

UNITED STATES OFFICE OF  
**GOVERNMENT ETHICS**



Preventing Conflicts of Interest  
in the Executive Branch

**Fiscal Year 2015**

**Explanatory Notes and Annual Performance Plan**

**Prepared for the Committee on Appropriations**

**March 2014**

*The United States Office of Government Ethics (OGE) provides overall leadership and oversight of the executive branch ethics program designed to prevent and resolve conflicts of interest. OGE's mission directly supports the President's goal of responsibly governing the Nation.*

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# UNITED STATES OFFICE OF GOVERNMENT ETHICS

## Section I – About OGE

OGE was established by the Ethics in Government Act of 1978. To carry out its leadership and oversight responsibilities, OGE promulgates and maintains enforceable standards of ethical conduct for approximately 2.7 million civilian employees in over 130 executive branch agencies and the White House; oversees a financial disclosure system that reaches more than 28,000 public and over 325,000 confidential financial disclosure report filers; ensures that executive branch ethics programs are in compliance with applicable ethics laws and regulations; provides education and training to the more than 5,600 ethics officials executive branch-wide; conducts outreach to the general public, the private sector, and civil society; and shares model practices with, and provides technical assistance to, state, local, and foreign governments, and international organizations.

OGE's greatest resource is its multi-disciplinary staff of attorneys, ethics and finance experts, and support staff. OGE is a lean organization, with approximately 80 full-time equivalents, and accomplishes its responsibilities by organizing cross-functional teams to perform such diverse tasks as working with Presidential nominees for appointments requiring Senate confirmation to resolve potential financial conflicts of interest, training executive branch ethics officials, and enhancing oversight of executive branch ethics programs.

### **Long-Term Strategic Goals**

OGE's budget priorities for fiscal year 2015 support the three new strategic goals set out in OGE's strategic plan for fiscal years 2014 through 2018. The three new strategic goals - uniformity, continuity, and transparency - reflect the long-term outcomes OGE will strive to achieve in order to fulfill its mission of preventing conflicts of interest.

In developing these new strategic goals, OGE consulted with internal staff, Congress, executive branch ethics officials, non-government organizations, and the general public and incorporated the feedback received from these groups into the goals. The daily work of OGE is driven by the strategic objectives and performance goals established under each of the new strategic goals.

- 1. Advance a strong uniform executive branch ethics program:* OGE interprets and advises on ethics laws, policies, and program management issues; holds executive branch agencies accountable for carrying out an effective ethics program; contributes to the professional development of ethics officials; and modernizes and implements the ethics rules and regulations.

2. *Contribute to the continuity of senior leadership in the executive branch:* OGE provides assistance to the President and the Senate in the nomination process for Presidential appointees requiring Senate confirmation; promotes leadership support of the executive branch ethics program; and supports succession planning in executive branch ethics programs.
3. *Promote transparency of the executive branch ethics program:* OGE raises the visibility of the executive branch ethics program and ensures that ethics information is publicly available.

Starting on page 15, this document describes the specific work OGE will undertake in fiscal years 2014 and 2015 to achieve each of these long-term strategic goals. Appendix A describes the performance goals OGE will use to demonstrate progress toward achievement.

## **Section II – Budget Request Overview**

### **Budget Request Overview Narrative**

OGE is submitting a budget request of \$15,420,000. At this level OGE will be able to comply with its existing and new statutory mandates, including staffing, operation and maintenance of a public financial disclosure electronic filing system, *Integrity*, as well as other requirements of the Stop Trading on Congressional Knowledge Act (STOCK Act). This request represents a less than 1 percent increase from fiscal year 2014 enacted funding. OGE requires this funding level in order to continue performing its core mission of overseeing the executive branch ethics program and to implement the statutory mandates of the STOCK Act, including the requirement that OGE develop, implement, and maintain systems to provide electronic filing for 28,000 public filers across the executive branch.

Specifically, OGE will use these requested resources to support the technical and staffing requirements necessary to operate, maintain and manage the efilings system that is currently being developed with the nearly \$5 million anomaly (less the sequester and rescission reductions) OGE received in fiscal year 2013 and the \$1 million in operations funding received in fiscal year 2014. OGE will continue to require significant professional staff resources to meet the increased demand for its mission-critical functions since enactment of the STOCK Act including to provide guidance, develop rules, provide information on, and promote understanding of, ethical standards in executive branch agencies, and monitor and review agency ethics programs for compliance.

## Budget Request by Object Classification

The object classification table set forth below summarizes OGE's request (in thousands of dollars).

Table: Budget Request by Object Classification in (000's)

	<u>Object Class</u>	2013 <u>Enacted</u>	2014 <u>Enacted</u>	2015 <u>Request</u>
11.1	Salaries	\$8,030	\$8,605	\$8,517
12.1	Benefits	\$2,179	\$2,310	\$2,394
21	Travel	\$20	\$20	\$32^
22	Transportation (Freight)	\$5	\$6	\$6
23.1	Rental Payments to GSA	\$1,500	\$1,691	\$1,252#
23.2	Rental Payments to Others	\$6	\$0	\$0
23.3	Communications/Utilities	\$63	\$127	\$129
24	Printing and Reproduction	\$33	\$11	\$10
25.2	Other Services	\$5,628	\$2,206	\$2,317
26	Supplies and Materials	\$26	\$105	\$109
31	Equipment	\$203	\$244	\$654*
99	Subtotal	\$17,693	\$15,325	\$15,420
99	Reimbursable	<u>\$725</u>	<u>\$725</u>	<u>\$725</u>
99	Totals	\$18,418	\$16,050	\$16,145

### NOTES:

^ Includes OGE staff travel to federal regions to conduct a training symposium and to review agency ethics programs for compliance.

# Reflects reduced square footage and terms of new, 10-year lease (2014-2024).

\* Includes necessary life-cycle replacement of OGE's information technology equipment.

## **Section III – Fiscal Year 2013 Accomplishments**

In fiscal year 2013, the last year under OGE’s prior strategic plan, OGE advanced its strategic goals of strengthening the ethical culture within the executive branch, preventing conflicts of interest, and promoting good governance. OGE advanced each of the strategic goals by focusing on the following three priorities:

1. Interpreting, implementing, and advising on government ethics laws, policies, and program management;
2. Harnessing technology to promote transparency, education, and oversight; and
3. Ensuring effective communications to enhance understanding of government ethics laws, policies, and program management, and to promote transparency, education, and oversight.

OGE’s fiscal year 2013 strategic goals and priorities, as well as the strategic objectives that OGE identified in order to achieve its priorities, are depicted in Figure 1 below.

