

NATIONAL GOVERNMENT ETHICS

SUMMIT

MARCH 8-10 2016

GOVERNMENT YEAR IN REVIEW

Agency meetings and other consultation

(since September 2014)

2635 subpart B

September 2014: discussions at prior OGE summit

February 2015: two meetings

2635 subpart F

September 2014: discussions at prior OGE summit

February 2015: meeting

Part 2634

June 2015: two meetings

Part 2638

April 2015: focus group meeting and subsequent follow-up

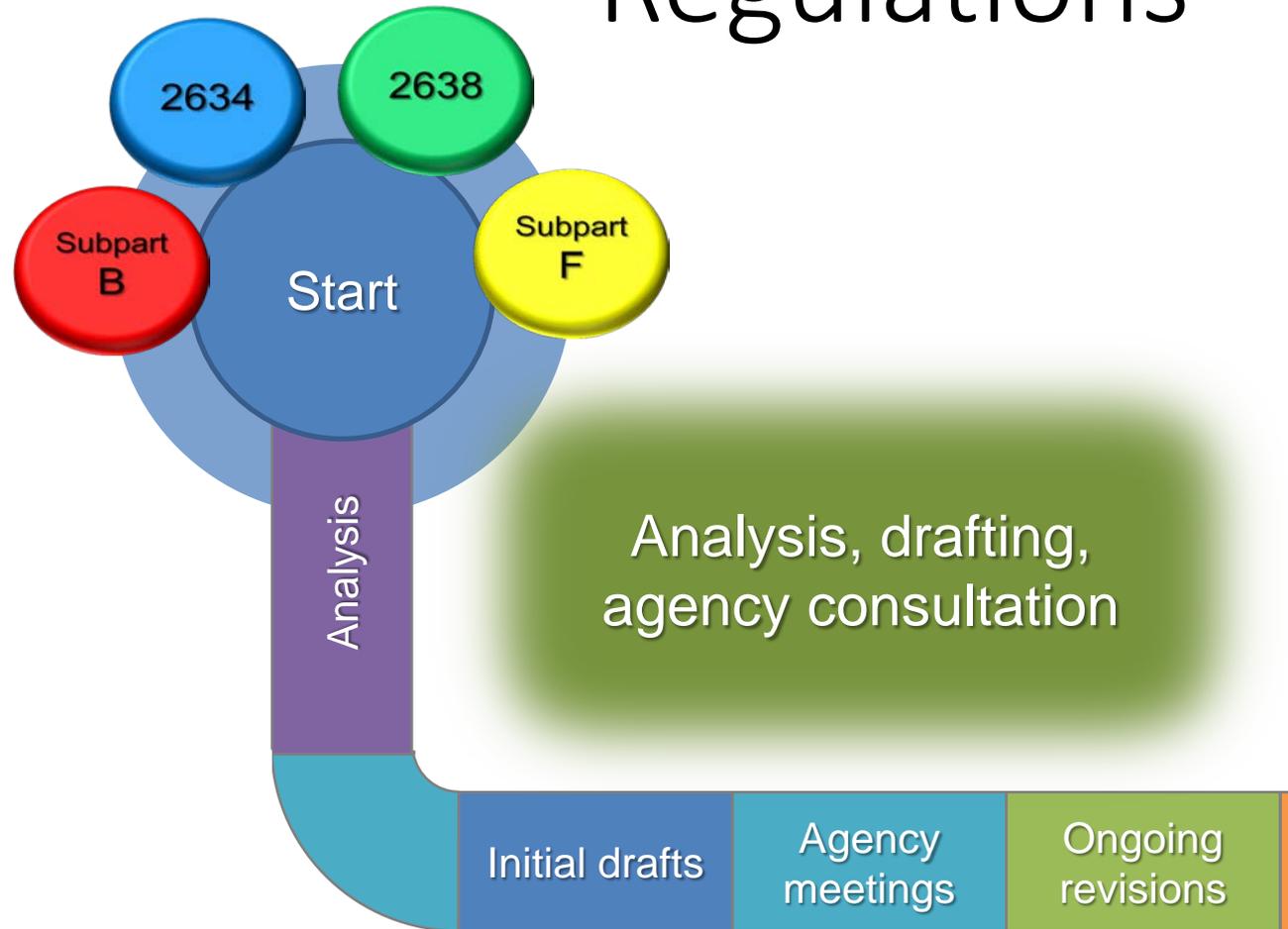
May 2015: three meetings

June 2015: conference call and circulation of new draft

July 2015: CIGIE meeting

July-August 2015: various individual agency meetings

Revision of OGE Regulations



SUMMIT

Agency meetings and other consultation

(since September 2014)

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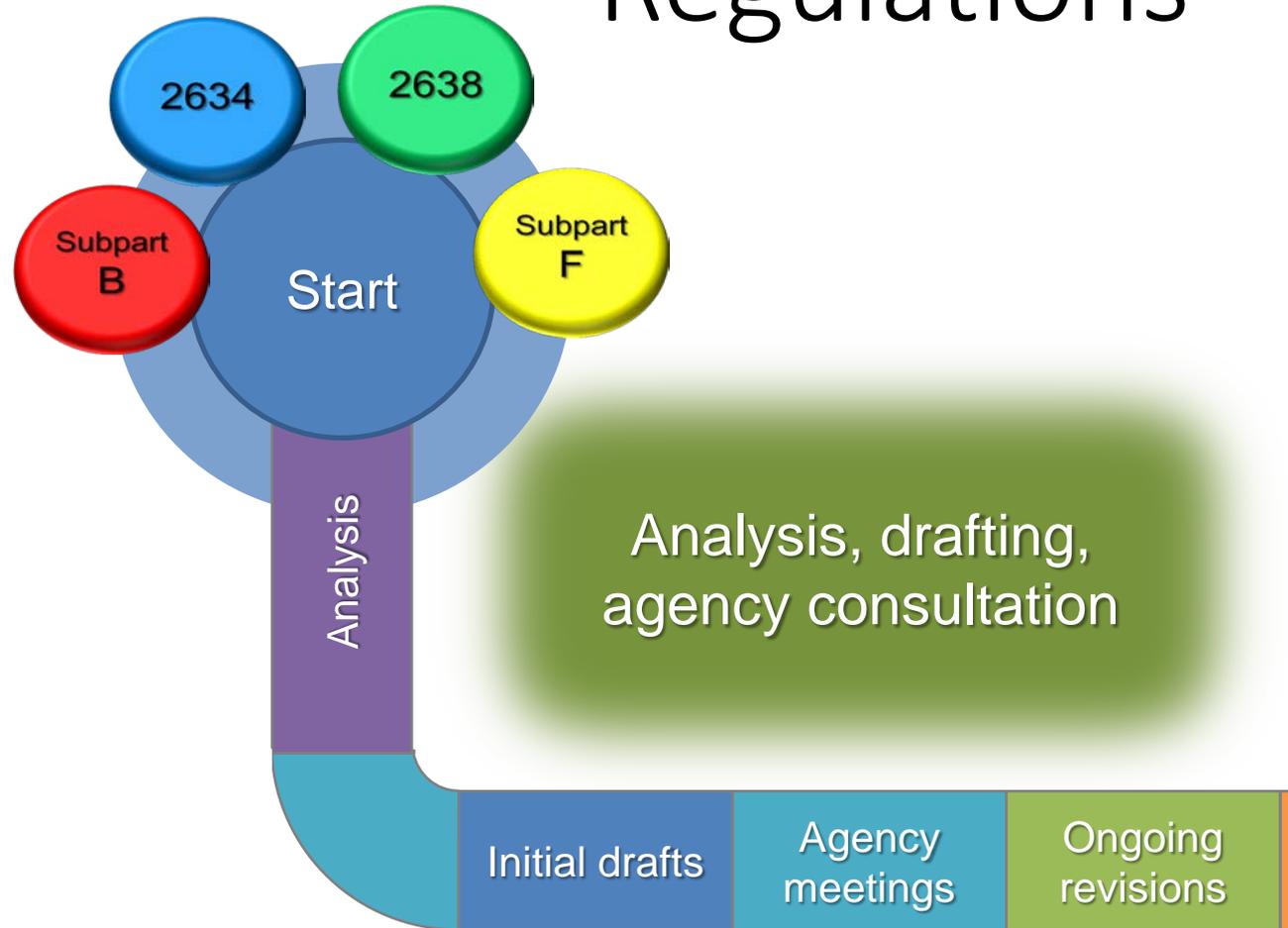
May 2015: three meetings

