projects of the Organization for Economic Co-operation and Development (OECD) Public Governance and Territorial Development Directorate
- Serve as a member of the delegation representing the U.S. in the activities of the follow up mechanism for the Inter American Convention Against Corruption (MESICIC)
- Provide OGE's assistance in preparing for and responding to any other evaluations of the USG's anti-corruption efforts arising from international agreements entered into by USG
- Provide OGE's assistance to USG negotiators of international agreements that include anti-corruption provisions, to USG representatives in discussions of implementation measures for the agreements, and to U.S. delegations in discussions of multilateral anti-corruption programs
- Represent OGE in matters involving the Interagency Ethics Council and the Council on Governmental Ethics Laws (State and Local governments)
- Support OGE's activities in the Director's role as a member of the President's Council on Integrity and Efficiency (PCIE) and the Executive Council on Integrity and Efficiency (ECIE) and continue to improve OGE's coordination and communication with the Inspector General (IG) community through meetings and presentations
- Coordinate and provide the staff work of OGE on any special projects or analyses required by the Director, the Administration or Congress



## Office of Agency Programs

- Establish an on-going dialogue between OGE and the ethics community via the Ethics Implications of Emergency Response working group to identify the most pressing ethics issues that have arisen in the context of emergency response and relief efforts, and to jointly arrive at workable solutions that will also serve the long-term goals of transparency and accountability
- Maintain an emailing ListServe to communicate with ethics practitioners and enforcement personnel across the executive branch
- Support outreach to non-government organizations, private sector organizations, and state, local and international governments
- Continue surveys to address customer satisfaction with OGE services and products
- Monitor the ethics agreements of presidential appointees concerning their financial interests and ensure that such agreements are completed within 90 days of confirmation
- Track, collect, review and certify the financial disclosure reports for the approximately 1,000 annual and termination financial disclosure statements of presidential appointees confirmed by the Senate. Improve the process to achieve greater efficiencies.
- Assist the Office of General Counsel and Legal Policy in the review and certification of financial disclosure statements of presidential appointees prior to their senate confirmation hearings
- Release financial disclosure statements to the news media and the public
- Track, collect and make available to the public, the semi-annual reports from departments and agencies of travel payments accepted under 31 U.S.C. § 1353 from non-government sources
- Respond to agency requests for administrative exemptions from the public financial disclosure system for Schedule C positions
- Maintain a desk officer system to monitor, assist and respond to telephone requests from all executive branch agency ethics staffs on a daily basis
- Hold periodic seminars with small groups of agency ethics officials to discuss current ethics issues

- Determine the accuracy and quality of written agency ethics advice given to employees by ethics officials
- Monitor newly-established executive branch boards and commissions to ensure ethics support is timely provided by the appropriate agency
- Receive, review, and analyze the Annual Agency Ethics Program Questionnaire required by the Ethics in Government Act of 1978, as amended.
- Conduct ethics program evaluations in 35 Federal agencies, regional offices, and military commands focusing OGE's legal, educational, and program assistance resources in assisting the agencies in the development of better ethics systems and the resolution of outstanding ethics issues
- Conduct six-month follow-up reviews in all agencies in which recommendations were made to improve the ethics program during the initial program review
- Conduct a single-issue review Government-wide of major ethics issues when necessary to determine whether OGE and agency ethics policies are effectively meeting intended objectives
- Conduct pre-reviews of ethics programs, including surveys of agency employees to determine the effectiveness of the agency ethics program and areas in need of a more in-depth review
- Develop instructor and participant guides to be used by executive branch departments and agencies to deliver their annual ethics training
- Develop training evaluation instruments to measure the extent to which employees acquired knowledge from various instructor-led and web-based training courses
- Continue to modify, design and develop courses based on the results of the end of course evaluations, observations and annual needs assessments
- Develop and conduct needs analyses to identify the training needs of the ethics community
- Develop and conduct instructor-led ethics training courses for ethics practitioners, trainers, counselors, financial disclosure reviewers and enforcement officials
- Evaluate OGE ethics training courses to determine whether they are effective in meeting the needs of the ethics community

- Assist agencies in conducting annual ethics training in selected circumstances, placing special emphasis on micro agencies
- Plan, organize and support three regional symposiums for ethics practitioners in regional offices and at military bases
- Develop and maintain a system to centrally collect the informal advice provided to agency ethics officials and identify an appropriate mechanism to disseminate this advice to the ethics community as appropriate
- Design and produce reference materials for Designated Agency Ethics Officials
- Respond to public requests for information that arrive via phone, mail and internet
- Summarize and consolidate agency information collected across OGE program areas
- Plan the Fifteenth Annual National Government Ethics Conference to be held in March 2007
- Provide oversight of executive branch-wide efforts to implement electronic financial disclosure reporting and coordinate those efforts with OMB.