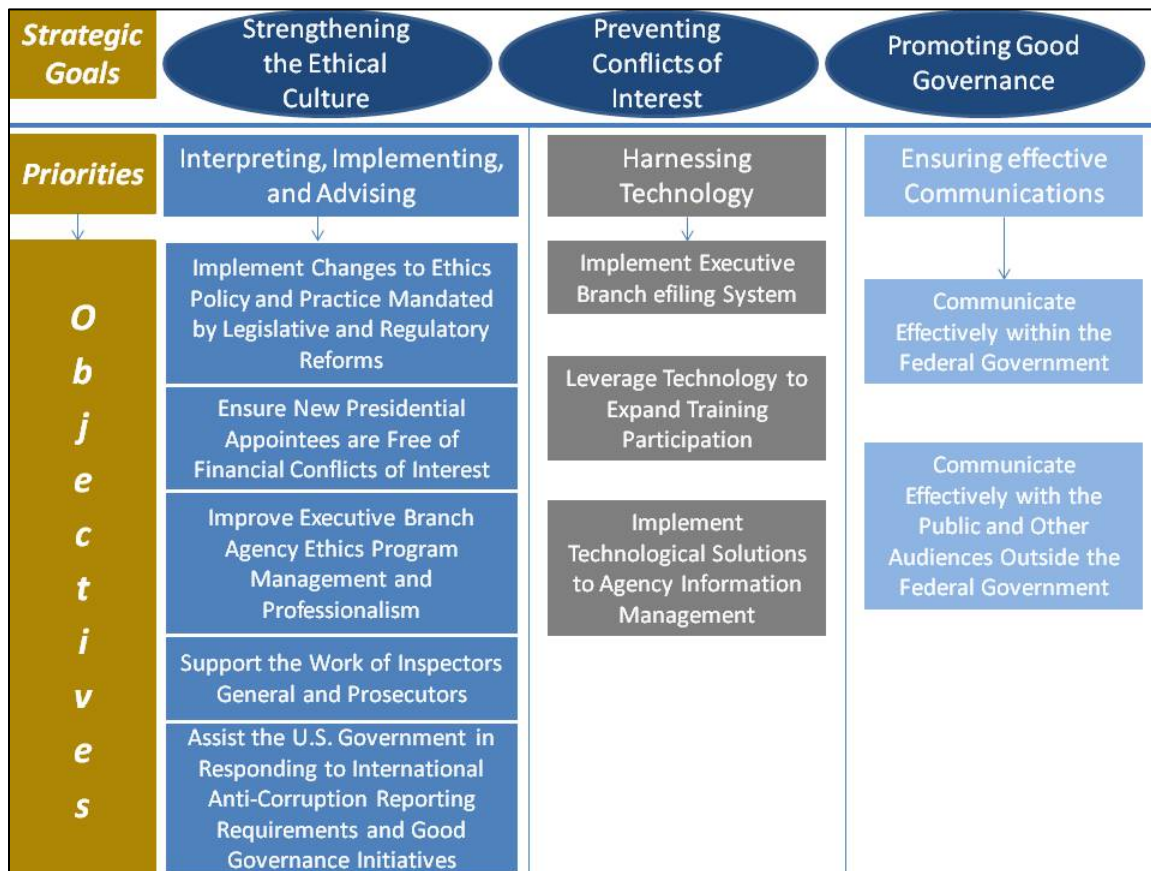


Figure 1

The following summary details the major accomplishments that OGE achieved in fiscal year 2013 in order to advance its priorities and to meet each of its objectives.

## **Priority 1: Interpreting, Implementing, and Advising on Government Ethics Laws, Policies, and Program Management**

In fiscal year 2013, OGE undertook numerous efforts and initiatives to advance its priority of interpreting, implementing, and advising on ethics laws, policies, and program management. Notably, OGE implemented several changes in the executive branch ethics program that were necessitated by legislative or regulatory reforms. During this period, OGE also continued to ensure that new Presidential appointees were free of financial conflicts of interest and took steps to improve overall ethics program management and professionalism. Finally, OGE provided support and assistance to the work of inspectors general and to international anti-corruption and good governance initiatives.

### *Strategic Objective: Implement Changes to Ethics Policy and Practice Mandated by Legislative and Regulatory Reforms*

The most far-reaching and complex changes to the executive branch ethics program in fiscal year 2013 were the result of the passage of the Stop Trading on Congressional Knowledge Act of 2012 (STOCK Act). To assist agencies in effectively implementing the STOCK Act, OGE issued several pieces of legal guidance outlining the new financial disclosure reporting procedures and requirements for periodic transaction reporting, as well as the employment negotiation notification and recusal requirements. OGE also provided training to hundreds of executive branch agency ethics officials, as well as administrative law judges, and members of the intelligence community on the various provisions of the STOCK Act.

In fiscal year 2013, OGE also published a legislative Legal Advisory analyzing the significant ethics-related legislative activity during the 112th Congress and key statutory changes such as the STOCK Act. In addition to the STOCK Act, the Legal Advisory addressed the Presidential Appointment Efficiency and Streamlining Act of 2011, which, among other things, established the President's working group on streamlining the Presidential appointments process. OGE's Director participated in the working group, which issued two reports to Congress in fiscal year 2013 recommending ways to improve the appointment process.

Another change that resulted in far-reaching ethics implications in fiscal year 2013 was the decision in the *United States v. Windsor* case in which the Supreme Court found Section 3 of the Defense of Marriage Act to be unconstitutional. Shortly after this decision, OGE issued a Legal Advisory providing guidance on the effect of the Supreme Court's decision on the Federal ethics provisions that use the terms "spouse," "marriage," and "relative." As a result of the decision, and after a comprehensive consultative process between OGE and the Department of Justice, OGE issued a Legal Advisory explaining that Federal ethics rules and requirements now apply to employees in same-sex marriages in the same way that they apply to opposite-sex marriages. In addition to the Legal Advisory, OGE provided language approved by the Department of Justice that agency ethics officials could use to proactively notify all agency employees of the new requirements.

In order to alert and assist agency ethics officials regarding other new or emerging issues and to ensure the uniform application of laws within the executive branch ethics program, OGE also provided legal guidance concerning ethics implications of certain appropriations act provisions. For instance, OGE issued guidance summarizing the new high-dollar value conference reporting requirements under the Consolidated and Further Continuing



Appropriations Act of 2013. Further, OGE issued guidance reminding ethics officials and employees that ethics laws and rules apply to Federal employees who are in a furlough status as a result of sequestration.

In addition to issuing formal guidance, OGE routinely provided advice and assistance in response to requests from a variety of stakeholders. Notably, OGE responded to over 85 requests for technical assistance from the Congress on issues including the STOCK Act and its amendments, financial disclosure and the Presidential nomination process, post-government employment, gifts, and outside positions. The provision of this type of assistance helped to build understanding of the executive branch ethics program among congressional staff and to inform potential statutory revisions to ethics laws.

On the regulatory front, OGE published a final rule amending the regulation that describes financial interests that are exempt from the prohibition on employees participating in their official capacities in particular matters in which they have personal financial interests. These final rule amendments: (1) created a new exemption permitting a government employee to participate in a particular matter affecting the financial interests of a nonprofit organization in which the employee serves in an official capacity as officer, director, or trustee; and (2) revised the existing exemption for interests in the holdings of sector mutual funds to clarify that the exemption applies to interests in the holdings of sector unit investment trusts. The former exemption will, among other things, contribute significantly to the accomplishment of the statutory mission of agencies and will facilitate the professional development of government scientists and engineers.

OGE also jointly issued two new supplemental agency ethics regulations with financial regulatory agencies. These regulations more closely align the ability of the agencies' employees to own certain financial assets and participate in outside activities related to the missions of the agencies.

*Strategic Objective: Ensure New Presidential Appointees are Free of Financial Conflicts of Interest*

OGE reviews the financial interests of Presidentially-appointed, Senate-confirmed (PAS) nominees for possible conflicts of interest with their prospective duties. As a result of the 2012 Presidential election, in fiscal year 2013 OGE reviewed 68 percent more PAS nominee public financial disclosure reports than it reviewed in fiscal year 2012. OGE prioritized its responsibility for reviewing and certifying PAS nominee financial disclosure reports and shifted its staff resources to timely review the significantly increased volume of reports. This cyclical increase in volume, owing to the transition from the first term to the second term of the Administration, necessitated that OGE train additional internal staff to meet increased demand. Targeted staff underwent intensive financial disclosure review training, which included instructor-led courses, practical exercises using complex hypothetical reports, one-on-one mentoring by experienced reviewers, and supplemental instructional forums. In fiscal year 2013, OGE reviewed the reports of nominees for approximately 28 percent of the roughly 1,100 Senate-confirmed, Presidential appointees. By leveraging existing resources, OGE was able to meet the priorities set by the White House and the Senate.

OGE also identifies and resolves potential conflicts of interest on the part of the nominees by establishing written ethics agreements with them prior to their confirmations. OGE

monitored the timeliness of compliance with these ethics agreements through the collection and review of documentation received by agency ethics officials. Forty-five PAS appointees entered into ethics agreements that required compliance documentation in fiscal year 2013. Agency ethics officials reported that 96 percent of these individuals complied with their ethics agreements within the established timeframes.

To ensure that executive branch leaders who have been appointed by the President and confirmed by the Senate remain free of conflicts of interest after taking office, OGE reviews their annual and termination public financial disclosure reports. OGE took significant steps in fiscal year 2013 to improve the efficiency and effectiveness of this review process. As a result of these improvements, OGE completed its review of 1,383 new entrant, annual, and termination public financial disclosure reports required to be submitted to OGE in fiscal year 2013. Additionally, OGE reviewed 392 periodic transaction reports in fiscal year 2013, the first year in which such reports were required as a result of the STOCK Act.

One of OGE's new Director's first initiatives and OGE's most notable accomplishments in fiscal year 2013 was improving the security, accountability, and integrity of its financial disclosure program. Through the extraordinary efforts of several cross-agency teams OGE closed out a significant backlog of PAS annual and termination public financial disclosure reports. First, OGE staff reviewed all PAS public financial disclosure reports that were pending OGE certification. Within the 60-day deadline established by the Director, OGE staff, working in an office-wide effort, identified and completed reviews of 170 reports, representing a 4-year backlog. As a second step in this effort, OGE staff physically audited and examined the complete inventory of 4,296 report files. This inventory was the first, and perhaps the most significant, step toward completely reconciling the physical file inventory with the virtual records inventory of financial disclosure reports in OGE's history. As a third step, OGE staff enhanced the procedures for maintaining and tracking the reports that come to OGE for final review, including centralizing the physical filing and location of the report files.