June 2015: conference call and circulation of new draft

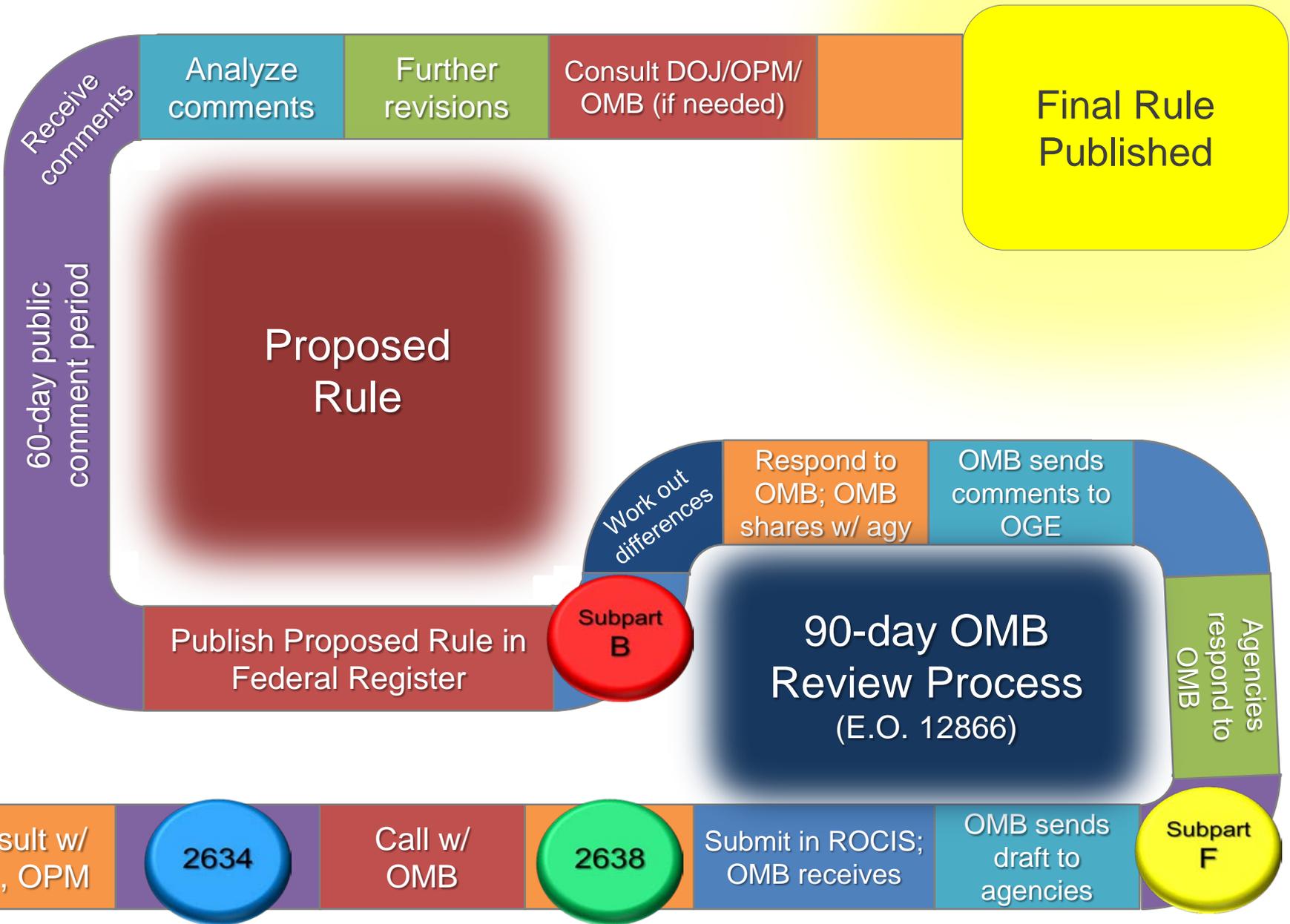
July 2015: CIGIE meeting

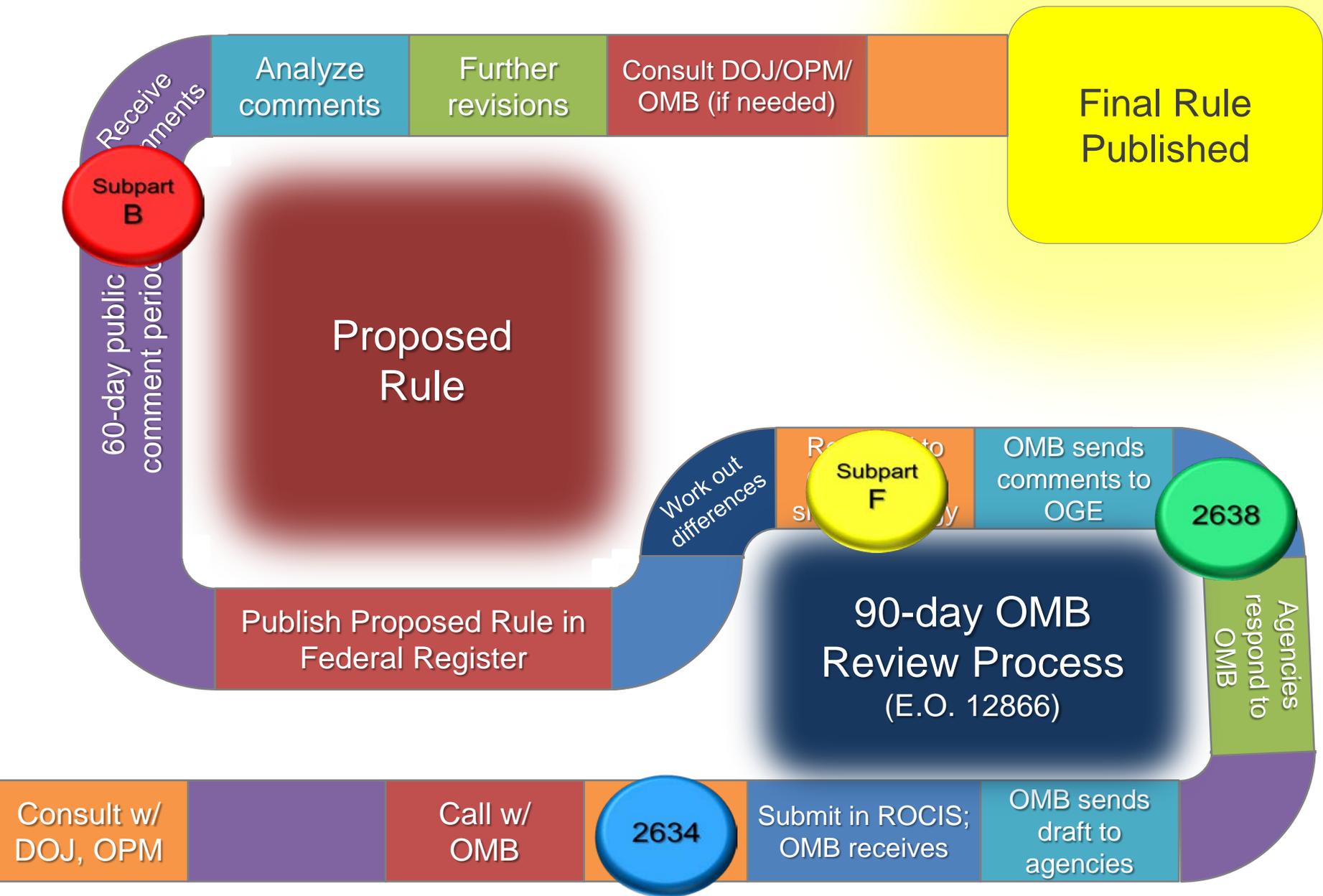
July-August 2015: various individual agency meetings

