

Selected U.S. Government Awareness-Raising Policies and Practices in the Prevention of Corruption

Table of Contents

Introduction3

PART I – AWARENESS RAISING POLICIES AND PRACTICES RELATED TO ARTICLES 5, 7, 12, AND 134

Article 5. Preventive Measures4

 Recovery Accountability and Transparency Board 4

 Financial Fraud Enforcement Task Force 4

 Administrative Conference of the United States 5

 Open Government Partnership 5

Article 7. Public sector7

 U.S. Office of Personnel Management Website 7

 USAJOBS 7

 Background Investigations 8

 Hiring Reform 8

 Merit System Principles 9

 Ethics Training & Counseling 10

 Ethics in the Acquisition Workforce 11

 Financial Disclosure 12

 Federal Election Commission Website 13

Article 12. Private Sector14

 Foreign Corrupt Practice Act – Books and Records Requirements 14

 Foreign Corrupt Practices Act – Corporate Compliance Programs 14

 Industry-Specific Compliance Programs 16

 SEC Interpretive Guidance - Audit Requirements 16

Post-Employment Guidance	17
Tax Deductibility of Bribes	18
Article 13. Participation of Society.....	19
Strategic Dialogue with Civil Society.....	19
Regulations.gov.....	19
Federal Advisory Committees.....	20
“We the People” Petitions.....	21
Freedom of Information Act	21
Dot Gov Websites	23
Inspector General Hotlines	24
PART II – INITIATIVES & GOOD PRACTICES RELATED TO ARTICLES 8 AND 10.....	25
Article 8 – Codes of Conduct for Public Officials	25
Article 10 – Public Reporting	25

Introduction

The United States (U.S.) prepared this document in response to note verbale CU 2011/211(A). The purpose of this document is to highlight awareness-raising policies and practices, with special reference to articles 5, 7, 12 and 13 of the United Nations Convention against Corruption (UNCAC), and initiatives and good practices related to the public sector and prevention of corruption: codes of conduct (article 8 of the Convention) and public reporting (article 10 of the Convention).

Part I of this document provides specific examples of how the U.S. raises awareness in relation to selected laws and regulations. For each initiative or policy, the relevant section of the specific UNCAC article is noted, a brief explanation about the initiative is provided, and specific examples of awareness-raising practices are included. Because the number of U.S. awareness-raising policies and initiatives is large, Part I focuses on activities within the executive branch. For the same reason, it is intended to contain samples and is not an exhaustive list. Part II references all three branches of the Federal government, provides links to further information, and, where relevant, references information in Part I.

PART I – AWARENESS RAISING POLICIES AND PRACTICES RELATED TO ARTICLES 5, 7, 12, AND 13

Article 5. Preventive Measures

Recovery Accountability and Transparency Board

- RELEVANT ARTICLE SECTIONS
 - Article 5, Para 1. – effective, coordinated anti-corruption policies that promote participation of society and reflect the principles of the rule of law, proper management of public affairs and public property, integrity, transparency and accountability
 - Article 5, Para 2. – effective practices aimed at the prevention of corruption
- ABOUT
 - The American Recovery and Reinvestment Act of 2009 (Recovery Act) was a direct response to the economic crisis. The Recovery Act provided \$787 billion in tax benefits, entitlement programs, and funding for Federal contracts, grants and loans, and created the Recovery Accountability and Transparency Board, a non-partisan, non-political agency with two goals: to provide transparency of Recovery-related funds, and to detect and prevent fraud, waste, and mismanagement.
- AWARENESS RAISING
 - The Recovery Act also required the creation of a website "to foster greater accountability and transparency in the use of funds made available in this Act." Recovery.gov (www.recovery.gov) went live on February 17, 2009, the day President Obama signed the Act into law. The site's primary mandate is to provide taxpayers with user-friendly tools to track how and where Recovery funds are spent. The site also offers the public an opportunity to report suspected fraud, waste, or abuse related to Recovery funding.