#### Office of Administration and Information Management

- Provide budget and finance services, including budget execution activities such as funds certification, invoice processing and preparation of monthly funds control reports; budget preparation; Performance and Accountability report (PAR) preparation and submission; and annual internal control reviews
- Provide essential administrative services, including travel, facilities, office space management, physical security, property management, procurement, printing, mail processing, front desk reception, personnel security, emergency planning, and continuity of operations planning. Specific FY 2006 projects include the update of the OGE Administrative Manual regarding (a) internal controls, (b) reception and representation funds, and (c) the use of couriers, as well as, continuing the planning for the issuance of PIV compliant ID cards in FY 2007 to all new hires and contractors and to all existing staff in FY 2008
- Recruit and retain an effective and efficient workforce through human resources management services that include: staffing, position management and classification, employee relations, retirement, awards, performance

management, and personnel/payroll processing. Further FY 2006 activities include revising portions of OGE's Human Resources Manual; conducting surveys of OGE's employee recognition, telecommuting, and training programs; and improving OGE's recruitment process

- Provide design and printing services related to agency visual information products, including in-house desktop published ethics training and conference materials, brochures, flyers, pamphlets, posters and ethics and administrative forms
- Provide records management (RM) services, including forms clearance; developing an information privacy policy; RM training; identifying, organizing and disposing of files; and developing records schedules
- Use information technology to improve OGE's business processes by: enhancing OGE's Internet World Wide Web Page; providing applications training; providing a secure and efficient computer network; conducting problem solving for computer users; and providing computer security awareness training to all OGE staff
- Complete development of a new web-based audit tracking system as well as implement the new web-based Financial Disclosure Tracking System (FDTS) used by OGE staff to track the processing and review of SF 278 Public Financial Disclosure Reports.
- Implement other IT projects such as: continue the transition from Internet Protocol Version 4 to Version 6; upgrade OGE's email system; convert the IT network backup system from tape to disk; implement the capability to transmit live or recorded video over the IT network to all OGE workstations; provide the OGE telework staff with increased capabilities to access their network files remotely, replicate "C" drive data to a network drive for remote access, and to instant message

## OFFICE OF GOVERNMENT ETHICS

### Fiscal Year 2007 Request Level

#### Office of General Counsel and Legal Policy

- Continue to effectively review and certify for the Senate the public financial disclosure reports filed by Presidential nominees for appointments requiring Senate confirmation; administer the blind trust program
- Enhance assistance to the President and to Congress, regarding public financial disclosure review, by increasing OGE staff training on financial disclosure requirements
- Enhance assistance to agency ethics programs by increasing training to agency ethics officials on financial disclosure requirements, and by soliciting and answering ethics questions in other areas
- Improve the effectiveness of ethics policy by reviewing OGE's informal advisory opinions to ensure that advice is current and precedent is valid
- Maintain OGE's positive relationship with Congress by, for example, drafting testimony and responding to Congressional requests as appropriate
- Continue to support OMB by responding effectively to requests for reviews of draft bills, legislation, bill reports, and testimony
- Assist and support other Federal agencies by co-issuing regulations supplementing, for the employees of those agencies, the executive branch-wide Standards of Conduct
- Increase outreach to incoming and outgoing Presidential appointees, Schedule C's, noncareer SES, and White House staff by offering them enhanced ethics training opportunities
- Support other Federal agencies by continuing to administer a successful system for responding to requests for Certificates of Divestiture
- Improve the effectiveness of ethics policy through contemporaneous oral and written guidance and interpretations of the executive branch Standards of Conduct, the criminal conflict of interest laws, and other statutory ethics provisions
- Improve the effectiveness of ethics policy by publishing a proposed regulation revising the Standards of Conduct

for Executive Branch Employees, analyzing comments on the proposed rule, and drafting regulatory changes as needed

- Improve the effectiveness of ethics policy by issuing a final rule implementing the blind trust program
- Support other agencies' ethics programs by raising awareness regarding ethical issues arising from contractors in the Federal work place, and providing educational materials and presentations to Federal agencies and other relevant groups on this topic
- Enhance the effectiveness of ethics policy by continuing to develop standards, policies, and advice regarding ethics issues that frequently arise about Federal advisory committees
- Continue to promote good governance by completing effectively OGE's administrative responsibilities, including timely responding to FOIA and Privacy Act requests, and maintaining OGE's liaison with OMB, GSA, and the Federal Register
- Continue to support OGE's activities in the Director's role as a member of the Integrity Committee of the President's Council on Integrity and Efficiency
- Enhance the effectiveness of ethics policy by addressing issues raised by Congress, GAO, and IGs regarding the ethics programs of individual agencies and ethics issues of executive branch-wide applicability
- Support agency ethics programs by working with the Department of Justice as liaison on litigation in which OGE is a party, including further proceedings on a Constitutional challenge to a provision of the Standards of Conduct
- Support OGE's public information requirements, including answering press inquiries

#### Office of Agency Programs

- Anticipate and target emerging ethics program issues by holding periodic seminars and other information-exchange opportunities with small groups of agency ethics officials, compiling trend data obtained through the Annual Agency Ethics Program Questionnaire required by the Ethics in Government Act of 1978 and the database containing questions and answers received from ethics officials and answered by desk officers and developing new survey instruments to complement the Program Review Division's agency employee surveys
- Disseminate information about emerging ethics issues through such mediums as ListServe messages to ethics

practitioners and enforcement personnel across the executive branch, the OGE web page, the regional symposiums, and the OGE-sponsored national ethics conference in March 2007