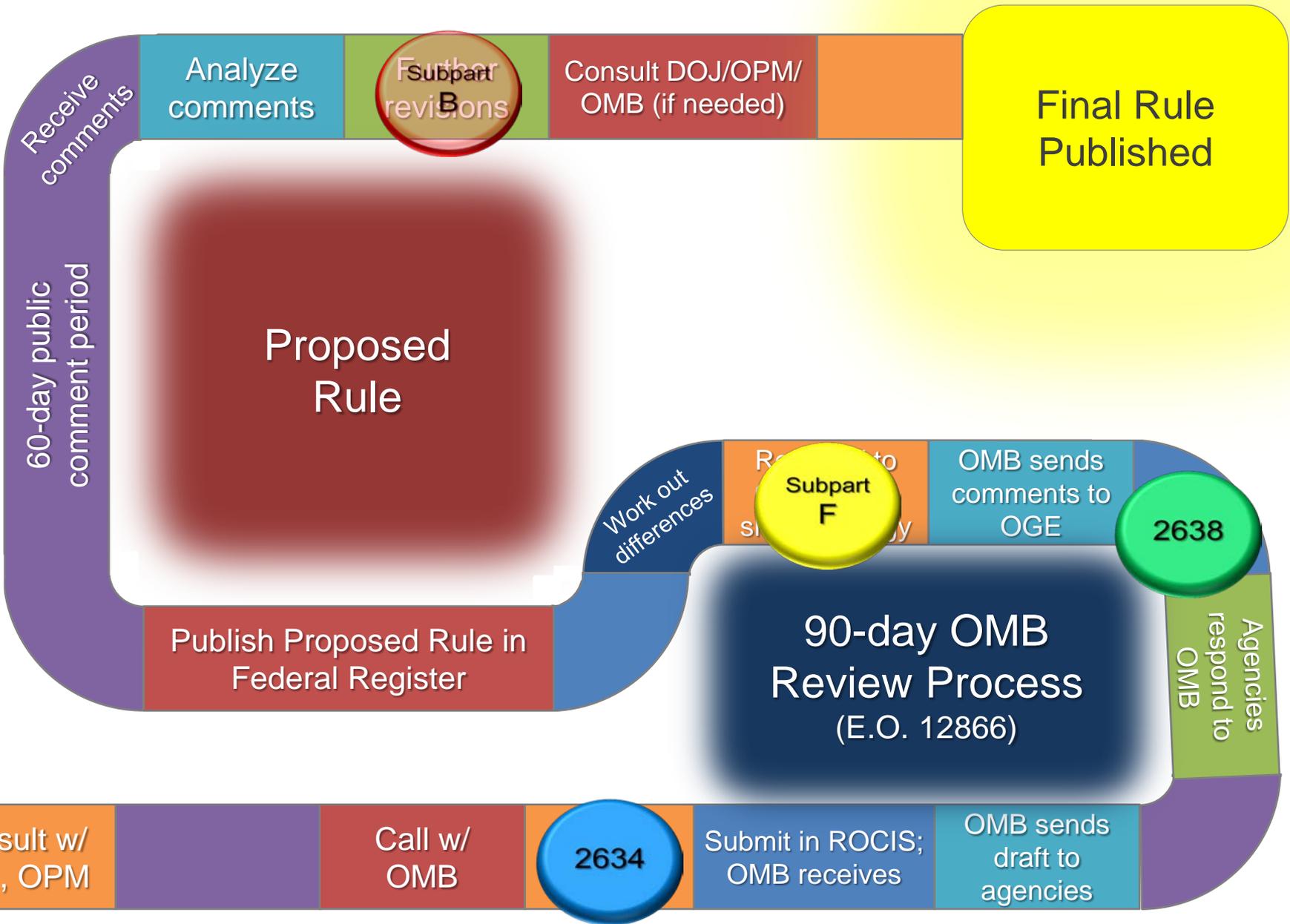
Revision of OGE Regulations

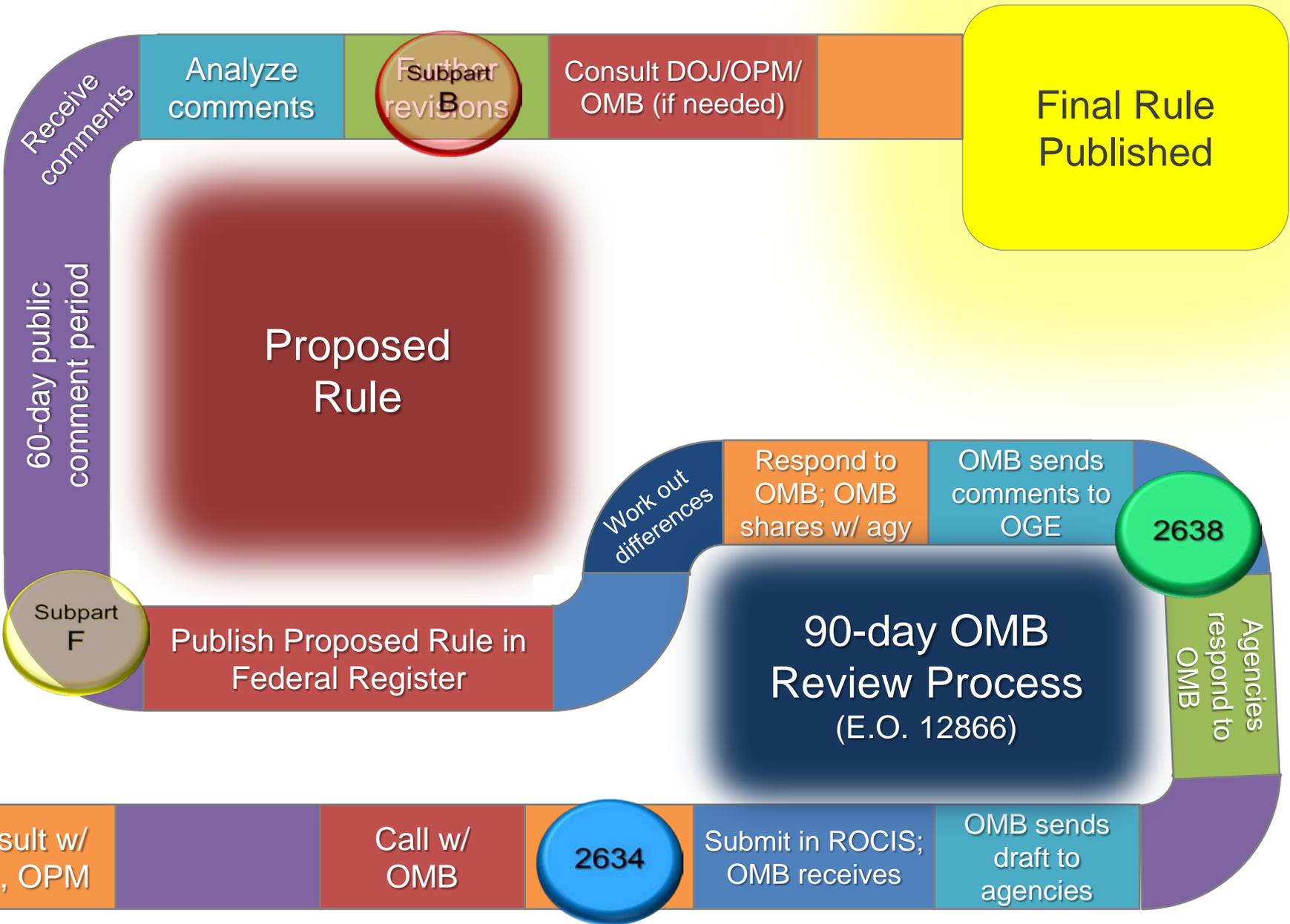


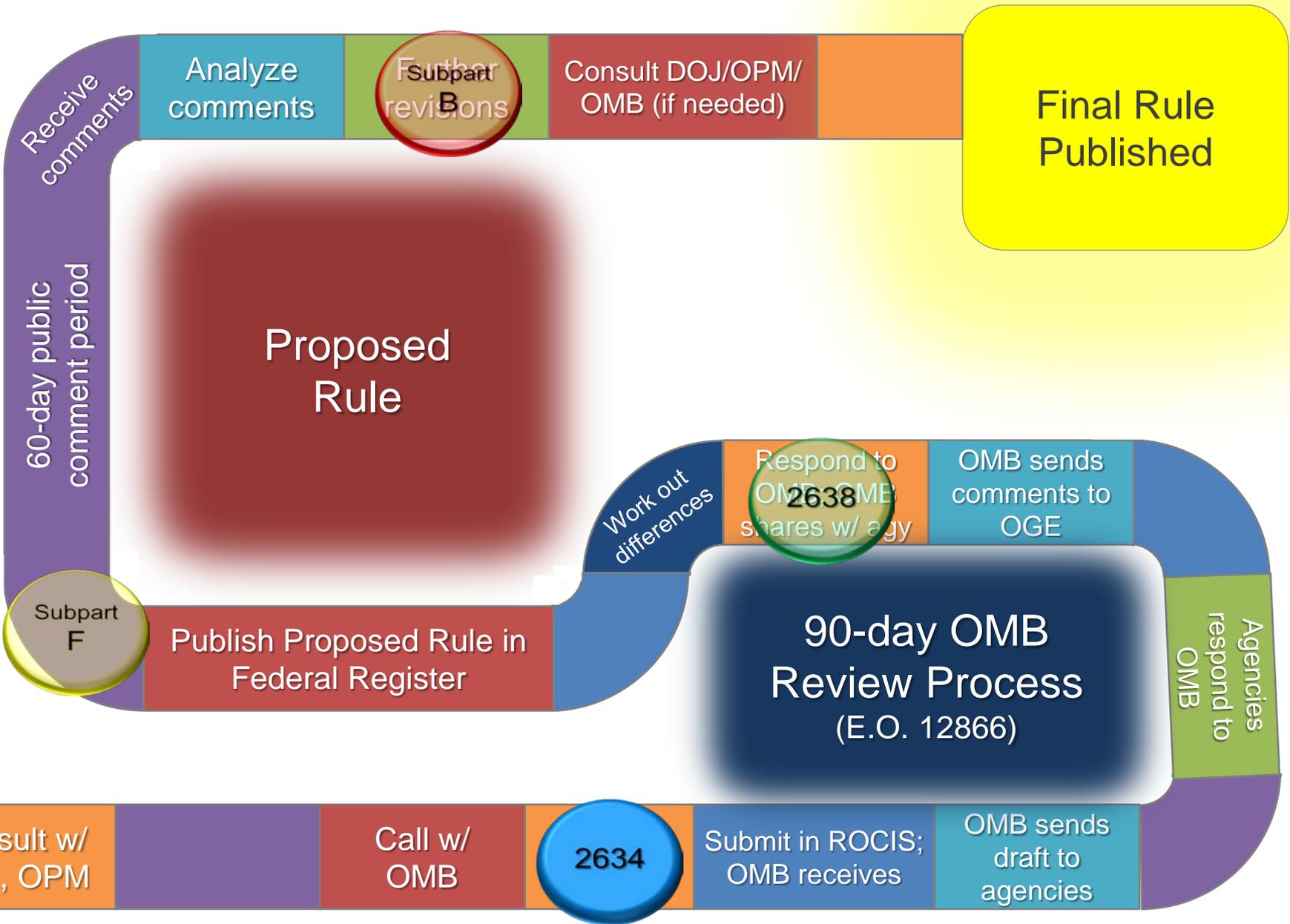
SUMMIT











2634

Legal Advisories

- I. The Standards of Conduct as Applied to Personal Social Media Use
- II. Employee Reference to Official Title in Their Personal Capacity
- III. Guidance on the Application of Gift Exceptions:
 - A. Widely Attended Gatherings:
 - i. Free Attendance at Speaking Engagements
 - ii. “Market Value” When no Fee is Charged to Attend
 - B. Gift Cards under the \$20 De Minimis Gift Exception

Legal Advisories Continued

- IV.** Diversified and Sector Real Estate Funds (Exemption under 5 C.F.R. § 2640.201)
- V.** Employee Benefit Plans Through Which Employees Hold Diversified Pooled Investment Funds and Employee Benefit Plans Established or Maintained Outside of the United States
- VI.** Financial Disclosure Requirements for Pooled Investment Funds

Public Financial Disclosure Guide

- Web-based (Public Financial Disclosure section of OGE’s website)
- Replaces
 - Nominee & New Entrant 278 Guide
 - Public Financial Disclosure: A Reviewer’s Reference
- Covers
 - Nominee and New Entrant Reports
 - Annual Reports
 - Termination Reports
 - Periodic Transaction Reports
- For Ethics Officials



INTEGRITY .GOV

Play your part.

Login to Integrity (using MAX.gov)

What is MAX.gov? 

Status: Normal.