Financial Fraud Enforcement Task Force

- RELEVANT ARTICLE SECTIONS
 - Article 5, Para 1. – effective, coordinated anti-corruption policies that promote participation of society and reflect the principles of the rule of law, proper management of public affairs and public property, integrity, transparency and accountability
 - Article 5, Para 2. – effective practices aimed at the prevention of corruption
- ABOUT
 - The Financial Fraud Enforcement Task Force was created by President Obama in November 2009 as the largest coalition ever created to confront fraud. The Task Force is directed to use the full criminal and civil enforcement resources of the member departments and agencies: (1) to investigate and prosecute financial crimes and other violations relating to the current financial crisis and economic recovery efforts; (2) to recover the proceeds for such crimes and violations; (3) to address discrimination in the lending and financial markets; (4) to enhance coordination and cooperation among federal, state and local authorities responsible for the investigation and prosecution of financial crimes and violations; and (5) to conduct **outreach** to the public, victims, financial institutions, nonprofit organizations, state and local governments and agencies, and other interested partners to enhance detection and prevention of financial fraud schemes.

- AWARENESS RAISING
 - The Task Force’s website (www.StopFraud.gov) serves as a one-stop site for American consumers to learn how to protect themselves from fraud and to report fraud wherever — and however — it occurs.
 - The Task Force’s First Year Report (<http://www.stopfraud.gov/docs/FFETF-Report-LR.pdf>) outlines the accomplishments of the Task Force, including internal governmental coordination and training, and outreach to the public, victims, financial institutions, nonprofit organizations, state and local governments and agencies, and other interested parties to enhance detection and prevention of financial fraud schemes.

Administrative Conference of the United States

- RELEVANT ARTICLE SECTIONS
 - Article 5, Para 3. – periodically evaluate relevant legal instruments and administrative measures
- ABOUT
 - The Administrative Conference of the United States is an independent federal agency dedicated to improving the administrative process through consensus-driven applied research and providing nonpartisan expert advice and recommendations for improvement of federal agency procedures. Its membership is composed of innovative federal officials and experts with diverse views and backgrounds from both the private sector and academia. Research results are embodied in the Conference recommendations. Like its recommendations, the Conference’s research covers general administrative law topics that cut across many federal agencies and includes specific ways agencies can improve particular procedures.
- AWARENESS RAISING
 - Committee meetings are available as video webcasts(http://acus.granicus.com/ViewPublisher.php?view_id=2).
 - Committee research and recommendations are also available online (<http://www.acus.gov/research/research-and-recommendations/>).
 - “AdministrativeFIX,” the official blog of the Administrative Conference of the United States, provides a forum for the administrative law community and the general public to both learn about the Agency and its initiatives and to provide feedback (<http://www.acus.gov/administrative-fix-blog/>).

Open Government Partnership

- RELEVANT ARTICLE SECTIONS
 - Article 5, Para 4 – collaborate with States Parties to promote preventive measures
- ABOUT
 - The Open Government Partnership is an international initiative aimed at securing concrete commitments from governments to promote transparency, increase civic participation, fight corruption, and harness new technologies to make government more open, effective, and accountable. A multi-stakeholder International Steering Committee, co-chaired by the United States and Brazil in its inaugural year, is comprised of government and civil society representatives from around the world.
- AWARENESS RAISING

- The U.S. published its Open Government Partnership National Action Plan in September 2011, pledging new commitments to promote transparency, empower citizens, fight corruption, and harness the power of new technologies. The action plan contains detailed commitments in a wide variety of areas, developed by governments in consultation with citizens ([http://www.opengovpartnership.org/sites/www.opengovpartnership.org/files/country_action_plans/US National Action Plan Final 2.pdf](http://www.opengovpartnership.org/sites/www.opengovpartnership.org/files/country_action_plans/US_National_Action_Plan_Final_2.pdf)).

Article 7. Public sector

U.S. Office of Personnel Management Website

- RELEVANT ARTICLE SECTIONS
 - Article 7, Paras 1. and 1. (a) - recruitment, hiring, retention, promotion and retirement based on principles of efficiency, transparency and objective criteria
- ABOUT
 - The U.S. Office of Personnel Management (OPM) is the central human resources agency for the Federal Government. Its mission is to “Recruit, Retain and Honor a World-Class Workforce to Serve the American People.” To carry out this mission, OPM provides human resource advice and leadership to Federal agencies, supports agencies with human resource policies, holds agencies accountable for their human resource practices, and upholds the merit system principles. Additionally, OPM delivers human resource products and services to agencies on a reimbursable basis, including personnel background investigations, leadership development and training, staffing and recruiting assistance, supporting organizational assessments, and training and management assistance. OPM also delivers services directly to Federal employees, those seeking Federal employment, and Federal retirees and their beneficiaries.
- AWARENESS RAISING
 - The OPM website (www.opm.gov) provides a trove of information and resources to stakeholders, including:
 - job seekers (http://www.opm.gov/job_seekers/)
 - federal employees (<http://www.opm.gov/federal/>)
 - retirees and families (<http://www.opm.gov/retirees/>)
 - HR practitioners and agencies (http://www.opm.gov/hr_practitioners/)