To further ensure that PAS officials are free of conflicts of interest, in fiscal year 2013, OGE issued its fourth annual report on compliance with and implementation of the President's Executive Order on Ethics (Executive Order 13490). OGE found that during calendar year 2012, agencies successfully administered the Ethics Pledge required by the Executive Order. Of significance, 618 of 619 appointees required to sign the Ethics Pledge in 2012 had done so. One appointee resigned prior to signing the Ethics Pledge, but would have been required to sign it if the appointee had remained in the position.

#### *Strategic Objective: Improve Executive Branch Agency Ethics Program Management and Professionalism*

In fiscal year 2013, OGE improved executive branch ethics program management and professionalism by augmenting its ethics program review process, refining program management metrics, expanding educational offerings for ethics officials, and formalizing its commitment to the continuous professional development of its staff.

On-site reviews of agency ethics programs continued to be an important component of OGE's statutorily mandated oversight activities in fiscal year 2013. The primary objective of reviews is to report on the strengths and vulnerabilities of the program by evaluating agency compliance with ethics requirements, and ethics-related systems, processes, and procedures.

OGE also identifies and shares model practices as part of its strategy for improving agency ethics programs. In the third quarter of fiscal year 2013, OGE developed a new inspection review methodology to augment its review program. The objective of an inspection is to provide a useful snapshot of the quality of agency implementation of selected core ethics program elements. Inspections will allow OGE to more efficiently exercise oversight and ensure on-site monitoring of a significantly greater number of agency programs than would be possible exclusively through plenary reviews.

Notable among OGE's review achievements in fiscal year 2013 was the follow-up work OGE conducted related to its 2012 Post-Election Readiness review. OGE worked with agencies to address vulnerabilities identified during the review that could impair the ability of agency ethics officials to conduct timely, accurate, and consistent conflict of interest reviews of PAS nominee financial disclosure reports. As a direct result of the Post-Election Readiness review and follow-up work, the Inspector General for an agency undertook a special review of the agency's ethics program due to significant concerns highlighted in OGE's review report.

Also of note, in March 2013, the National Academy of Public Administration (NAPA) emphasized the value of OGE's program review function in its independent, congressionally mandated report on the STOCK Act. NAPA noted that program reviews are a substantial reason for the effective government-wide ethics program. It also stated that OGE's follow-up reviews have successfully underscored the need to find solutions and held agencies accountable for making needed changes. In an effort to continue to improve the efficiency and effectiveness of OGE's reviews and the review selection process, OGE also standardized its review activities in fiscal year 2013 by developing new standard operating procedures.

In fiscal year 2013, OGE further advanced its priority of improving agency ethics program management and professionalism by significantly expanding educational offerings for ethics officials. For example, OGE delivered 27 instructor-led classroom and web-based training courses to approximately 1,762 ethics officials on a variety of topics. OGE also provided ethics presentations and instruction in various other formats reaching 4,249 ethics officials and other government employees. Finally, in August of 2013, OGE partnered with the U.S. Department of Agriculture to offer the first Government Ethics Symposium. During this single-day event, OGE trained more than 200 ethics officials from more than 40 departments and agencies on the ethics rules surrounding the lifecycle of a Presidential appointee, model ethics program management practices, and the implications for the ethics rules after the Supreme Court's decision in *Windsor v. United States*. OGE plans to build upon the success of this event by partnering with other departments and agencies to host twice annual Government Ethics Symposia.

OGE also took steps to enhance program management and professionalism in fiscal year 2013 by offering additional educational opportunities to the geographically dispersed community of ethics officials in an efficient and fiscally responsible manner. For example, OGE developed and delivered 14 virtual distance learning events. These training events covered topics such as STOCK Act requirements, OGE's recently issued regulatory exemption to 18 U.S.C. § 208 for service on outside boards in an official capacity, and navigation of the agency supplemental standards of conduct regulation process. Live presentations of these events reached 2,487 officials and recordings of the presentations were accessed by an additional 1,400 distinct users.

A vital component of ensuring successful program management is an effective succession plan. To assist agencies with succession planning in their ethics programs, OGE developed, during fiscal year 2013, the Instructor Development Program (IDP), a certificate program for ethics instructors who, upon successful completion, will be qualified to effectively deliver OGE-developed ethics courses in their own agencies and throughout the executive branch. This qualification will assist them in ascending to higher positions within their programs as senior program leaders depart or retire.

Finally, in order to assist executive branch ethics officials in the effective management of their ethics programs, OGE requires a staff with state-of-the-art ethics knowledge, skills, and abilities. To ensure the continuing excellence of OGE's personnel, OGE launched an employee development program in fiscal year 2013 to provide time, resources, and support for the continuing professional development of OGE staff. The program requires participating employees to commit duty time to professional development activities such as engaging in research, attending internal training, and participating in mentoring and coaching activities. The program is cost-effective because it uses internal resources, results in the development of products that can be re-used, contributes to knowledge sharing, and plans for succession at a time when government is facing an increase in retirements among its employees.

*Strategic Objective: Support the Work of Inspectors General and Prosecutors*

In fiscal year 2013, OGE provided direct support to Inspector General (IG) investigators and Federal prosecutors on the interpretation and application of the conflict of interest laws and ethics rules. OGE also collaborated more generally with these groups in order to share ethics related information of mutual interest.

In particular, OGE continued to collaborate with the IG community through the Council of Inspectors General on Integrity and Efficiency (CIGIE) and the IG Academy, as well as with prosecutors. OGE leadership actively participated as a member of CIGIE, which examines allegations of misconduct against IGs and their direct reports. The goal of these interactions is to assist IGs and prosecutors in understanding the complexities of the ethics laws and regulations involved in ethics-related investigations and how effective ethics programs support enforcement.

Additionally, OGE continued to provide training support to IGs. Notably, OGE provided its core curriculum on conflicts of interest to members of the Council of Counsels to Inspectors General. OGE instructors also provided training at the IG Academy. This training on investigating ethics-related matters and working with ethics officials has become a standard part of the IG Academy's curriculum, and complements a web-based training module that OGE developed for IG investigators.

Finally, OGE staff participated in the Public Corruption Investigations Training Program Curriculum Review Conference. OGE's participation in the conference led to several modifications to the training program, including increased training on public corruption statutes and increased class time devoted to practical skills training for investigators.

*Strategic Objective: Assist the United States Government in Responding to International Anti-Corruption Reporting Requirements and Good Governance Initiatives*

Through a variety of multilateral and bilateral activities and at the request of the Department of State, OGE continued to support U.S. Government anti-corruption reporting requirements and good governance goals in fiscal year 2013. OGE provided substantial support for U.S. participation in anti-corruption mutual evaluation mechanisms designed to monitor compliance with international anti-corruption standards. OGE served as primary lead in researching and writing the U.S. response to questionnaires and responding to other calls for information related to good governance. OGE also supported U.S. participation through the provision of technical assistance to or service on U.S. delegations in other multilateral groups and programs. Finally, OGE officials served as subject matter expert panelists in several international seminars and workshops.

**Priority 2: Harnessing Technology to Promote Transparency, Education, and Oversight**

In fiscal year 2013, OGE continued to leverage technology in order to promote transparency in the executive branch ethics program, to provide training and educational materials, and to enhance its oversight function.

*Strategic Objective: Implement **Integrity**, an Executive Branch-Wide Electronic Financial Disclosure System*

In fiscal year 2013, OGE received funding for and began the development of *Integrity*, the electronic filing system for executive branch public financial disclosure report filers mandated by the STOCK Act. This system will greatly enhance the filing, review, and program management aspects of the executive branch public financial disclosure program. It will also increase OGE's oversight capability by allowing OGE to monitor agencies' progress in administering their individual financial disclosure programs and to identify trends and weaknesses in their programs.

A cross-divisional team of OGE attorneys and analysts developed the content for *Integrity*, which will lead filers through a series of questions, the answers to which will populate the required fields of the public financial disclosure report. This question and answer format will simplify the reporting process and will greatly improve the accuracy of the reported information. The improved accuracy of reporting will in turn enhance ethics officials' ability to identify and resolve conflicts of interest.

To enhance filer experience, OGE also worked closely with a team of user experience professionals. The user experience team is responsible for ensuring that the user interface, i.e., what filers see in any given section of the system, is clear, easily understood, and logically leads filers through the reporting process.

Throughout the *Integrity* development process, beginning in the fourth quarter of fiscal year 2013, OGE has collaborated extensively with financial disclosure report filers, executive branch agency ethics officials, and ethics officials and system developers from the other branches of government, to share ideas and to ensure that the system meets the needs of all stakeholders. This collaboration included dozens of meetings and information-sharing events, as

well as OGE's administration of an electronic survey of public filers, which was used to gather feedback about their needs and expectations. OGE also created an online forum to provide updates to ethics officials and to collect input from the ethics community regarding the development of the system.