- Evaluate the format, scope and effectiveness of guidance provided by ethics officials by developing and disseminating customer satisfaction surveys and conducting single-issue reviews Government wide as appropriate
- Develop survey tools for establishing benchmarks to assess the effectiveness of OGE's services to the executive branch ethics community and the effectiveness of ethics officials' services to their community
- Increase ethics officials' ability to perform their jobs by developing an orientation program for new ethics officials, developing training and educational products for experienced ethics officials, conducting training for ethics officials, and assessing the effectiveness of training products
- Improve the overall quality and accuracy of advice given by ethics officials by assessing the documented advice and counsel maintained by ethics officials, providing feedback and suggestions for improvement, addressing questions and issues raised by ethics officials, and disseminating clarifications and corrections
- Improve ethics program evaluation techniques by assessing the strengths and weaknesses of the current program evaluation model, participating in programs and meetings with agencies to identify possible changes to OGE's model, revising OGE's model to better identify needs and corresponding recommendations, piloting an employee ethics survey for use by agencies as an ethics program self-assessment tool, and piloting voluntary peer review programs
- Identify characteristics of effective agency ethics programs by using the program reviews to distinguish those programs that exceed requirements; assessing the extent to which ethics is incorporated into agency processes and operations; and disseminating information on quality programs through such things as the OGE-sponsored national ethics conference in March 2007, regional symposiums and agency ethics conferences
- Develop educational support for various sectors of the executive branch workforce by producing web-based and instructor-led training; assisting agencies to present their annual ethics training in selected circumstances, placing special emphasis on micro agencies; hosting

regional ethics symposiums; and providing specialized services to agency leaders and supervisors

- Assess whether ethics officials and employees acquire the intended knowledge from OGE-developed courses and whether these courses effectively meet the needs of the ethics community by developing course evaluations, observations and other means
- Encourage agencies to appropriately use administrative sanctions by evaluating this program element notably in the course of ethics program reviews and conducting single-issue reviews as appropriate
- Support the ethical culture within agencies by reviewing and certifying financial disclosure statements of presidential appointees, surveying agency employees to determine the effectiveness of agency ethics programs and conducting ethics program evaluations
- Improve the efficiency of the financial disclosure reporting and review process by incorporating e-technology, including developing systems for electronic filing
- Oversee timely compliance of ethics agreements by providing periodic reminders to agency ethics officials about upcoming deadlines, focusing on ethics agreement compliance during ethics program reviews and crafting educational materials
- Evaluate the effectiveness of agency financial disclosure reporting systems by identifying weaknesses in the process from the identification of required filers through the certification of reports
- Encourage agencies to use alternative confidential financial disclosure reporting by designing and producing appropriate reference materials for Designated Agency Ethics Officials and focusing on the confidential financial disclosure program when conducting ethics program reviews
- Support OGE's Office of Government Relations and Special Projects efforts to increase collaboration with other Federal agencies having complementary missions
- Support OGE's efforts to expand outreach to entities responsible for ensuring accountability and promoting public confidence in Government processes by incorporating private sector and civil society into the regional symposiums and the March 2007 OGE-sponsored national ethics conference as appropriate



- Enhance OGE's communications with the public and civil society by responding quickly and thoroughly to public requests for information, such as public financial disclosure reports and the semi-annual reports of travel payments accepted from non-Federal sources, and widely distributing education materials

#### Office of Government Relations and Special Projects

- Collaborate with federal, state and local agencies with complementary missions to identify cross-cutting issues involving integrity, accountability and transparency in Government
- Represent OGE in its increased involvement in the Interagency Ethics Council and the Council on Governmental Ethics Laws (State and Local governments)
- Support the Director's activities as a member of the President's Council on Integrity and Efficiency (PCIE) and the Executive Council on Integrity and Efficiency (ECIE) and continue to improve OGE's coordination and communication with the Inspector General (IG) community through meetings and presentations
- Coordinate OGE's increasing outreach to and good governance efforts with the private sector including business and civil society organizations
- Coordinate and provide OGE's technical assistance and special international program oversight in support of the U.S. efforts at encouraging anti-corruption measures throughout the world
- Collaborate with offices within international organizations of which the US is a member, that have complementary missions to identify cross-cutting issues involving integrity, accountability and transparency in Government
- Serve as a principal member of the delegation representing the U.S. during the Council of Europe's Group of States Against Corruption (GRECO) plenary considerations of the evaluation report on and recommendations to the U.S following an onsite visit in FY 2006
- Serve as a member of the delegation representing the U.S. in the activities of the follow up mechanism for the Inter American Convention Against Corruption (MESICIC)
- Serve as an Alternate U.S. Representative to GRECO and as a U.S. expert for conflict of interest and good governance projects of the Organization for Economic Cooperation and Development (OECD) Public Governance and Territorial Development Directorate

- Provide OGE's assistance in preparing for and responding to any other evaluations of the USG's anti-corruption efforts arising from international agreements entered into by USG
- Provide OGE's assistance to USG negotiators of international agreements that include anti-corruption provisions, to USG representatives in discussions of implementation measures for the agreements, and to U.S. delegations in discussions of multilateral anti-corruption programs
- Support, as necessary, OGCLP/OGE's Congressional Affairs program and OGE's OMB coordination and clearance processes
- Coordinate and provide the staff work of OGE on any special projects or analyses required by the Director, the Administration or Congress

#### Office of Administration and Information Management

- Continue to provide budget and finance services, including budget execution activities such as funds certification, invoice processing and preparation of monthly funds control reports; budget preparation, Performance and Accountability report (PAR) preparation and submission; and annual internal control reviews
- Continue to provide essential administrative services, including travel, facilities, office space management, physical security and access management, property management, procurement, printing, Government Purchase Card system, Government travel card system, transit subsidy, telephone card management, supply management, mail processing, front desk reception, personnel security, emergency planning and preparedness and continuity of operations planning
- Continue human resources management services, including staffing, position management and classification, employee relations, retirement, awards, performance management, personnel/payroll processing, and human resources policy development
- Continue to provide design and printing services related to agency visual information products, including in-house desktop published ethics training and conference materials, brochures, flyers, pamphlets, posters and ethics and administrative forms
- Implement all PIV ID card security and privacy control objectives and start to issue compliant cards in October 2006 for all new hires and contractors