NOTE: Integrity will perform weekly server restarts on Sundays from 3:00 - 3:15 am ET. Please logoff and save your work before this time. In addition, Integrity users may experience intermittent login issues from 2:00 am - 8:00 am Sundays during MAX.gov's weekly maintenance window.

Please report any issues to integrity@oge.gov.

Click on the [Help](#) link at the bottom of the screen for login assistance information.

Integrity is the U.S. Office of Government Ethics system for electronically filing and reviewing Public Financial Disclosures (OGE Forms 278e and 278-T).



STOCK ACT

Sec. 11 (b) Electronic Filing and Online Public Availability of Financial Disclosure Forms of Certain Executive Branch Employees.—

(1) In General.—Subject to paragraph (6), and not later than 18 months after the date of enactment of this Act, the President, acting through the Director of the Office of Government Ethics, shall develop systems to enable—

(A) electronic filing of reports required by section 103 of the Ethics in Government Act of 1978 (5 U.S.C. App. 103), other than subsection (h) of such section;

INTEGRITY

- Development started June 2013
- Officially launched January 1, 2015

IT WORKED!!



Going forward:

- Upcoming filing season
- Presidential transition and nominees

INTEGRITY RESOURCES

- ❖ Summit Sessions:
 - *Integrity* Nominee Functionality
 - *Integrity* 101
 - *Integrity* Q&A

- ❖ Help Desk Kiosk



HELLO
MY NAME IS

Brandon Steele

Why am I here?

- **Surveys: Q + Pledge**
- **Updates since last Summit**
- **Highlights of 2014 Q**
- **Preview 2015 Pledge**

What's New?