*Strategic Objective: Leverage Technology to Expand Training Participation*

OGE also continued to explore ways to use technology to provide timely information to executive branch ethics officials, the vast majority of whom are located outside the Washington, DC area. One of OGE's major accomplishments in this area during fiscal year 2013 was the creation of the Institute for Ethics in Government (IEG). IEG is a virtual "ethics university" on the MAX.gov website, a government-wide collaboration, data collection, and information sharing site. All Federal government employees in the executive branch are eligible to register for a MAX Account. Government employees with a MAX Account can view the course offerings and register or apply to participate. Individuals can also access all the materials and recordings for OGE's monthly webinar series on-demand, and can browse and download the education and job-related products in the IEG Store. OGE's IEG site also allows ethics officials to share their own products with the ethics community.

OGE further leveraged technology in fiscal year 2013 by launching an official agency Twitter account (@OGEgovEthics) to increase visibility of the executive branch ethics program and provide accurate executive branch ethics information to the public and media, thereby promoting public confidence. Using its Twitter account, OGE directs its external stakeholders to detailed information on its website and provides its external audiences an additional way to stay current with OGE's latest publications as well as changes in executive branch ethics laws, regulations, and programs.

*Strategic Objective: Implement Technological Solutions to Agency Information Management*

OGE also implemented new technical solutions for managing and measuring performance in fiscal year 2013. Most notably, OGE developed and launched two new electronic information management systems, the Agency Information Management System (AIMS) and the Financial Disclosure Tracking System (FDTS).

AIMS tracks and manages OGE interactions, such as incoming requests for guidance and interpretation from over 130 executive branch agencies, Congress, the media, and the public. The system also provides OGE officials instant access to ethics program-related information about all executive branch agencies.

FDTS tracks the collection, review, and final action on financial disclosure reports, ethics agreements, certificates of divestiture, and trust documents for Presidential nominees, appointees, and Designated Agency Ethics Officials (DAEOs). This web-based system provides OGE the ability to follow the progress of financial disclosure-related work throughout the agency and to promptly determine the status of financial disclosure reports.

### **Priority 3: Ensuring Effective Communications to Enhance Understanding of Government Ethics Laws, Policies, and Program Management, and to Promote Transparency, Education, and Oversight**

OGE took undertook several initiatives in fiscal year 2013 to enhance its communications efforts. These initiatives were targeted at audiences both within and outside of the Federal government.

#### *Strategic Objective: Communicate Effectively Within the Federal Government*

To enhance communication within the Federal government, OGE convened numerous meetings and participated in various outreach efforts with a variety of audiences in fiscal year 2013. For example, OGE organized regular meetings with the most senior ethics practitioners from all three branches of the Federal government in order to discuss issues of common interest and to build a professional network dedicated to improving ethics government-wide. The relationships and lines of communication developed in these OGE-led meetings proved invaluable in reaching common understandings of ongoing and emerging issues, such as the STOCK Act. Additionally, the improved communications facilitated by these meetings contributed to a large increase in the number of requests from the legislative branch for technical assistance from OGE on a wide range of issues.

During fiscal year 2013, OGE also organized a large number of meetings, conference calls, and webinars with senior executive branch agency ethics officials. Through these interactions, OGE shared information relevant to managing an effective ethics program, discussed current ethics issues facing the executive branch, and received agency input.

In addition, OGE used the MAX.gov platform to provide information to and collaborate with ethics officials. Specifically, in fiscal year 2013, OGE developed the Agency Assistance and Outreach Forum on MAX.gov to engage ethics officials in an informal exchange of information about a variety of government ethics topics. The forum provides up-to-date news on OGE's latest advisories, programs, and educational opportunities; shares ethics-related news articles; and relays information on ethics-related legislation that OGE is monitoring.

To further its communication efforts, OGE launched two distance-learning series through low cost teleconferences: the Ethics Fundamentals Series and the Advanced Practitioner Series. The Ethics Fundamentals Series addresses the basics of government ethics in a format convenient to part-time ethics officials and ethics officials in the field. The Advanced Practitioner Series addresses advanced topics in a format that is tailored to experienced ethics practitioners and provides a forum for these officials to share their experiences and expertise with one another. In fiscal year 2013, OGE hosted six Fundamentals Series events and eight Advanced Practitioner events.

Additionally, OGE utilized a teleconference format to host five separate workshops covering public financial disclosure and outside activities regulations. These teleconferences allowed OGE to reach a large number of ethics officials at minimal cost. Further, OGE received positive feedback from participants regarding the quality of the material presented during these teleconferences.

OGE continued to provide support to agency ethics officials through its Desk Officer program. Desk Officers provide instant access to expert advice in applying the ethics laws and regulations. During fiscal year 2013, OGE Desk Officers responded to approximately 1,927 requests for guidance. In response to the Annual Survey of Ethics Officials, a majority of ethics officials responded positively when asked if OGE Desk Officers support helps them perform their job.

OGE also focused on effective communication and collaboration with specific Federal groups, such as Federal advisory committee members, senior managers, and administrative law judges. Through these interactions, OGE highlighted ethics issues specific to these and other groups, and alerted them to any new ethics laws, regulations, policies, or guidance. For example, OGE attended and contributed to the 58<sup>th</sup> Plenary Session of the Administrative Conference of the United States concerning adopting recommendations to improve consistency in social security disability adjudications and improving administrative rulemaking procedures. OGE also presented on various topics at the Interagency Ethics Council, including providing an overview of model practices concerning the review of PAS public financial disclosure reports.

Finally, OGE contributed its expertise and significant support to other Federal agency training programs in fiscal year 2013. For example, OGE participated in the Office of Personnel Management's (OPM) Employee and Labor Relations Roundtable by providing attendees an introduction to the executive branch ethics program with a focus on helping human resource professionals understand the ethics rules and manage risk. OPM broadcasted the event across the nation to 550 sites, many of which had multiple attendees. In addition, OGE provided ethics training at the General Services Administration's Federal Advisory Committee Act management training course and at the Government Accountability Office's annual Appropriations Forum on "Public Private Partnerships." OGE also delivered presentations on the Procurement Integrity Act and organizational risk identification and mitigation at the 2013 Deputy Ethics Counselor Workshop at the Department of Health and Human Services. Notably, in April of 2013, OGE provided training at the request of the White House for its reviewers of public financial disclosure reports. The training introduced attendees to critical conflicts of interest and financial disclosure concepts.

*Strategic Objective: Communicate Effectively with the Public and Other Audiences Outside of the Federal Government*

In fiscal year 2013, OGE substantially increased its efforts to reach audiences outside of the Federal government, including members of the general public, state and local governments, private sector organizations, professional associations, government watchdog groups, the media, and foreign delegations.

As part of the agency's continuing effort to promote transparency and accountability, and thereby promote public confidence in government, OGE continued to make public records readily available on the OGE website. Specifically, in fiscal year 2013, OGE posted 1,013 public financial disclosure reports and 505 semiannual agency reports of travel payments accepted from non-Federal sources.

In addition to proactively sharing information through mechanisms such as its website, OGE routinely responded to requests from private sector and other non-government organizations asking for assistance in clarifying the application of Federal ethics laws and rules



to their current employees, or Federal employees who volunteer at their organizations. By sharing its expertise with these entities, OGE helps to ensure that neither they nor their employees inadvertently violate Federal ethics rules. For example, in fiscal year 2013 OGE directly issued advice to the counsel of a university on the application of an exemption to the post-employment criminal conflict of interest statute and to a publishing company concerning the use of title creating the appearance of governmental sanction. In both instances, OGE clarified the application of these laws as they applied to former or current government employees associated with each entity.

OGE continued its involvement with private sector and professional organizations that focus on ethics, such as the Ethics Resource Center, the Ethics and Compliance Officer Association, and the Council for Governmental Ethics Laws. OGE's involvement with these organizations not only fosters communications for its own sake, but also leads to innovations in OGE's practices related to training, program management, and performance evaluation.

OGE also engaged with good governance and watchdog groups in fiscal year 2013. This direct, proactive communication ensures that these non-Federal organizations and, by extension, the general public, understand the executive branch ethics program and the reasoning behind various policy decisions. These efforts also help OGE to be transparent and responsive to public concerns.

Some examples of OGE's collaboration with non-Federal organizations in fiscal year 2013 include OGE's participation in several programs with representatives from the American Bar Association Public Contract Law Section's Ethics, Compliance, and Professional Responsibility Committee; The Partnership for Public Service; and the ABA Criminal Justice Section as well as presentations at the First Amendment Center; and the "Disclosure about Who is Influencing Politics and Policy" symposium hosted by the organization [OpentheGovernment.org](http://OpentheGovernment.org).