- Continue planning for the issuance of PIV cards to all existing staff in FY 2008
- Continue providing records management (RM) services, including forms clearance, developing policies and procedures, providing RM guidance and training, identifying, organizing and disposing of files, and developing and drafting records schedules
- Continue to use information technology to improve OGE's business processes by: enhancing OGE's Internet World Wide Web Page; providing applications training; providing a secure and efficient computer network; providing computer security awareness training to all OGE staff per the Computer Security Act of 1987; providing the capability to develop new software and enhance existing software; conducting problem solving for computer users; and providing computer security awareness training to all OGE staff
- Continue to coordinate with OMB, NIST, and the CIO Council in the development of a tactical implementation plan that will ensure an orderly and secure transition from Internet Protocol Version 4 to Version 6 in FY 2008

# 2007 Annual Performance Plan

## INTRODUCTION

The Office of Government Ethics (OGE) was established by the Ethics in Government Act of 1978 and charged with providing "overall direction of executive branch policies related to preventing conflicts of interest" for executive branch employees.

Working in partnership with agency ethics officials, OGE has built on this foundation and developed a model ethics program. Today, the ethics program is marked by consistent administration and implementation of a basic program structure within the executive branch and uniform interpretation and application of ethics laws and rules.

OGE now seeks to enhance this ethics program and continue to foster public confidence in Government programs and operations. To achieve its mission and ultimately its stated vision, OGE has established the following three strategic goals:

- Strengthening the ethical culture within the executive branch
- Preventing conflicts of interest; and
- Promoting good governance.

## MISSION

Provide leadership for the purpose of promoting an ethical workforce, preventing conflicts of interest and supporting good governance initiatives.

## OGE'S STRATEGIC GOALS:

### Strategic Goal 1--STRENGTHENING THE ETHICAL CULTURE AND PROMOTING AN ETHICAL WORKFORCE WITHIN THE EXECUTIVE BRANCH

#### Introduction

To strengthen the ethical culture and promote an ethical workforce within the executive branch, OGE must develop and disseminate effective and timely ethics policy and provide assistance and oversight to executive branch agencies. Employees must be afforded adequate opportunities to become knowledgeable about their responsibilities and senior level officials must be committed to the success of their agencies ethics program.

How well OGE performs in ensuring that the ethical culture is strengthened will be assessed by reaching out to our customers to ensure that our resources are being used effectively and, as necessary, shifting those resources as dictated by our customer satisfaction surveys.

## OBJECTIVES

The following four objectives support *Strengthening the Ethical Culture*.

Objective 1.1 Improve the effectiveness of ethics policy.

Objective 1.2 Enhance assistance to and oversight of agency ethics programs.

Objective 1.3 Increase employee awareness of their ethics responsibilities.

Objective 1.4 Increase OGE's focus on senior officials' role in implementing the ethics program.

### **OBJECTIVE 1.1 IMPROVE THE EFFECTIVENESS OF ETHICS POLICY.**

OGE was established to develop executive branch-wide ethics policy that ensures consistent interpretation and implementation of the ethics laws, rules and program requirements across the executive branch. The strategic challenge for OGE is to ensure that its policies are sound and practicable and that the guidance developed to implement the policies is understandable, clearly communicated and as widely disseminated as possible.

#### **Strategies for Objective 1.1**

*Anticipate and target emerging ethics program issues.*

OGE will maintain an active network of communication with ethics officials and other interested parties, including Congress and the White House, to identify executive branch-wide and crosscutting issues where policy guidance or advice is necessary.

OGE's senior managers will host meetings regularly with senior ethics and other officials to discuss issues of concern and OGE staff will become active participants in the Interagency Ethics Council, a forum for discussing emerging ethics issues. In addition, OGE will evaluate information collected from a variety of other sources, such as surveys, program reviews, and requests for advice. OGE will prioritize and develop a plan to address emerging ethics program issues.

*Evaluate the effectiveness of guidance and update as necessary.*

OGE will establish a schedule to examine all existing policy guidance to ascertain if it contains information that has been superseded by subsequent developments and will provide timely notice to users.

*Assess the format, scope and usefulness of periodic guidance.*

OGE will evaluate the effectiveness of the means used to disseminate policy guidance to users and will make appropriate changes as warranted.

## Performance Measures

Objective 1.1 Improve the effectiveness of ethics policy.						
Performance Measures	Performance Targets					
	Baseline	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Percent of customers who rate OGE as responsive or very responsive to emerging issues.	5%	40%	60%	70%	75%	80%
Percent of customers who rate guidance as useful or very useful.	70%	75%	80%	80%	85%	90%
Percent of customers who say they receive the guidance they need to do their job effectively.	75%	80%	80%	80%	85%	90%

### OBJECTIVE 1.2 ENHANCE ASSISTANCE AND OVERSIGHT OF AGENCY ETHICS PROGRAMS.

Each executive branch agency has a Designated Agency Ethics Official who serves as the cornerstone of the ethics program. Through the programs they administer, OGE promotes an ethical culture and strengthens the public's confidence that the Government's business is conducted with impartiality and integrity.

#### Strategies for Objective 1.2

*Ensure that ethics officials have the knowledge required to effectively carry out their duties by (1) expanding the number and type of training and education opportunities and (2) developing and maintaining a database of informal ethics program advice.*

OGE provides training and education opportunities to all ethics officials through classroom instruction; educational materials and an annual conference. OGE will increase training opportunities offered to ethics officials by developing basic web-based courses and advanced instructor-led training. In addition, OGE will provide informal opportunities to exchange information such as lunch time seminars and speakers programs. Utilizing technology, such as satellite broadcast and video conferences, OGE will more widely distribute training and education opportunities and materials.