- **Information Dissemination**
 - **All Reports Available Online**
- **Means:**
 - **Benchmarking for Agencies**
 - **Transparency for the Public**
 - **Secondary Research**
- **Reports: Summary + Comprehensive**

Annual Agency Ethics Program Questionnaire Available from our Home Page

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



2014 AGENCY ETHICS PROGRAM QUESTIONNAIRE

[Blank questionnaire in PDF format](#)

[Click here to return to OGE.gov](#)

Agency/Dept

[Access Board](#)

[Administrative Conference of the United States](#)

[Advisory Council on Historic Preservation](#)

[African Development Foundation](#)

[Agency for International Development](#)

[Alaska Natural Gas Transportation Projects](#)

[American Battle Monuments Commission](#)

[Appalachian Regional Commission](#)

[Appraisal Subcommittee](#)

[Arctic Research Commission](#)

[Armed Forces Retirement Home](#)

[Armed Services Board of Contract Appeals](#)

[Barry M. Goldwater Scholarship & Excellence in Education Foundation](#)

[Broadcasting Board of Governors](#)

[Central Intelligence Agency](#)

[Chemical Safety and Hazard Investigation Board](#)

[Christopher Columbus Fellowship](#)

[Commission for the Preservation of America's Heritage Abroad](#)

[Commission of Fine Arts](#)

[Commission on Civil Rights](#)

[Commission to Eliminate Childhood Abuse and Neglect Fatalities](#)

[Committee for Purchase from People Who Are Blind or Severely Disabled](#)

[Commodity Futures Trading Commission](#)

[Consumer Financial Protection Bureau](#)

[Consumer Product Safety Commission](#)

[Corporation for National and Community Service](#)

[Council of Economic Advisors](#)

[Council on Environmental Quality](#)

[Court Services & Offender Supervision Agency for DC](#)

[Defense Commissary Agency](#)

[Defense Contract Audit Agency](#)

[Defense Finance and Accounting Service](#)

[Defense Information Systems Agency](#)

[Defense Intelligence Agency](#)

[Defense Logistics Agency](#)

[Defense Nuclear Facilities Safety](#)

[Defense Security Service](#)

[Defense Threat Reduction Agency](#)

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SERIES PROGRAM MANAGEMENT EDUCATION

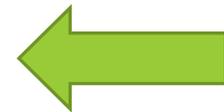
GOVERNMENT ETHICS
SUMMIT
MARCH 8-10 2016

Learn more.

★ Open Government

- Presidential Appointee and Nominee Records
- 2016 Presidential Candidate Records
- Program Review Reports
- Travel Reports
- Annual Agency Ethics Program Questionnaire

Learn more >



2014 Annual Agency Ethics Program Questionnaire Highlights



Frequently Asked Questions

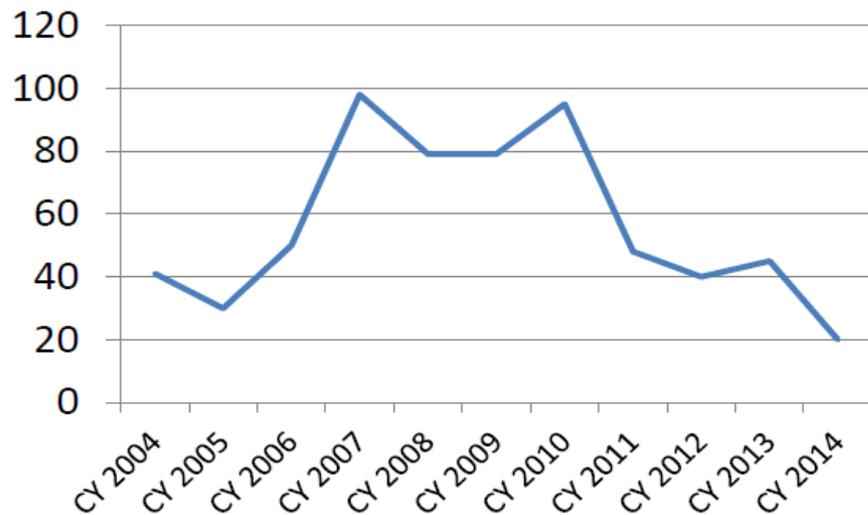
- GIFT ACCEPTANCE
- FINANCIAL DISCLOSURE REPORTING
- CONFLICTING FINANCIAL INTEREST

Popular Remedy

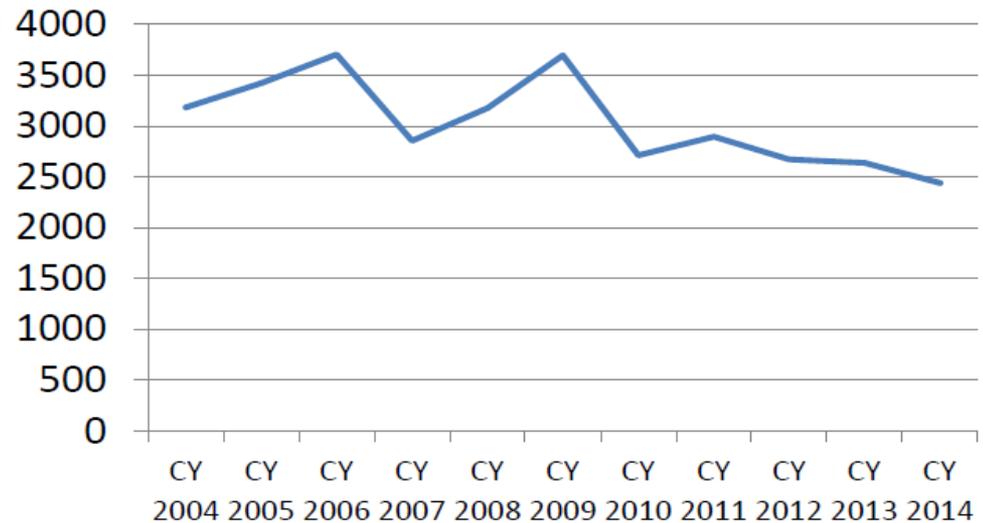
RECUSAL

2014 Enforcement Numbers

of disciplinary actions* taken based wholly or in part upon violations of the criminal conflict of interest statutes, 18 USC 203, 205, 207, 208 and 209 in 2014.



of disciplinary actions* taken based wholly or in part upon violations of the standards of conduct provisions (Part 2635) in 2014.

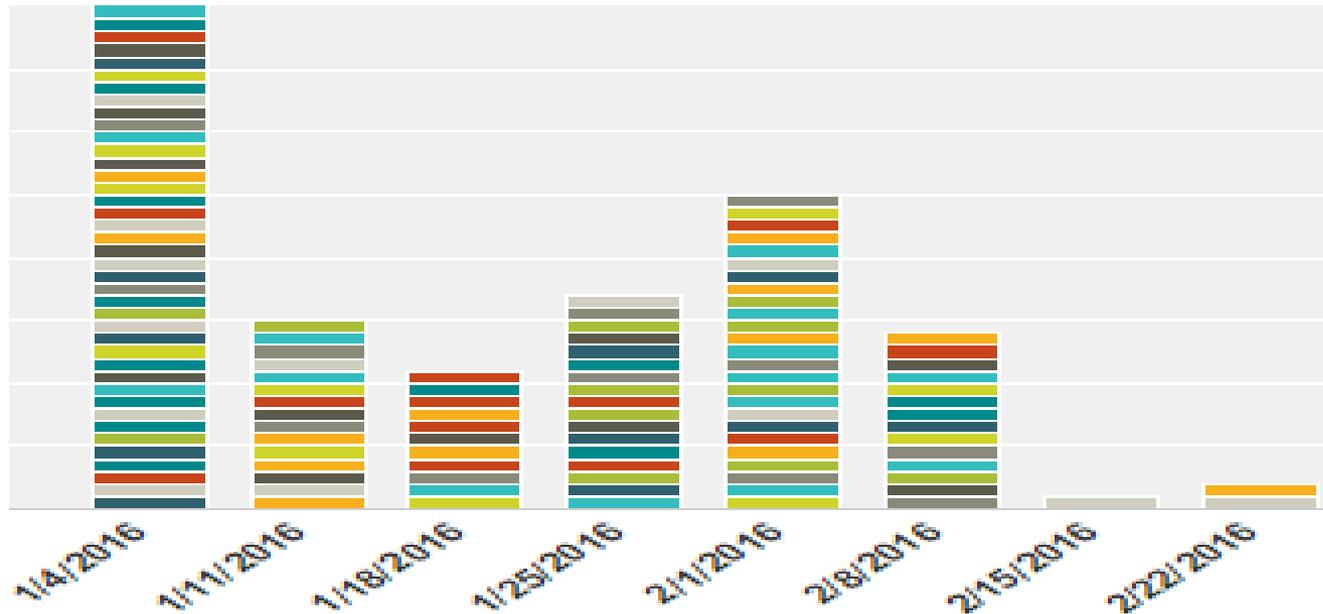


*Disciplinary Actions include removals, demotions, suspensions, and written reprimands or their equivalents.