OGE continued to share its legal analysis, programmatic experience, and model practices with state and local government agencies involved in administering programs that support good governance. Much of that sharing occurred through or because of OGE's active participation with the Council on Governmental Ethics Laws (COGEL), an organization of Federal, state, and local government agencies whose responsibilities include ethics, campaign finance, freedom of information, and lobbying disclosure. OGE exchanged good practices through presentations at COGEL's annual conference, posted on the COGEL website, and responded to direct requests for information from state and local jurisdictions.

Finally, OGE continued to meet with foreign public and private sector groups traveling under the auspices of the State Department International Visitor Leadership Program and other similar programs. These delegations come to OGE to learn about the ethics program in the executive branch and how that program fits under the broader rubric of good governance and transparency. In fiscal year 2013, OGE briefed 35 foreign delegations comprised of 494 individuals representing 65 countries. In addition, at a program hosted by Georgetown University, OGE addressed a class of graduate students from Salzburg University who were completing studies in public administration on ethics and organizational risk management.

## **Section IV– OGE Fiscal Years 2014 and 2015 Annual Performance Plan**

This section details OGE’s planned work in fiscal years 2014 and 2015 toward achieving the three strategic goals OGE identified in its new strategic plan covering fiscal years 2014 through 2018:

1. Advance a strong uniform executive branch ethics program;
2. Contribute to the continuity of senior leadership in the executive branch; and
3. Promote transparency of the executive branch ethics program.

OGE’s planned work for fiscal years 2014 and 2015, described below by strategic goal and objective, reflects its commitment to supporting a mission that is a part of the very foundation of public service. Information on how OGE will measure its progress toward achieving its new strategic goals can be found in Appendix A.

### **Strategic Goal 1: Advance a strong uniform executive branch ethics program**

To achieve its first new strategic goal of advancing a strong uniform executive branch ethics program, OGE has identified several strategic objectives. These objectives are interpreting and advising on ethics laws, policies, and program management; holding executive branch agencies accountable for carrying out an effective ethics program; contributing to the professional development of ethics officials; and modernizing and implementing the ethics rules and regulations.

#### *Strategic Objective: Interpret and advise on ethics laws, policies, and program management*

Maintaining a uniform legal framework ensures that all executive branch employees are held to the same standards. Through interpreting and advising on the ethics rules and policies, OGE assists agency ethics officials to provide consistent and accurate counseling to their employees in order to prevent or remedy conflicts of interest.

The executive branch ethics program is decentralized, with OGE providing leadership and guidance to thousands of ethics officials in over 130 agencies government-wide. OGE uses its Desk Officer program to establish and maintain a vital direct communications link to this ethics community. OGE Desk Officers provide agencies with assistance in resolving difficult ethics issues that require the expertise only full-time ethics practitioners can offer. In fiscal years 2014 and 2015, OGE will continue to provide support to agency ethics officials through the Desk Officer program by providing agency ethics officials with instant access to expert advice in applying the ethics laws and regulations and the most up-to-date ethics information.

OGE has increasingly used technology to enhance the Desk Officer program. In fiscal year 2013, OGE deployed the Agency Information Management System (AIMS), in which Desk Officers enter substantive information about questions they have received from specific agencies, as well as from other stakeholders, such as the public, the media, and Congress. This information is being used to generate a variety of useful reports about Desk Officer interactions. Beginning in fiscal year 2014, AIMS contained sufficient data to allow OGE to identify trends and track items of interest, such as frequently asked questions. OGE has begun to analyze this trend information and use it to shape its guidance and to focus and structure its education and

training efforts. In addition to identifying common ethics issues using AIMS data, in fiscal year 2014 and beyond, OGE will be able to identify particular groups of agency ethics officials that may require targeted ethics training or guidance in order to address an apparent lack of substantive ethics knowledge.

Throughout fiscal years 2014 and 2015, OGE will also continue to leverage technology to advise on the ethics rules through expanding its use of the MAX.gov platform, the government-wide collaboration, data collection, and information sharing site. OGE will use MAX.gov to create ethics communities of practice and to communicate directly with targeted audiences in the executive branch. OGE will also continue using MAX.gov to provide agencies with advance notice of upcoming OGE guidance, information on key initiatives such as *Integrity*, the executive branch-wide electronic filing system that OGE is developing, and updates on relevant legislative proposals.

In addition to providing day-to-day assistance through the Desk Officer program and MAX.gov, OGE issues Legal and Program Advisories to disseminate critical information to the executive branch ethics community and to promote uniform, consistent interpretation of ethics laws, regulations, and policies. The advisories are an integral component of the body of interpretive and programmatic guidance that ethics officials rely on daily.

In fiscal years 2014 and 2015, OGE will continue to publish written legal guidance through its Legal Advisories in order to provide information on new and existing ethics laws and regulations. For example, in fiscal year 2014, OGE will issue a Legal Advisory providing guidance on the restrictions related to seeking employment by executive branch employees. OGE will also issue a legislative Legal Advisory in fiscal year 2015 to provide guidance on the implications of the legislative activity during the 113<sup>th</sup> Congress of relevance to the executive branch ethics program.

OGE uses Program Advisories to promote effective agency-level ethics program management and administration. Guidance in the Program Advisories ensures that ethics officials are aware of the requirements for administering the ethics program, OGE's policies and procedures for carrying out its oversight activities, and the resources available to assist them in their important work. In fiscal years 2014 and 2015, Program Advisories will focus on a wide array of program management issues, such as the scope and methodology of OGE's program review activities.

In addition to its standard Legal and Program Advisories, in fiscal year 2014, OGE will publish guidance to agencies on the drafting of waivers of financial conflicts of interest under 18 U.S.C. § 208(b)(1). This guidance will help ensure that 208(b)(1) waivers are issued under appropriate circumstances by sharing model practices on organizing and writing the waivers. Adherence to these practices will ensure greater uniformity in waiver documentation, enhanced transparency in waiver determinations, and increased assurance that agencies across the executive branch are making proper waiver determinations.

In order to ensure that all ethics officials are aware of and have access to the most up-to-date ethics information, OGE will continue to post advisories and other guidance in a searchable format on its website and will provide notice of new guidance via its Listserv and MAX.gov page.

*Strategic Objective: Hold executive branch agencies accountable for carrying out an effective ethics program*

In carrying out its oversight function, OGE ensures that executive branch agencies are held accountable for carrying out an effective ethics program. Through its program review, data collection, and financial disclosure review activities, OGE evaluates the processes and systems that are in place at the agency level to ensure consistent and successful ethics program management.

OGE's ethics program reviews provide an opportunity for OGE to evaluate agency-level ethics programs and, where necessary, provide recommendations for program improvement and remedial actions to correct deficiencies. Evaluating agency ethics programs and following-up on implementation of review recommendations helps to hold agency leadership accountable for administering compliant ethics programs.

The program reviews are also an opportunity for OGE to identify model practices that agencies have instituted to better manage their ethics programs. OGE shares identified model practices with the ethics community as a whole, thus leveraging the results of its individual program reviews in order to assist and support all executive branch ethics officials.

In fiscal years 2014 and 2015, OGE will expand its oversight activities by implementing a newly developed agency inspection methodology. Inspections will evaluate internal controls and compliance with established metrics. Evaluation of internal controls will focus on the establishment and maintenance of processes and procedures for ensuring sustainable compliance, as well as on agency administrative practices relating to the integrity of document management in terms of archiving, securing, and retrieving financial disclosure forms and other ethics program information. Evaluation of compliance will focus on bright-line program metrics set forth in statutes, regulations, and Executive Orders.

To augment its program review and other oversight activities, each year OGE collects valuable agency ethics program information via the annual reports executive branch agencies are required to submit to OGE under the Ethics in Government Act. These reports give OGE a snapshot of each agency's ethics program, and the compiled data provide OGE with an overview of the entire executive branch ethics program. In fiscal year 2014, OGE will conduct an internal review of the information agencies are required to submit with a view towards improving the utility and quality of data collected. As part of this effort, OGE will gather input from the ethics community. OGE will also focus on increasing the utility of the data by sharing summary statistics with the ethics community and the public, using OGE's website and MAX.gov. Sharing this information with the ethics community will provide ethics officials with information they can use to compare aspects of their programs with other agencies which may help them determine how best to allocate ethics program resources. Sharing this data with the public will offer a global view of the executive branch ethics program as a whole.