With the growing dependence on telephone and email communication, OGE receives an increasing number of inquiries from agencies for informal guidance on ethics issues. The guidance provided often has broad application and would benefit the ethics program if it were shared with the entire ethics community. OGE will develop and maintain a system to centrally collect the informal advice it provides to agency ethics officials and identify an appropriate

mechanism to disseminate advice to the ethics community as appropriate.

*Focus education and training programs on new ethics officials.*

Approximately 90 percent of ethics officials perform ethics program services part-time. Additionally, there is a high rate of staff turnover in the ethics program because it is often a collateral duty. As a result, OGE needs to focus greater attention on new ethics officials who are expected to provide sound advice soon after assuming ethics responsibilities.

OGE will develop a two-day orientation program for new ethics officials. OGE will also develop an Ethics Program Administration Manual that incorporates the use of technology and e-learning tools along with more traditional training and education methods for new ethics officials.

*Improve ethics program evaluation techniques.*

The success of well-established ethics programs can be jeopardized with changes in agency resource priorities. Therefore, it is important for OGE to accurately assess whether (1) agencies are adequately staffing the ethics program, (2) ethics officials are carrying out their duties and responsibilities and (3) agencies are moving beyond basic regulatory compliance and inserting ethics into the fabric of agency processes. OGE will increase its interactions with the Inspector General community and the Government Accountability Office to identify best practices in the area of program evaluation techniques. Additionally, OGE will develop a program of self-assessment for agencies to use in years that OGE is not scheduled to perform a program review.

*Identify and disseminate agency ethics program best practices.*

Through its program review function, OGE is in a unique position to observe successes and innovations in agency ethics program administration. OGE will also solicit best practices from agencies in years in which they are not subject to a program review. OGE will then utilize technology to more widely disseminate innovative and successful ethics program strategies.

**Performance Measures**

Objective 1.2 Enhance assistance and oversight						
Performance Measures	Performance Targets					
	Baseline	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Percent of ethics officials who are satisfied or very satisfied with education and training opportunities.	85%	90%	90%	90%	90%	90%
Percent of ethics officials who are satisfied or very satisfied with OGE produced education and training materials and job aids.	85%	90%	90%	90%	90%	90%
Percent of ethics officials who view	85%	85%	90%	90%	90%	90%

OGE's program review as adding value to their own programs.						
Percent of agencies using a self-assessment tool to evaluate their programs	15%	25%	50%	70%	75%	85%
Percent of agencies using a self-assessment tool that report it was useful.	70%	70%	80%	80%	90%	100%
Percent of customers who are satisfied or very satisfied with information shared on ethics program best practices.	TBD				85%	85%

### **OBJECTIVE 1.3 INCREASE EMPLOYEE AWARENESS OF THEIR ETHICS RESPONSIBILITIES.**

While employees bear ultimate responsibility for complying with ethics laws and regulations and ensuring the public's trust, OGE has a leadership responsibility to ensure workers are aware of and understand these responsibilities. The long term outcome of this objective is to have employees incorporate ethics into their decision-making when carrying out their official responsibilities.

#### **Strategies for Objective 1.3**

*Develop educational support for various sectors of the executive branch workforce.*

One of the real strengths of the executive branch ethics program is the systematic training of employees on the regulatory standards and conflict of interest statutes. Once a year, agencies are required to provide training to the highest level officials. New employees must be made aware of the standards of conduct when entering Government service. Educating public servants about conflict-of-interest standards is a key component of preventing conflicts of interest. OGE will use information collected from agencies to identify the subject areas where OGE support of employee training is most useful. Once identified, OGE will consult with agencies to determine the most effective and practical methods for providing appropriate support in those areas.

*Encourage agencies to demonstrate consistency between ethics rules and agency practices by utilizing administrative sanctions to enforce laws and regulations.*

Research shows that, without appropriate follow up on violations, employees may perceive that leadership is not committed to maintaining an ethical workplace. Demonstrated enforcement of the ethics rules complements the training employees receive on the rules themselves. OGE will use data collected on administrative sanctions to reinforce the significance of the ethics program and encourage agencies to pursue administrative sanctions where appropriate. Additionally, OGE will use the information to effectively focus education and outreach efforts.



## Performance Measures

Objective 1.3 Increase employee awareness and understanding						
Performance Measures	Performance Targets					
	Baseline	FY2007	FY 2008	FY 2009	FY 2010	FY 2011
Percent of agencies that incorporate OGE education or training products into their program.	30%	50%	70%	80%	90%	90%
Percent of customers whose knowledge of the ethics rules increased after participating in OGE developed training.	60%	80%	90%	100%	100%	100%
Percent of employees who are satisfied or very satisfied with OGE developed education or training programs.	50%	60%	70%	70%	80%	80%
Percent of employees who indicate they are familiar with ethics rules.	50%	60%	70%	70%	80%	80%
Percent of employees who indicate that they recognize ethics issues when they arise.	55%	65%	70%	75%	80%	80%
Percent of employees who believe that if violations of the ethics rules are reported to the agency follow-up is prompt and effective.	45%	55%	65%	70%	75%	75%
Percent of employees who believe that employees who are caught violating ethics rules are disciplined.	40%	40%	45%	50%	55%	60%

## OBJECTIVE 1.4 INCREASE OGE'S FOCUS ON SENIOR OFFICIALS' ROLE IN IMPLEMENTING THE ETHICS PROGRAM.

The ethical culture of an organization starts at the top. Research shows that there is a strong relationship between leaders "paying attention" to ethics and desirable program results such as employee willingness to seek ethics advice when needed. In FY 2005, OGE began assessing executive branch employee perceptions of whether agency leadership and supervisors pay attention to ethics. OGE will continue these assessments, and will increase its efforts to provide specialized services to agency leaders and supervisors.