Reporting for 2015 Coming Soon

2015 Ethics Pledge Assessment Submission Trend

First: 1/4/2016 Zoom: 11/30/2015 to 2/22/2016



2015 Ethics Pledge Preliminary Data

1/1/2015 - 12/31/2015

~ 960 NON-CAREER APPOINTEES

95%

Reporting

Schedule C

50%

484

Other

21%

200

Non-Career SES

20%

194

PA S

7.8%

75

PA

1.8%

17

Lobbyist

0.4%

4

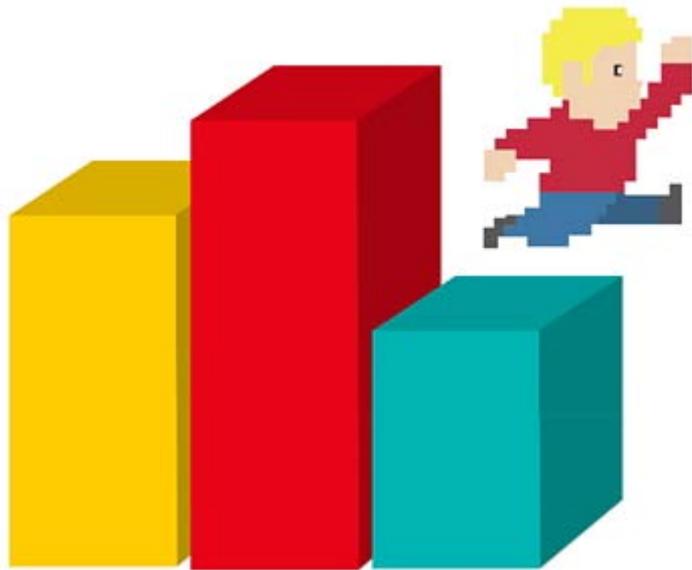
100%

in Compliance with Ethics Agreement Requirements

Coming Soon...

- **Follow-up by me on Pledge**
- **Follow-up by Desk Officer on Q**
- **Reports**

Thank You!!!!!!



And now
for...

Cheryl

(Spoiler Alert: she listens)



Institute
for Ethics *in*
Government

A person wearing a dark blue suit jacket and a light-colored shirt is holding a rectangular white sign with both hands. The sign has the words "WE LISTEN" written in a bold, dark blue, sans-serif font. The person's hands are positioned at the bottom corners of the sign, and their fingers are slightly curled. The background is a plain, light-colored wall.

WE LISTEN

You Asked for :

Classroom Training

You Got It:

14

Regional Symposia

Spring Workshops

Intensive Curriculum for
New Ethics Officials

You Asked for :

Training Products

You Got It:





OGE Institute for Ethics in Government

Home Videos Playl...

Fundamentals Series



Roles for Supervisors in Confidential Financial Disclosure

by OGE Institute for Ethics in Government

409 views • 1 month ago

A Seasonal Refresher on the Gifts Regulations

by OGE Institute for Ethics in Government

668 views • 3 months ago

Maintaining Employee Ethics Records

by OGE Institute for Ethics in Government

584 views • 4 months ago

Appearances and Discretion—Clarifying 5 C.F.R. § 2635.502(...)

by OGE Institute for Ethics in Government

448 views • 5 months ago

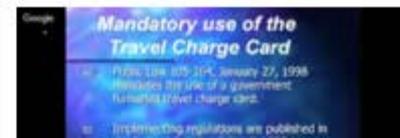
An Overview of Subpoena Misuse of Position

by OGE Institute for Ethics in Government

447 views • 6 months ago

Staff Training Videos

Advanced Practitioner Series





On-Demand Course Directory

Course Name	Series	Activity
Gifts Between Employees	Fundamentals	Advice & Counsel
Applying the Securities and Plans		nsel
Introduction Performing		nseling
When is an Employee's Outside Teaching, Speaking, or Writing "Related to" Official Duties?	Fundamentals	Advice & Counseling
Gifts of Free Attendance—31 USC	Advanced	Advice & Counseling

Staff Training Materials

You Also Got:



34

Monthly
Learning Series

& MOOCs

What's Coming? (You might ask)

Training Products

More...



Employee
Scenarios

New Employee Orientation

Handbook
Summaries
Training Scenarios
Instructor Guide

What Else is Coming? (You might ask)

Classroom Training



INSTRUCTOR
DEVELOPMENT
PROGRAM

How to
Conduct:

IEO
Annual Training

SUMMIT

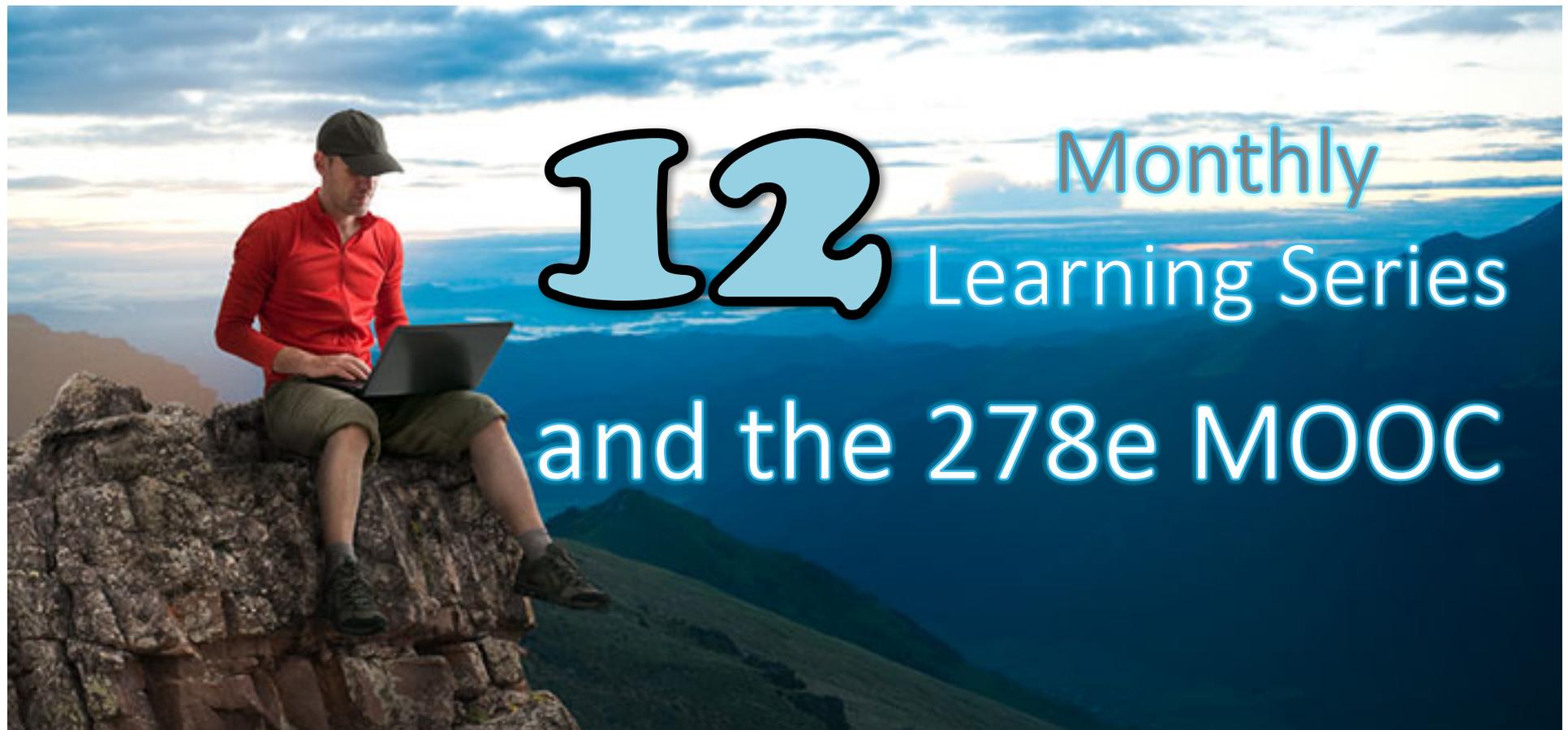
A close-up photograph of a person's hands writing in a notebook with a purple pen. The notebook has an orange cover and is resting on a blue surface. The person is wearing a black sleeve and a silver bracelet. The background is blurred, showing another person in a black headscarf.