Finally with regard to OGE's oversight activities, OGE will continue its implementation of the President's Executive Order on Ethics in fiscal year 2014 by publishing the fifth annual report to the President on agency compliance with the Executive Order. The report will provide valuable insight into the administration of the Ethics Pledge required by the Executive Order, and will include, among other things, details about any waivers of the Ethics Pledge requirements and the percentage of appointees required to sign the Pledge who have done so.

To further support ongoing accountability in the executive branch ethics program in fiscal years 2014 and 2015, OGE will continue to collect and review the annual, termination, and periodic transaction reports of PAS filers. OGE will ensure that reports are timely filed, accurately completed, and thoroughly reviewed by the filer's agency for potential conflicts of interest. In partnership with agency ethics officials, OGE will also monitor the timely and complete compliance by PAS filers with the commitments made in their ethics agreements.

OGE also enhances agencies' accountability for their ethics programs by analyzing and responding to agency requests to exclude certain positions from the public financial disclosure requirements or to implement alternative confidential financial disclosure procedures. OGE may agree to exclude positions that are of a confidential nature and have no policy-making role with respect to agency programs; exclusion of these positions will not adversely affect the public's confidence in the integrity of the government. OGE also reviews and approves requests from agencies to implement alternative confidential financial disclosure procedures. In certain instances, properly designed and implemented alternative procedures allow agencies to more readily identify and remedy potential conflicts of interest among their employees than would the use of the executive branch-wide confidential (OGE Form 450) system. OGE will continue to address both types of agency requests in fiscal years 2014 and 2015.

Finally, OGE's collaboration with Inspectors General assists them in understanding the complexities of ethics laws and regulations. This increased understanding leads to more effective investigations of potential wrongdoing by agency employees and thus holds employees more accountable for abiding by the ethics rules. In fiscal years 2014 and 2015, OGE will continue to support the vital work of Inspectors General by regularly providing guidance to investigators concerning the interpretation and application of the conflict of interest laws and ethics rules. OGE will also regularly attend meetings of the Council of Inspectors General on Integrity and Efficiency and provide training as part of the Inspector General Academy's Public Corruption Investigations Training Program.

*Strategic Objective: Contribute to the professional development of ethics officials*

OGE's success in leading the decentralized executive branch ethics program relies on an informed ethics community. In fiscal years 2014 and 2015, OGE will focus on providing cost effective training and education opportunities to ensure that ethics officials have access to the expertise and tools they need to do their jobs. OGE will accomplish this objective through several means.

*Developing training products:* OGE will develop ethics education and training products to assist ethics officials in their professional development and to assist agency ethics programs in fulfilling the annual training requirements. OGE will disseminate products created by OGE and agency ethics programs, such as job aids, reference guides, presentation slide decks, and course materials through its virtual Institute for Ethics in Government (IEG) Store located on MAX.gov.

*Holding twice-annual symposia for ethics practitioners:* The symposia are low-cost events that allow OGE to provide large groups of ethics officials an opportunity to create and collaborate with other ethics professionals. The symposia also serve to bolster community building between OGE and executive branch ethics officials. In September of 2014, OGE will host an innovative large symposium called the Government Ethics Summit, which will

replace the National Government Ethics Conference that OGE has presented periodically since 1980. The Summit will offer significant critical content at an estimated cost not to exceed \$10,000, a fraction of the amount of money that agencies typically spend to host an event of this magnitude and scope.

*Conducting two monthly training broadcasts and seasonal distance learning events:* Through the IEG, OGE will continue to deliver the Ethics Fundamentals and the Advanced Practitioner distance learning series. These monthly events allow OGE to reach ethics officials throughout government with timely policy guidance, basic training, model practices, and ethics news and information. A typical event reaches 100 officials during the live broadcast and hundreds more after the recording is made available through the IEG site. To supplement these distance learning series, OGE will also offer distance learning workshops.

*Conducting a regional training symposium:* Based on 2012 data, regional ethics officials make up approximately 72 percent of the ethics community. Often their access to OGE and any live training OGE provides is limited by their distance from the Washington, DC metro area. This regional symposium will specifically address the critical needs of regional ethics officials and will have a tangible impact on maintaining the integrity of executive branch ethics programs across the country.

#### *Strategic Objective: Modernize and implement the ethics rules and regulations*

In fiscal years 2014 and 2015, OGE will consider modernizing certain subparts of the Standards of Ethical Conduct for Employees of the Executive Branch. The Standards serve as the very foundation of Federal government employment and set forth the expectations for every executive branch employee. No area of the Standards has been the subject of more questions than Subpart B, which governs gifts to employees from sources outside the government. In addition, based on new reporting requirements contained in the STOCK Act concerning employees' notification of when they are negotiating for future employment, Subpart F of the Standards, which governs seeking employment, is another area that may be ripe for revision. Finally, OGE will also consider making corresponding changes to the portions of its financial disclosure regulations that may be impacted by the implementation of the electronic filing system required by the STOCK Act.

#### **Strategic Goal 2: Contribute to the continuity of senior leadership in the executive branch**

OGE contributes to the continuity of senior leadership in the executive branch by assisting in the President's constitutional duty to nominate and appoint officers to the executive branch. OGE uses the nomination process as an opportunity to ensure that incoming leaders are free of conflicts of interests. Because agency leaders play a significant role in promoting an ethical culture and supporting an agency's ethics program, OGE leverages the process to impart the importance of the ethics program and a leader's role in supporting it.

OGE also contributes to senior leadership continuity through supporting succession planning efforts in executive branch ethics programs. Proper succession planning is vital to mitigating the loss of ethics expertise that stems from the ongoing increase in retirement rates among senior executive branch officials.

*Strategic Objective: Provide assistance to the President and the Senate in the nomination process of Presidentially appointed, Senate-confirmed nominees*

For most Presidentially appointed, Senate-confirmed (PAS) nominees, OGE's financial disclosure program represents their first encounter with the ethics requirements of the executive branch. The ethics review for PAS nominees provides OGE the opportunity to impress upon these most senior executive branch officials the importance of their role as top leaders in creating and fostering an ethical culture at their agency. OGE works closely with ethics officials at the nominees' prospective agencies to ensure compliance with all financial disclosure and conflicts of interest requirements. These early interactions stress the importance of a conflict-free government and ensure that nominees are aware of the conflict of interest laws and ethics regulations. In fiscal years 2014 and 2015, OGE will continue to review financial disclosure reports of PAS nominees and will work with agencies to identify and remedy possible conflicts of interest with the nominees' prospective duties.

In fiscal year 2015, OGE will prioritize training on complex financial disclosure issues to prepare its staff for the surge in volume of financial disclosure filings by PAS nominees that will occur in fiscal year 2017, following the 2016 Presidential election. In fiscal year 2015 and beyond, OGE will devote significant resources to build the knowledge and skills of OGE staff members who review financial disclosure reports by providing classroom as well as hands-on experiential training.

As required by the STOCK Act, OGE will launch *Integrity*, an electronic financial disclosure report filing system which OGE will use to collect, review, and maintain the public financial disclosure reports (OGE Forms 278 and 278T) required by nominees and appointees to the highest levels of the Federal government. This system will expedite and greatly enhance the financial disclosure experience of two of OGE's largest customers: the nominees and appointees who file the reports and the ethics officials who review them.

*Integrity* will provide a secure, web-based environment for public filers to enter their required financial information. Benefits of the system will include: paperless information flow between filers, ethics officials, and OGE; more accurate collection of financial disclosure information; and the incorporation of smart information techniques that will allow for pre-population of subsequent reports using previously entered information. *Integrity* will also benefit OGE and agencies in managing the executive branch ethics program by facilitating improved identification and resolution of conflicts of interest.

*Integrity* will also further the objective of the Presidential Appointment Efficiency and Streamlining Act, which seeks to reduce the burdens and improve the efficiency of the appointment process for executive branch officials by, among other things, streamlining the paperwork required for executive nominations. Moreover, the President's working group on streamlining the Presidential appointments process, which was established by the Streamlining Act and in which OGE's Director participated, specifically recommended designing a smart form for capturing nominee information and linking this form to OGE's system.

Finally, the development of *Integrity* will significantly contribute to OMB's Digital Government Strategy (DGS). DGS is a government-wide initiative that encourages agencies to share innovations and to participate in open source communities. *Integrity* is being developed using a modular rather than monolithic approach. This modular system consists of several

unique components or “engines,” each of which can be reused, either individually or interchangeably, for other government applications and data-collection needs. To facilitate the use of the components for reapplication by other government agencies, OGE plans to open source much of the software code used in their development. Open sourcing the software code will allow other agencies to take advantage of OGE’s innovations at no additional cost to the government.