USAJOBS

- RELEVANT ARTICLE SECTIONS
 - Article 7, Paras 1. and 1. (a) - recruitment, hiring based on principles of efficiency, transparency and objective criteria
- ABOUT
- USAJOBS (www.usajobs.gov) is the Federal Government’s central web-based employment portal that provides on-line worldwide job vacancy information, employment information, fact sheets, job applications, and integration with other Federal hiring systems. Most federal agencies are required by law and regulation to post job openings on USAJOBS and this public notice helps ensure open competition by informing job seekers when, where, and how to apply for these jobs. AWARENESS RAISING
 - USAJOBS is updated daily and averages 12,000 listings at any given time covering worldwide job opportunities, handles more than 3 million applicant search requests daily, and processes millions of job applications each year. USAJOBS offers the applicants one central secure place to save their application documents like resumes and college transcripts, then leverage these saved documents towards multiple job applications across the Federal government. USAJOBS is built upon best practices using an open framework and ensures access for applicants with differing physical and technological capabilities. Additionally, the system sends applicants daily email alerts

based on their personal saved search criteria keeping them up to date regarding new postings. USAJOBS is convenient, user friendly, and with the exception of scheduled maintenance, is available 24 hours a day, 7 days a week. USAJOBSRecruit (www.usajobsrecruit.gov) is a companion website for Federal employees with recruiting responsibilities. It is designed to create a Federal recruitment community for sharing best-in-class recruiting practices, ideas, insights, lessons learned, and for creating recruiting solutions. USAJOBSRecruit provides tools (e.g., School Sorter, templates, checklists), job aids, learning modules, information on effective recruiting strategies, and webinars. Other special features include recruiting blogs and interactive forums with featured recruiting experts to further foster collaboration and communication among Federal employees with recruiting responsibilities.

Background Investigations

- RELEVANT ARTICLE SECTIONS
 - Article 7, Para 1. (a) - recruitment, hiring based on principles of efficiency, transparency and objective criteria
 - Article 7, Para 1. (b) – selection and training of individuals for public positions considered especially vulnerable to corruption
- ABOUT
 - The U.S. Government conducts background investigations to determine if applicants or employees meet the suitability or fitness requirements for employment, or are eligible for access to Federal facilities, automated systems, or classified information. The scope of a background investigation varies depending on the duties and access requirements for the position. Executive Order 10577 directs the U.S. Office of Personnel Management (OPM) to examine “suitability” for competitive Federal employment. Determinations of "suitability" are based on a person's character or conduct that may have an impact on the integrity or efficiency of the service. By Executive Order 13488, individuals in positions of public trust are reinvestigated periodically in order to ensure that they remain suitable for continued employment.
- AWARENESS RAISING
 - On its website (<http://www.opm.gov/investigate/investigations/index.aspx>) the U.S. Office of Personnel Management (OPM) describes the purpose of background investigations, the authority through which OPM conducts investigations, the role each agency has in determining the level of the background check, and information on how an individual may request a copy of his/her background report.

Hiring Reform

- RELEVANT ARTICLE SECTIONS
 - Article 7, Para 1. (a) - recruitment, hiring based on principles of efficiency, transparency and objective criteria
- ABOUT
 - President Obama’s Memorandum of May 11, 2010, *Improving the Federal Recruitment and Hiring Process*, outlined the Administration’s comprehensive initiative to address major, long-standing impediments to recruit and hire the best and the brightest into the Federal civilian workforce. The U.S. Office of Personnel Management (OPM) is

spearheading the Government-wide initiative to reform recruiting, hiring and retention policies and procedures. The reform effort will encompass multiple years and will require sweeping changes to streamline and improve the hiring process. OPM leads the effort to ensure Federal agencies acquire, assess, and retain employees with the specific competencies necessary to achieve agencies' goals and missions.