TRAINING/WORKSHOPS

Strategic Foresight Exercises

Brainstorming Training Scenarios

You'll Also Get:



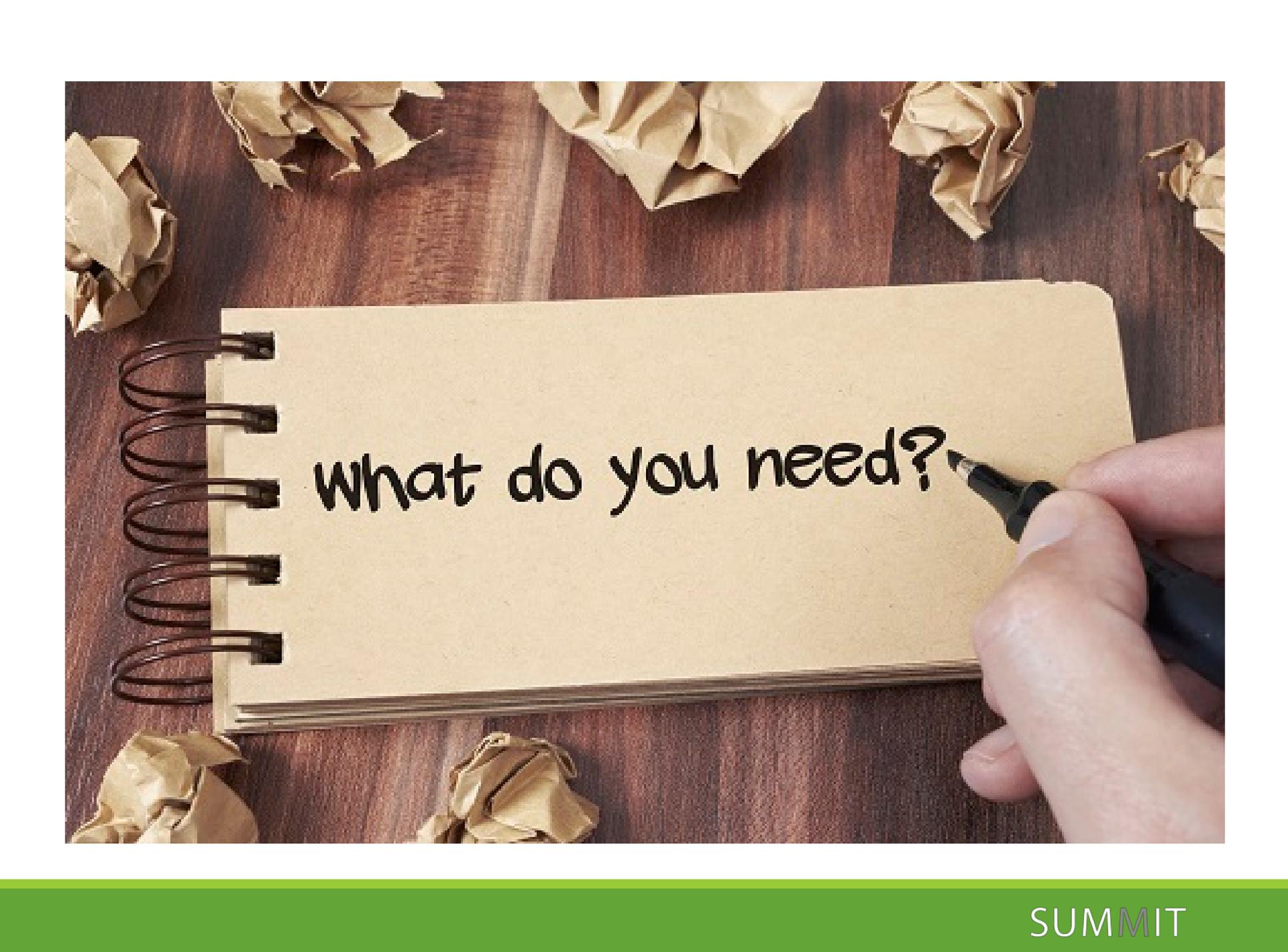
12

Monthly

Learning Series
and the 278e MOOC

Want More ?

YOU TELL US!

A hand is shown writing the question "What do you need?" in a black marker on a spiral-bound notebook. The notebook is open to a blank page and is placed on a dark wooden surface. Several pieces of crumpled brown paper are scattered around the notebook, suggesting a process of brainstorming or iteration. The lighting is soft, highlighting the texture of the paper and the wood.

What do you need?

A person wearing a blue suit jacket is holding a white rectangular sign with both hands. The sign has the text "WE LISTEN" written in a bold, dark blue, sans-serif font. The background is a plain, light-colored wall.

WE LISTEN

Compliance Division

Where have we been and
where are we going?

Compliance Division

Program Review Branch

Compliance Division

Program Review Branch – *A Look Back*

- 59 reports issued in FY '15
 - Reports included 122 recommendations
 - 71 (58%) related to financial disclosure
 - 31 (25%) related to education and training

Compliance Division

Program review Branch – *A Look Back*

- 24 reports issued to date in FY '16
 - Reports include 18 recommendations
 - 10 (56%) related to financial disclosure
 - 5 (28%) related to education and training

Compliance Division

Program Review Branch – *A Look Back*

Rise of the Inspections!