In fiscal year 2015, OGE will focus on launching and operating the *Integrity* system. OGE will also evaluate user feedback with an eye toward refining and enhancing system operations.

*Strategic Objective: Promote leadership support of the executive branch ethics program*

In fiscal years 2014 and 2015, OGE will work with agency ethics officials to identify steps OGE can take to provide assistance in gaining leadership support for individual agency ethics programs. For example, during its review of agency ethics programs, OGE will recommend that agency leaders take a visible role in the program and will recognize in its review reports program support activities that agency leaders have undertaken.

In addition, OGE will continue to identify opportunities to communicate directly with senior leaders in government. Also in connection with OGE’s program review processes, the Director will begin including personal transmittal letters to agency leadership as part of the review report packages, which will invite agency heads to meet with him to discuss the reports or the ethics program in general.

*Strategic Objective: Support succession planning in executive branch ethics programs*

In fiscal years 2014 and 2015, OGE will build on its efforts to keep the executive branch ethics community informed and up-to-date through its education program and will assist agencies in their efforts to train future ethics officials. OGE has identified several mechanisms through which it will enhance its succession planning efforts.

*Conduct a twice-annual intensive curriculum for new ethics practitioners:* OGE will support the development of new ethics officials by training them on OGE’s fundamentals curriculum. This training will help prepare and shape future ethics practitioners and assist agencies in their ethics program succession planning.

*Conduct a quarterly instructor development program:* By teaching agency ethics officials to deliver OGE-created professional development courses, OGE will be able to multiply the number of ethics officials able to access first rate professional development opportunities.

*Administer an inter-agency employee detail program:* OGE will continue to invite agency ethics officials to serve as Desk Officers at OGE. This detail program strengthens the executive branch by allowing agency ethics officials to gain valuable hands-on experience, with support from OGE’s knowledgeable staff.



### **Strategic Goal 3: Promote transparency of the executive branch ethics program**

Transparency increases accountability and provides information to citizens about the inner workings of government and its decision-making processes. In support of the President's commitment to the principle of an open government, OGE will direct resources toward raising the visibility of the systems in place to detect and resolve conflicts of interest and making ethics documents publicly available.

*Strategic Objective: Raise the visibility of the executive branch ethics program and the U.S. Office of Government Ethics*

In fiscal years 2014 and 2015, OGE will continue to expand its external communications efforts to raise the visibility of the executive branch ethics program generally, and OGE's work in particular. These efforts will promote greater understanding of the systems in place to detect and resolve conflicts of interest, thereby increasing public confidence. To reach and broaden its audience both within and outside the Federal government, OGE will continue to refine its use of digital media and other communication tools and will develop an internal framework to effectively manage its outreach efforts.

OGE will target a variety of audiences and stakeholders to achieve its communications goals for fiscal years 2014 and 2015. For example, OGE will continue to collaborate with the most senior ethics practitioners from all three branches of government to discuss issues of common interest and build valuable professional networks. Through OGE-initiated "Three Branch Meetings," participants from each branch of government can exchange information and discuss their experiences on key topics of common interest. OGE anticipates that the relationships and agreements that these meetings produce will continue to benefit OGE and the executive branch ethics program. In addition to these regular meetings, OGE will continue to routinely respond to requests for significant technical assistance from the Congress on a full range of issues.

OGE will also continue to focus on effective communication and collaboration with executive branch employee groups and associations, such as Federal advisory committee members, senior managers, and administrative law judges. OGE will address the ethics concerns specific to these and other groups and alert them to any new ethics laws, regulations, policies, or guidance. Additionally, OGE will use social media and the OGE website to inform all executive branch employees of their ethical responsibilities.

OGE will also engage and share information with non-government organizations, such as good governance groups, watchdog organizations, and professional associations, through meetings, presentations, and social media. This direct, proactive communication helps non-government organizations and, by extension, the general public, gain a better understanding of OGE's work and of the executive branch ethics program as a whole. Enhanced understanding, in turn, improves public confidence in government decision-making.

In addition, OGE will continue to be responsive to the media and work to increase understanding of the ethics laws so that more accurate information is disseminated about the executive branch ethics program. OGE will further its relationship and information-sharing with the media by responding to inquiries, providing press interviews, and inviting members of the media to attend the OGE's Government Ethics Summit in September 2014.

Public confidence in the integrity of the executive branch is part of OGE's mission. With this in mind, OGE will enhance its efforts to make the public aware of the ethical requirements for federal employees. OGE will continue to respond to the numerous requests for information it receives from the general public through its ContactOGE email address and phone bank. In addition, OGE will keep the general public informed of the agency's activities through its website and various social media platforms. OGE will also continue to respond to public requests for information via the Freedom of Information Act and will address public comments in response to OGE Paperwork Reduction Act and Rulemaking Notices published in the Federal Register.

Finally, at the request of the United States' foreign policy agencies, OGE will continue to participate in international programs designed to support and enhance the United States' foreign policy initiatives and assist in the areas of anti-corruption and good governance. OGE also will continue to meet with foreign delegations to provide information about U.S. implementation of ethics and good governance programs.

*Strategic Objective: Ensure that ethics information is publicly available*

OGE will maximize the use of its website to ensure that ethics information is publicly available and to promote overall transparency. OGE will continue to timely post a variety of critical ethics documents to its website, such as agency program review reports and financial disclosure reports. In fiscal year 2014, OGE will conduct an analysis to identify any additional ethics documents that can be posted on its website to promote the public's understanding of OGE's mission and the executive branch ethics program. In addition, OGE will partner with agency ethics officials to identify agency-level performance metrics that will be posted on OGE's website in fiscal year 2015.

## **Section V: Managing for Results**

This section describes OGE's accomplishments in fiscal year 2013, and its planned initiatives for fiscal years 2014 and 2015 to create and promote a positive performance culture within the agency. It also describes OGE's current and new strategies for using evidence and evaluation to continually improve program performance, and provides an overview of OGE's two primary management objectives for fiscal years 2014 and 2015. Finally, this section includes a management improvement summary that identifies the areas of the performance plan that specifically relate to OGE's efforts to deliver a greater overall impact on the executive branch ethics program.

### **Creating and Promoting a Positive Performance Culture**

Beginning in fiscal year 2013, OGE's new Director has emphasized the role of internal communications in promoting a culture of performance. As a result, OGE has enhanced internal communications through a variety of methods:

- Conducting quarterly "all hands" meetings with the entire OGE staff to report progress toward meeting goals and to provide clear and direct communication about OGE's priorities and direction;

- Holding regular Executive and Senior Staff meetings to discuss agency goals, priorities, and the status of significant program activities; and
- Holding supervisors accountable for ensuring ongoing communication regarding OGE goals and priorities with all staff.

In addition to emphasizing internal communications, OGE took several other steps during fiscal year 2013 to promote a culture of performance:

- Prepared a new strategic plan covering fiscal years 2014 through 2018, with input from stakeholders in the executive branch ethics community, Congress, good government groups, and the general public;
- Supported a variety of flexible work and telework schedules consistent with OGE's team-oriented environment;
- Increased support for the agency's Equal Employment Opportunity (EEO) and Diversity and Inclusion programs; and
- Encouraged employees to participate voluntarily in direct and consequential community service consistent with applicable Executive Orders and Office of Personnel Management guidelines.

OGE will continue its efforts to create and promote a positive performance culture in fiscal years 2014 and 2015, through several initiatives:

- Tracing its progress toward annual performance goals by holding quarterly all-hands meetings and conducting a strategic objective review mid-year;
- Developing and implementing standard operating procedures for key programs; and
- Complying with quality agency practices, including providing agency-wide EEO and Whistleblower Reprisal Act training, maintaining a robust records management program, and coordinating all forms control matters in OGE, including compliance with the Paperwork Reduction Act and Privacy Act.

## **Evidence and Innovation Strategies**

OGE has long understood the importance of using evidence and evaluation to continually improve program performance and to make informed decisions. Historically, OGE has used evidence gathered through direct feedback from executive branch agency ethics officials and other audiences in written and verbal form. OGE continues to refine and improve its data collection methods and to look for new opportunities to strengthen the agency's capacity to use evidence and to harness data to improve agency results.