- AWARENESS RAISING
 - The OPM Hiring Reform website is a resource to human resources professionals and hiring managers implementing hiring reform. The site offers "bite-sized" training modules on the key areas related to hiring reform. The site can be found at www.opm.gov/hiringreform/. Webcasts on hiring reform can be found at <http://www.opm.gov/HiringReform/MediaCenter/index.aspx>.

Merit System Principles

- RELEVANT ARTICLE SECTIONS
 - Article 7, Paras 1. and 1. (a) – systems for recruitment, hiring, retention, promotion and retirement based on principles of efficiency, transparency, and objective criteria such as merit, equity and aptitude
- ABOUT
 - The Merit System Principles (<http://www.mspb.gov/meritsystemsprinciples.htm>) are nine basic standards governing the management of the executive branch workforce. The Merit Systems Protection Board (www.mspb.gov) is an independent, quasi-judicial agency in the executive branch that serves as the guardian of Federal merit systems. The Board's mission is to protect Federal merit systems and the rights of individuals within those systems. MSPB carries out its statutory responsibilities and authorities primarily by adjudicating individual employee appeals and by conducting merit systems studies. In addition, MSPB reviews the significant actions of the Office of Personnel Management (the agency responsible for recruiting, hiring, and setting benefits policies for Federal civilian employees) to assess the degree to which those actions may affect merit.
- AWARENESS-RAISING
 - MSPB raises awareness through a wealth of information on its website including:
 - Database of MSPB decisions (<http://www.mspb.gov/decisions/decisions.htm>)
 - Studies on specific issues such as prohibited personnel practices (<http://www.mspb.gov/studies/index.htm>).
 - Newsletters (<http://www.mspb.gov/studies/newsletters.htm>)
 - Video interviews (<http://www.mspb.gov/video.htm>)
 - Radio interviews (<http://www.mspb.gov/radio.htm>)
 - Training videos (<http://www.mspb.gov/training.htm>)
 - Smartphone apps (<http://www.mspb.gov/mobile.htm>) that provide users with on-the-go access to the latest MSPB decisions, weekly case reports, studies, Issues of Merit newsletters, and press releases. The apps also allow users to search decisions, review the merit system principles, "like" or "favorite" documents for reference, share documents using social media like Twitter and Facebook, and follow MSPB's Twitter feed (@USMSPB).

Ethics Training & Counseling

- RELEVANT ARTICLE SECTIONS
 - Article 7, Para 1. (b) – training individuals for public positions vulnerable to corruption
 - Article 7, Para 1. (d) – education programs that enable non-elected public officials to meet the requirements for the correct, honorable and proper performance of public functions and specialized training to enhance awareness of the risk of corruption
 - Article 7, Para 4 – systems that promote transparency and prevent conflicts of interest
- ABOUT
 - Each executive branch agency must have an ethics training program for all of its employees that promotes the understanding and application of ethics laws and rules and that informs employees of the availability of personal, on-demand ethics advice. Once an employee begins work for an agency, the agency must provide every employee an *initial* ethics orientation consisting of verbal training or at least one hour of official duty time to review the Standards of Ethical Conduct for Employees of the Executive Branch and any agency-specific supplemental standards (or summaries of each). In addition, employees who are in sensitive positions requiring that they file financial disclosures (whether public or confidential) are required to receive *annual* ethics training that must cover the Standards of Ethical Conduct for Employees of the Executive Branch, any agency supplemental standards, and the Federal conflict of interest statutes. The annual training must also include the contact information for agency ethics officials available to advise on ethics issues.
- AWARENESS RAISING
 - As a good practice, several executive branch agencies require that all employees receive annual ethics training, regardless of whether they file financial disclosures.
 - Many agencies tailor the annual ethics training for at-risk employees such as procurement officials or for supervisory employees who are in positions to spot and address problems.
 - To encourage employees to seek ethics advice, agencies often hang posters in the workplace that provide the agency ethics official contact information.
 - Agencies create a variety of ethics training and counseling resources for their employees. For example, the U.S. Department of Agriculture (USDA) has online “self-help” guides that allow users to answer a series of yes/no questions to receive a tailored explanation of what ethics rules may apply under specific circumstances (<http://usda-ethics.net/selfhelp/index.htm>). For other examples of USDA ethics training and counseling visit <http://usda-ethics.net/>.
 - Many agencies maintain agency-specific ethics websites. A few examples include: Department of Defense--http://www.dod.mil/dodgc/defense_ethics/; Department of Justice--<http://www.justice.gov/jmd/ethics/>; National Institutes of Health--<http://ethics.od.nih.gov/>.
 - The U.S. Office of Government Ethics offers several resources such as pamphlets, videos, crossword puzzles, and posters to raise awareness about ethics rules. Federal employees can use this information to supplement annual ethics training or to educate themselves on novel issues. This material is meant to complement the advice and counsel that agency ethics officials provide (<http://www.oge.gov/Education/Education-Resources-for-Federal-Employees/Education-Resources-for-Federal-Employees/>).