### Strategy for Objective 1.4

Promote agency leadership support in ensuring an ethical culture within the agency.

OGE must promote the ethics program to all senior agency officials. OGE will reach out to these senior officials prior to or at the time they enter public service by providing educational materials and, where appropriate, opportunities for discussion, focused on ethics issues that are unique to high-level positions of authority as well as the general ethics issues faced by all executive branch employees.

#### Performance Measures

Objective 1.4 Promoting agency leadership						
Performance Measures	Performance Targets					
	Baseline	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Percent of employees who believe their agency leaders pay attention to ethics	60%	65%	70%	75%	75%	80%
Percent of employees who believe their immediate supervisors pay attention to ethics	55%	60%	70%	75%	80%	80%

#### Strategic Goal 2--PREVENTING CONFLICTS OF INTEREST

##### Introduction

Many of OGE's responsibilities are directed at preventing employee conflicts of interest. Financial disclosure is the primary tool OGE uses for identifying and resolving potential conflicts of interest.. Financial disclosure contributes significantly to the goal of maintaining the integrity of Government operations and programs by providing a mechanism for conflict of interest reviews. Making the financial disclosure reports submitted by the highest level officials publicly available ensures outside scrutiny, which contributes to public confidence in Government and helps to deter officials from becoming involved in official matters in which they have conflicting financial interests.

Because the financial disclosure system is so extensive and requires the expenditure of substantial resources by both OGE and the agencies, it is important for OGE to ensure that the process of filing, collecting and reviewing reports is as efficient as possible and does not unduly impede agency operations.

The following three Objectives support *Preventing Conflict of Interest*.

Objective 2.1 Enhance assistance to the President and the Congress in the Presidential appointments process.

Objective 2.2 Monitor continued compliance with conflict of interest laws.

Objective 2.3 Administer an effective confidential financial disclosure system.

**OBJECTIVE 2.1 ENHANCE ASSISTANCE TO THE PRESIDENT AND THE CONGRESS IN THE PRESIDENTIAL APPOINTMENTS PROCESS.**

The public financial disclosure process provides assurance to the President and Congress that appointees to the highest level Government positions will be free from conflicts of interest. OGE reviews draft public financial disclosure reports filed by individuals selected by the President for these positions in the executive branch. Potential conflicts of interest are identified and the individual agrees to take the steps necessary to resolve any conflicts. OGE is responsible for informing the appropriate Senate committee that the individual will be in compliance with applicable ethics rules and laws. In addition to preventing conflicts of interest, the review process also provides an opportunity to familiarize the prospective nominee with the ethics program.

**Strategies for Objective 2.1**

*Use technology to improve the financial disclosure reporting and review process.*

OGE will improve the administration of the financial disclosure system. One of the primary initiatives in this area is using technology to make the filing and reviewing of financial disclosure forms more efficient by reducing the need for paper filing and evaluation. OGE has formed a partnership with the Department of the Army to develop an electronic filing system. The system will allow for on-line completion and submission of the report, as well as on-line certification. Once the electronic system is fully tested, it will be made available to all agencies for use by public financial disclosure filers.

*Promote proposed improvements to the financial disclosure law.*

OGE has issued two reports to Congress recommending improvements to simplify the public financial disclosure reporting requirements. In the reports, OGE concluded that the current public financial disclosure system requires reporting more detailed information than is useful or necessary to achieve its fundamental goals of preventing conflicts of interest and maintaining the public's confidence in Government. Such unnecessary detail could be eliminated without reducing compliance with applicable conflict of interest requirements and without harming the public interest in disclosure. OGE will continue to pursue proposed legislation to implement these improvements.

*Ensure timely compliance with ethics agreements.*

OGE monitors compliance by Presidential appointees with ethics agreements entered during the nominee review process. The agreements outline the steps an appointee must take to insulate himself and protect the agency processes from conflict of interest.

This system not only aids the appointee and the agency, but it assures the public and the Senate committee responsible for holding the confirmation hearing, that potential conflicts will be resolved. OGE will establish mechanisms to ensure timely compliance with ethics agreements by all Presidential appointees.

## Performance Measures

Objective 2.1						
Enhance assistance to the President and the Congress						
Performance Measures	Performance Targets					
	Baseline	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Number of agencies using the new electronic filing system	TBD					
Percent of users who are satisfied or very satisfied with the automated filing system	TBD					
Percent of officials who comply with ethics agreements within required time frames.	95%	95%	95%	95%	95%	95%

## OBJECTIVE 2.2 MONITORING CONTINUED COMPLIANCE WITH CONFLICT OF INTEREST LAWS

After assuming their duties, individuals appointed by the President and confirmed by the Senate file financial disclosure reports annually and upon terminating their Government service. In addition, other high level Government officials and political appointees file such reports. These filings ensure that OGE and the relevant agency can continue to monitor for potential conflicts of interest. Review of annual and termination reports assure the public that conflicts of interest have not influenced an individual's service to the Government. For this system to be effective, it is imperative for the reports to be submitted and reviewed timely. In particular, in the case of annual reports, timely attention to the reports ensures that potential conflicts of interest can be addressed as employees acquire new investments or their Government duties change.