### *Current Strategies*

- Surveying ethics officials annually to assess their satisfaction with OGE's guidance, training, and overall efforts
- Evaluating agency ethics program compliance by gathering information from each agency, such as the number of financial disclosure reports filed at an agency, the number of Department of Justice prosecutions or Inspector General referrals made on ethics-related issues, and the number of disciplinary actions taken on ethics-related charges
- Collecting and reviewing evaluations from participants in OGE's training events to ensure that training is effective and useful
- Utilizing agency ethics program reviews to evaluate agency ethics programs and to obtain valuable feedback from agency ethics officials about OGE's programs and support
- Analyzing information collected through OGE's Agency Information Management System to identify areas on which to focus its resources, such as particular ethics issues where additional training or other guidance is needed

### *New Strategies for Fiscal Years 2014 and 2015*

- Conducting an analysis to identify new platforms for collecting, analyzing, and sharing information that executive branch agencies are required to submit about their programs
- Developing web and social media analytics to analyze the effectiveness of outreach and communication efforts
- Using the metrics gathered on the use of its website, its main communication tool with the ethics community and other stakeholders, to manage website content and to evaluate other products or information that might be needed to better serve ethics audiences
- Launching the electronic financial disclosure system and using the system to collect data on public financial disclosure and analyze the data collected to identify any program strengths or weaknesses

### **Management Objectives**

In fiscal years 2014 and 2015, OGE will devote significant resources toward (1) promoting professional development opportunities for its staff and, (2) undertaking process improvement. Identified in OGE's new strategic plan as management objectives, these two efforts are critical to OGE achieving its mission-focused strategic objectives. The strategies OGE will undertake to meet these management objectives are described below.

*Promote professional development opportunities aimed at building OGE employees' knowledge, skills, and abilities*

OGE is committed to meeting employee professional development needs by providing significant education and training opportunities and support. In fiscal year 2013, OGE launched an employee development program for certain divisions within the agency. The program is designed to enhance the knowledge, skills, and abilities of its staff in order to improve the services and products provided by OGE and to develop and maintain a staff of employees that are recognized as the experts of the executive branch ethics community. In addition to supporting individual professional development, the program also supports internal succession planning by actively encouraging senior and expert employees to mentor and coach junior personnel. In fiscal year 2015, OGE will expand the program for all employees.

*Transform the way OGE conducts business through process improvement*

Streamlining and standardizing internal processes leads to greater impact through improved efficiencies. By the end of fiscal year 2015, OGE will have identified and reviewed at least two processes in each of its four divisions; selected at least one of these processes from each division for standardization and streamlining; developed and implemented action plans for revising the processes; and deployed the revised processes.

## **Management Improvement Summary**

OGE is committed to delivering greater impact through innovation, increasing effectiveness and efficiency, and providing better customer service. Figure 2 below identifies where in the performance plan relevant information related to these efforts can be found.

<p><b>1. Innovation</b></p> <ul style="list-style-type: none"><li>• Electronic financial disclosure system (See page 20)</li><li>• Education and training (See pages 18-19)</li></ul> <p><b>2. Increasing Effectiveness and Efficiency</b></p> <ul style="list-style-type: none"><li>• Electronic financial disclosure system (See page 20)</li><li>• Expansion of OGE's external communications program (See pages 22-23)</li><li>• Availability of ethics information (See page 25)</li><li>• Program inspections (See page 17)</li><li>• Education and training (See pages 18-19)</li><li>• Process improvement (See page 26)</li></ul> <p><b>3. Better Customer Service</b></p> <ul style="list-style-type: none"><li>• Electronic financial disclosure system (See page 20)</li><li>• Ethics official support and collaboration (See pages 15-16)</li></ul>
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Figure 2. Management Improvement Summary

## **Section VI – Conclusion**

OGE will use its fiscal year 2015 budget request to support the agency’s mission of providing leadership and oversight of the executive branch ethics program, which is designed to enable executive branch employees to conduct government business with impartiality by preventing and resolving conflicts of interest. Further, as is amplified in this justification, OGE will employ its fiscal year 2015 resources to achieve its strategic goals of advancing a strong uniform executive branch ethics program, contributing to the continuity of senior leadership in the executive branch, and promoting transparency of the executive branch ethics program.

## OGE PERFORMANCE GOALS

### Strategic Goal 1: Advance a strong uniform executive branch ethics program

	<i>Performance Goal</i>	<i>Fiscal Year 2014 Target</i>	<i>Fiscal Year 2015 Target</i>
<b>Strategic Objective 1.1</b>  <i>Interpret and advise on ethics laws, policies and program management</i>	Legal and Program Advisories help ethics officials perform their job duties.	Baseline Established	-
	Ethics officials believe OGE timely addresses new ethics issues.	85%	85%
	OGE Desk Officer assistance helps ethics officials perform their job duties.	75%	80%
<b>Strategic Objective 1.2</b>  <i>Hold executive branch agencies accountable for carrying out an effective ethics program</i>	Public financial disclosure reports, annual, term and transaction, required to be submitted to OGE are closed within established time frames.	85%	90%
	Agencies subject to program review implement recommendations for improvements and acknowledge the identification of broader systemic weaknesses by OGE.	75%	75%
	Ethics agreement compliance occurs within the established time frame.	90%	90%

<b>Strategic Objective 1.3</b>  <i>Contribute to the professional development of ethics officials</i>	Ethics Officials use training products made available by OGE.	75%	80%
	After participating in an OGE training event, offered through the Institute for Ethics in Government, ethics officials better understand the subject matter presented.	90%	90%
	After participating in an OGE training event, offered through the Institute for Ethics in Government, ethics officials believe they can more effectively perform their job functions.	90%	90%
<b>Strategic Objective 1.4</b>  <i>Modernize and implement the ethics rules and regulations</i>	Efiling system has capacity to process financial disclosure reports.	-	Milestone: January 2015
	Draft revisions to Subparts B and F of the Standards of Ethical Conduct for Executive Branch Employees.	Milestone: 2014	-
	Submit revisions to Subparts B and F of the Standards of Ethical Conduct for Executive Branch Employees to DOJ and OPM.	-	Milestone: 2015



## OGE PERFORMANCE GOALS

### Strategic Goal 2: Contribute to the continuity of senior leadership in the executive branch

	<i>Performance Goal</i>	<i>Fiscal Year 2014 Target</i>	<i>Fiscal Year 2015 Target</i>
<p><b>Strategic Objective 2.1</b></p> <p><i>Provide assistance to the President and the Senate in the nomination process of Presidentially appointed, Senate-confirmed nominees.</i></p>	<p>Identifiable substantive conflicts of interest of Presidential nominees for Senate confirmed appointments are successfully resolved by ethics agreements no later than five days after nomination.</p>	90%	90%
	<p>OGE successfully resolves technical reporting issues in the financial disclosure reports of Presidential nominees for Senate confirmed appointments no later than five days after nomination.</p>	90%	90%
<p><b>Strategic Objective 2.2</b></p> <p><i>Promote leadership support of the executive branch ethics program</i></p>	<p>Agency leaders demonstrate support of the ethics program.</p>	Baseline Established	-

<p><b>Strategic Objective 2.3</b></p> <p><i>Support succession planning in the executive branch ethics programs</i></p>	<p>Ethics officials increase their confidence level in one or more skill areas after attending OGE's Intensive Curriculum in Ethics.</p>	<p>80%</p>	<p>80%</p>
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**OGE PERFORMANCE GOALS**

**Strategic Goal 3: Promote transparency of the executive branch ethics program**

	<i>Performance Goal</i>	<i>Fiscal Year 2014 Target</i>	<i>Fiscal Year 2015 Target</i>
<p><b>Strategic Objective 3.1</b></p> <p><i>Raise the visibility of the executive branch ethics program and OGE.</i></p>	<p>Increase the number of external stakeholders that are aware of OGE and the executive branch ethics program.</p>	<p>community size and growth (social media)  # of speaking engagements (including ITA)  # of requests for assistance from non-federal sources  # of unique views on website  # of mentions in media articles</p>	<p>community size and growth  # of speaking engagements (including ITA)  # of requests for assistance from non-federal sources  # of unique views on website  # of mentions in media articles</p>
<p><b>Strategic Objective 3.2</b></p> <p><i>Ensure that ethics information is publicly available</i></p>	<p>Ethics Documents are posted online within established time frames.</p>	<p>80%</p>	<p>80%</p>

## OGE PERFORMANCE GOALS

### Management Objectives

	<i>Performance Goal</i>	<i>Fiscal Year 2014 Target</i>	<i>Fiscal Year 2015 Target</i>
<p><b>Management Objective 4.1:</b></p> <p><i>Promote professional development opportunities aimed at building OGE employees' knowledge, skills, and abilities.</i></p>	<p>OGE employees participating in the Employee Development Program increase their confidence level in one or more skill areas.</p>	<p>Baseline Established</p>	<p>-</p>
<p><b>Management Objective 4.2:</b></p> <p><i>Transform the way OGE conducts business through process improvement</i></p>	<p>Create or revise standard operating procedures for key agency programs.</p>	<p>4</p>	<p>4</p>

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