Compliance Division

Review Branch – *A Look Back*

ETHICS PROGRAM INSPECTION REPORT		UNITED STATES OFFICE OF GOVERNMENT ETHICS			
Agency:		 Preventing Conflicts of Interest in the Executive Branch			
Report No.:	Date:				
Period Covered by Review:					
1.0 AGENCY DATA					
EMPLOYEES (as reported in the most recent Annual Ethics Program Questionnaire)					
1.1	Number of full-time agency employees				
1.2	Number of agency special Government employees				
1.3	Number of Presidentially appointed, Senate-confirmed (PAS) public financial disclosure reports required to be filed				
1.4	Number of non-PAS public financial disclosure reports required to be filed				
1.5	Number of confidential financial disclosure reports required to be filed				
ETHICS PROGRAM					
1.6	Title of Designated Agency Ethics Official (DAEO)				
1.7	Grade level of DAEO				
1.8	Title of Alternate DAEO (ADAEO)				
1.9	Grade level of ADAEO				
1.10	Title of the primary, day-to-day ethics program administrator				
1.11	Grade level of the primary, day-to-day ethics program administrator				
1.12	Current number of full-time ethics officials				
1.13	Current number of part-time ethics officials				
1.14	Average full-time equivalent (FTE) value of a part-time ethics official(s) (For example, if part-time ethics officials at the agency generally devote 10 hours per week to ethics work, the average FTE value is 25%.)				
1.15	Number of reporting levels between the DAEO and the agency head				
COMMENTS					
None					
2.0 LEADERSHIP					
COMPLIANCE REQUIREMENT			Yes	No	N/A
2.1	OGE has received an up-to-date designation from the agency head naming the DAEO. <i>See 5 C.F.R. § 2638.202(c).</i>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.2	OGE has received an up-to-date designation from the agency head naming the ADAEO. <i>See 5 C.F.R. § 2638.202(e).</i>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMENTS					
None					
3.0 ETHICS AGREEMENTS					
COMPLIANCE REQUIREMENT			Yes	No	N/A
3.1	During the period under review, all PAS officials complied with their ethics agreements. <i>See 5 C.F.R. § 2634.804.</i>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.2	During the period under review, all PAS officials complied with their ethics agreements in a timely fashion. <i>See 5 C.F.R. § 2634.804.</i>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.3	During the period under review, the agency notified OGE of ethics agreement compliance in a timely fashion. <i>See DO-09-015.</i>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Compliance Division

Program Review Branch – *A Look Back*

further expressed the importance of formalized procedures for helping ensure consistent compliance with various ethics program processes.

Recommendation 2

- Take appropriate steps to assess and formalize the written procedures for OMB's various ethics program operations. This process should include addressing any revisions necessary to reflect the changes to the ethics program staff which occurred during this review and any changes in ethics program responsibilities.

Financial Disclosure

Title I of the Ethics in Government Act requires that agencies ensure confidence in the integrity of the federal government by demonstrating that officials are able to carry out their duties without compromising the public trust. High-level federal officials publicly disclose their personal financial interests using the OGE Form 278. Title I also authorizes OGE to establish a confidential financial disclosure system, in which less senior executive branch personnel in certain designated positions may be required to complete the OGE Form 450. Financial disclosure serves to prevent, identify, and resolve conflicts of interest by providing for a systematic review of the financial interests of officers and employees. The financial disclosure reports assist agencies in administering their ethics programs and also assist in providing counseling to employees. *See* 5 C.F.R. part 2634.

Written Procedures

Section 402(d)(1) of the Ethics in Government Act requires that each executive branch agency establish written procedures for collecting, reviewing, evaluating, and where applicable, making publicly available financial disclosure reports filed by the agency's officers and employees.

OMB's procedures are currently in draft form. While they reflect OMB's general process for administering its financial disclosure program, they have not been formally adopted by OMB leadership. As previously recommended, OMB should formalize these procedures with the inclusions noted below.

OGE's review of OMB's draft written procedures for public financial disclosure found that collection, review, evaluation, and public availability were addressed for the OGE Form 278, but review, evaluation, and public availability were not addressed for the OGE Form 278-T (Periodic Transaction Report). Additionally, OMB did not have written procedures in place for confidential financial disclosure reports. Ethics officials indicated to OGE that OMB has historically had very few confidential files; therefore, specific procedures had not been recorded.

Recommendation 3

- Update written procedures for public financial disclosure to include procedures for review, evaluation, and public availability of the OGE Form 278-T (Periodic Transaction Report). Establish written procedures for collection,

Compliance Division

Program Review Branch – *Looking Ahead*

- Planning and Scheduling Reviews with Transition in Mind
 - Departments and agencies w/large numbers of PAS will be reviewed this fiscal year
 - Allow for FY 2017 focus to be on Transition issues

Compliance Division

Financial Disclosure Branch

Compliance Division

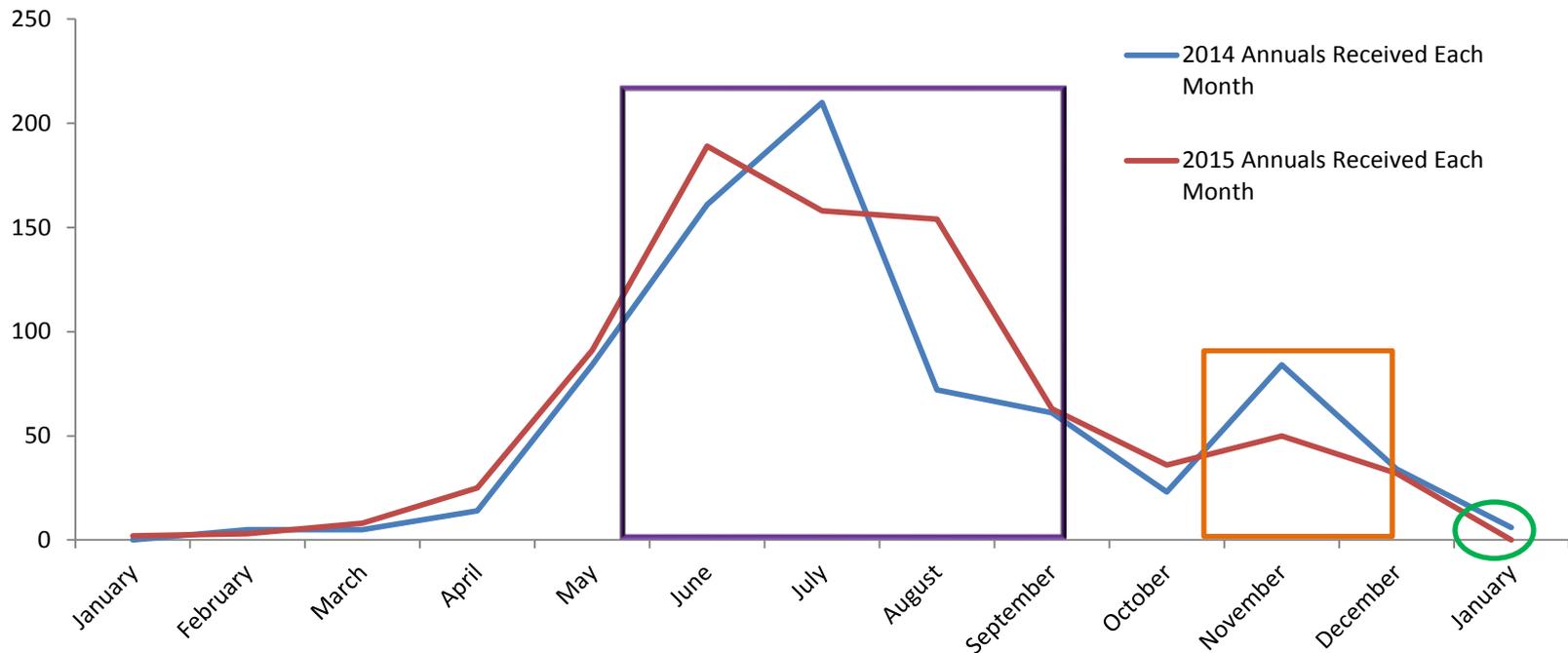
Financial Disclosure Branch - *A Look Back*

Total Outstanding reports as of December, 31:

2015	0
2014	22 (3 agencies)
2013	105 (15 agencies)

Compliance Division

Financial Disclosure Branch – *A Look Back*



2015 Annual Filing Cycle
Rate of Submission

Compliance Division

Financial Disclosure Branch – Looking Ahead

- Challenge for 2016 annual filing cycle:
 - Submit all required annual public financial disclosure reports to OGE by November 8--Election Day!

THANK YOU