### Strategies for Objective 2.2

*Encourage agencies to provide feedback to public filers based on review of financial disclosure reports.*

It is important for public financial disclosure report filers to know when their reports have been reviewed and certified. Notification of certification serves as evidence that the filer has no conflict or potential conflict of interest. Additionally, it demonstrates the importance of the financial disclosure system and the commitment of the agency to the ethics program requirements. OGE will encourage agencies to notify financial disclosure report filers when the report is certified as evidencing no conflict or potential conflict of interest. Such notification offers ethics officials an opportunity to educate filers about how to identify and avoid conflicts of interest in the future.

*Identify weaknesses in the collection and review of annual and termination disclosure reports.*

The timely submission and review of annual and termination financial disclosure reports is essential to preventing conflicts of interest. Through a targeted study and our Agency program reviews, OGE will monitor the collection and review of the reports and address systemic weaknesses as necessary.

#### **Performance Measures**

<b>Objective 2.2 Monitoring compliance</b>						
Performance Measures	Performance Targets					
	Baseline	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Percent of agencies providing feedback to employees after review of forms	TBD					100%
Percent of audited entities that have written procedures for following up with delinquent filers	40%	60%	75%	80%	100%	100%

#### **OBJECTIVE 2.3 ADMINISTERING AN EFFECTIVE CONFIDENTIAL FINANCIAL DISCLOSURE SYSTEM**

OGE administers a second financial disclosure system that is directed to employees who serve in positions with important decision-making authority and responsibility but who are not in positions that require public financial disclosure. This system involves the submission and review of confidential financial disclosure reports. Like public financial disclosure reports, confidential reports are used as a tool to identify potential conflicts of interest and to counsel employees about avoiding such conflicts. Agencies make extensive use of this system; for example, the confidential reports are filed by temporary employees and thousands of members of advisory committees to ensure that advice received by the Government is objective. As with the public financial disclosure reporting system, OGE's challenge is to ensure that the system is as effective and efficient as possible, while at the same time ensuring that it meets its primary purpose of preventing conflicts of interest.

#### **Strategies for Objective 2.3**

*Use technology to improve the confidential financial disclosure system.*

As with the public financial disclosure reporting system, the confidential system could be improved by on-line preparation, submission, review and certification of reports. OGE plans to develop a confidential financial disclosure form that can be filed electronically.

*Encourage agencies to use alternative confidential financial disclosure reporting where appropriate.*

OGE has, by regulation, established a uniform system of confidential financial disclosure reporting for the entire executive branch. However, because agency missions (or the components of agencies) vary greatly, it may be more practical and useful for identifying conflicts to tailor the confidential disclosure requirements to the needs of a particular agency. This may be true particularly in cases involving disclosure by members of advisory committees. OGE regulations permit such deviations where circumstances dictate that an alternative reporting system would enhance agency operations. OGE will encourage the increased use of these alternative systems by advertising existing approved alternatives; identifying, through our program review process, agencies that might benefit from the use of an alternative system; and by assisting agencies in developing such systems for their own needs.

### **Performance Measures**

<b>Objective 2.3 Improved Administration of Confidential System</b>						
Performance Measures	Performance Targets					
	Baseline	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Percent of alternative systems judged by program review to have been effectively implemented.	60%	65%	70%	80%	90%	90%
Percent of required confidential filers who filed by end of reporting year	70%	70%	75%	75%	80%	80%

### **Strategic Goal 3--PROMOTING GOOD GOVERNANCE.**

#### **Introduction**

Good governance is commonly understood to include accountability, transparency, effectiveness and efficiency, predictability and the rule of law. An ethics program that focuses on the accountability and conduct of individual employees is an integral part of all programs and is an essential element of good governance. The effect of an ethics program can be enhanced when it is coordinated with other programs that are designed to meet the goals of good governance and public trust. By leveraging resources and exchanging ideas, agencies with related missions can more effectively meet their goals. Accordingly, OGE will seek to work with other Federal agencies that have responsibilities which are part of the larger goal of good governance.

State and local government ethics offices are also excellent sources of information about program elements that work well and those that do not. Improved communications with these offices as well as other agencies administering integrity programs can enhance our ability to carry out the executive branch ethics program. Additionally, by more proactively reaching out to the public and private sector about the executive branch ethics program, OGE

promotes a better understanding of the standards expected of public servants. Finally, OGE will continue to use its experience to act as a U.S. Government (USG) expert and resource supporting U.S. foreign policy anti-corruption and good governance initiatives.

#### **OBJECTIVES**

The following three Objectives support *Promoting Good Governance*.

Objective 3.1 Increase OGE's support of and cooperation with Federal, State and Local Agencies involved with ensuring the integrity of Government functions.

Objective 3.2 Increase outreach to the private sector and civil society.

Objective 3.3 Support U.S. foreign policy anti-corruption and good governance initiatives.

#### **OBJECTIVE 3.1 INCREASE OGE'S SUPPORT OF AND COOPERATION WITH FEDERAL, STATE AND LOCAL AGENCIES INVOLVED WITH ENSURING THE INTEGRITY OF GOVERNMENT FUNCTIONS.**

OGE's experience demonstrates that collaboration with other agencies improves the effectiveness and efficiency of our own programs. Agencies that have responsibilities related to good governance often face similar issues, and grapple with developing strategies to address those issues. Closer collaboration or coordination among such agencies can generate a shared understanding of best practices and results in better governance.

More importantly, at the Federal level, coordination among various agencies eliminates redundancy, helps in developing uniform policies, and ultimately results in a more cohesive approach to dealing with issues across a broader spectrum.

#### **Strategies for Objective 3.1**

*Increase collaboration with other Federal agencies having complementary missions to identify cross-cutting issues involving integrity, accountability and transparency in Government.*

Active coordination and cooperation with other Government agencies having complementary missions and programs is important in promoting integrity, accountability, predictability and transparency of Government. Agencies that promote transparent and consistent processes and information, and agencies that assist with participatory and efficient government functions, all share a role in good governance. OGE will increase its efforts to collaborate with these and other agencies to identify cross-cutting issues and undertake appropriate actions to ensure achievement of mutual goals.

*Expand outreach to state and local entities responsible for ensuring accountability and promoting public confidence in government processes.*

OGE is a member of the Council on Governmental Ethics Laws (COGEL), an organization comprised primarily of Federal, state and local

government agencies of the U.S. and Canada, as well as some additional foreign government agencies. The experiences of these agencies with administering similar programs are a valuable resource for enhancing OGE and other members' programs and strengthening good governance on a broader scale. It will also help meet USG commitments under international agreements. OGE will become a more active and effective presence in COGEL as well as develop more effective relationships with other organizations of government agencies to assist in promoting good governance programs.

### Performance Measures

Objective 3.1 Increase OGE's support of and cooperation with federal, state and local agencies involved with ensuring the integrity of government functions.						
Performance Measures	Performance Targets					
	Baseline	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Number of interagency good governance programs/projects OGE participated in	6	8	8	10	10	10
Percent of interagency programs/ projects where OGE participation enhanced understanding of good governance	TBD					50%
Number of programs/ projects involving state/local/government agencies/organizations	2	2	2	3	3	3
Percent of programs/projects where participation was useful to OGE/other participants	100%	100%	100%	100%	100%	100%

### OBJECTIVE 3.2 INCREASE OUTREACH TO THE PRIVATE SECTOR AND CIVIL SOCIETY.

Making information about Government accountability and transparency easily and readily accessible is important to maintaining the public's trust in Government. Enhancing OGE's communications with the public and civil society, as well as developing cooperative and informative programs with persons who do business with the Government, will help promote the overall goal of good governance as well as a better understanding of the role of the ethics program.



## Strategies for Objective 3.2

*Enhance our communications with the public and civil society.*

OGE will expand its efforts to communicate with the general public, non-government organizations and other interested parties. The OGE website will serve as an important vehicle for this effort. OGE will add information about internal and external USG good governance initiatives in which it participates. OGE will also seek opportunities to participate in seminars or conferences where there is an opportunity to disseminate information to the public and civil society about the role the ethics program plays in establishing integrity, accountability and transparency in Government.

*Increase cooperation and information-sharing with persons who do business with the Government.*

One way to help employees avoid situations that can raise ethical concerns is to eliminate those situations in the first place. This can be done, in part, by educating persons and entities that do business with the Government about the ethical requirements that apply to Government employees. This issue has become even more important because of the increased use of Government contractors in the Federal workplace. OGE will collaborate with relevant agencies to identify the most effective ways that Government contractors, grantees and others who interact with Federal officials can be made aware of how to avoid interactions that might result in misconduct by a Federal official. At a minimum, OGE intends to seek opportunities to speak with organizations that represent contractors and others, and to prepare appropriate explanatory materials that agencies can distribute to their customers and stakeholders.

### Performance Measures

Objective 3.2 Increase outreach to the private sector and civil society.						
Performance Measures	Performance Targets					
	Baseline	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Number of meetings, speeches, presentations and similar outreach efforts to organizations that represent the public, civil society and persons who do business with the Government	8	10	10	12	12	15
Percent of entities that indicate that interaction with OGE was helpful to their understanding of the USG ethics	TBD	50%	60%	75%	90%	90%

program and the integrity of the executive branch						
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**OBJECTIVE 3.3 SUPPORT U.S. FOREIGN POLICY ANTI-CORRUPTION AND GOOD GOVERNANCE INITIATIVES.**

The ethics program designed and administered by OGE is one of the most well-established and long lived of its type in the world. Consequently, OGE has a wealth of practical technical experience that can be used to assist those within the Government who wish to promote USG anti-corruption and good governance initiatives abroad.

OGE has the requisite expertise to represent the U.S. as an expert in international multi-disciplinary mutual evaluation mechanisms and good governance programs in which the U.S. has agreed to participate.

**Strategies for Objective 3.3**

*Respond to requests from U.S. foreign policy agencies.*

OGE regularly participates with interagency groups responsible for developing and reviewing USG international anti-corruption and good governance initiatives. OGE often represents the USG in international forum where these initiatives are being implemented or where corruption prevention is at issue. OGE also regularly provides international technical assistance briefings to foreign officials from the public and private sector traveling under the auspices of the State Department International Visitors or other similar programs. On occasion, OGE provides more direct assistance through State Department approved bilateral agreements or in response to U.S. foreign policy agency requests, to countries interested in developing prevention measures to incorporate into their anticorruption good governance efforts.

*Serve as an expert in on-going international mutual evaluation mechanisms.*

At the nomination of the USG, OGE currently serves as an expert evaluator for, and USG representative to, the Group of States Against Corruption (GRECO) and the follow-up mechanism of the Inter-American Convention Against Corruption. Additionally, OGE serves as an expert for the public governance programs of the Organization for Economic Cooperation and Development (OECD).

**Performance Measures**

Objective 3.3 Support U.S. foreign policy anti-corruption and good governance initiatives.						
Performance Measures	Performance Targets					
	Baseline	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
OGE's requested participation in program advances U.S. foreign policy objective as judged	TBD					75%

by USG agencies						
Quality of services as an evaluator results in repeated requests when evaluated topic is relevant	100%	100%	100%	100%	100%	100%