Ethics in the Acquisition Workforce

- RELEVANT ARTICLE SECTIONS
 - Article 7, Para 1. (b) – training individuals for public positions vulnerable to corruption
 - Article 7, Para 1. (d) – education programs that enable non-elected public officials to meet the requirements for the correct, honorable and proper performance of public functions and specialized training to enhance awareness of the risk of corruption
 - Article 7, Para 4 – systems that promote transparency and prevent conflicts of interest
- ABOUT
 - Federal employees involved in the procurement and acquisition process play an important role in preserving the integrity of Government contracting and assuring fair treatment of bidders, offerors, and contractors. Like all executive branch employees, the acquisition workforce is subject to the criminal conflict of interest statutes and the Standards of Ethical Conduct for Employees of the Executive Branch. Further, acquisition officials are subject to additional prohibitions as defined in the Procurement Integrity Act.
 - Government acquisition professionals also have specific responsibilities to identify and prevent conflicts of interest on the part of businesses and employees contracted by the Government: Contracting Officers are required to identify potential *organizational* conflicts of interest, i.e., when a contractor has an interest that may bias its judgment or the advice it provides the Government, and must ensure that contractors have procedures in place to screen certain employees for potential *personal* conflicts of interest. Contracting Officers must also be aware of regulations that require certain contractors to maintain business ethics compliance programs.
- AWARENESS RAISING
 - The Office of Federal Procurement Policy has developed common certification programs that generally reflect a government-wide standard for education, training, and experience leading to the fulfillment of core competencies in a variety of acquisition-related disciplines (http://www.whitehouse.gov/sites/default/files/omb/assets/procurement/fac_contracting_program.pdf and <http://www.whitehouse.gov/sites/default/files/omb/procurement/revisions-to-the-federal-acquisition-certification-for-contracting-officers-representatives.pdf>).
 - Both the Federal Acquisition Institute and the Defense Acquisition University have learning resources to assist Government agencies in ensuring the acquisition workforce is adequately trained on responsibilities and fundamental contract rules and regulations (www.dau.mil and www.fai.gov).
 - Typically, procurement officials are required by their agency to file confidential financial disclosures to ensure that contracting decisions are made free from bias (see below under “Financial Disclosure” for more information). These individuals are required to receive annual ethics training (see above under “Ethics Training & Counseling” for more information on annual ethics training requirements).
 - Through official memoranda, the Office of Federal Procurement Policy emphasizes the importance of compliance with laws, regulations, and standards that prescribe ethical conduct in acquisitions

http://www.whitehouse.gov/sites/default/files/omb/assets/omb/procurement/memo/ethics_contractors_102706.pdf).

Financial Disclosure

- RELEVANT ARTICLE SECTIONS
 - Article 7, Para 4 – systems that promote transparency and prevent conflicts of interest
- ABOUT
 - The financial disclosure program is designed to help executive branch agencies identify and prevent conflicts of interest before they occur and to promote confidence in the integrity of Government decision-making. Through regulation, the U.S. Office of Government Ethics (OGE) establishes the procedures for administering the statutory-based executive branch financial disclosure system that includes public and confidential disclosure. In addition, OGE plays an important role in certifying the financial disclosure reports for all Presidential appointees confirmed by the Senate (prior to appointment and thereafter) and for the most senior White House staff members. Finally, through monitoring and oversight, OGE ensures that agencies implement effective financial disclosure processes.
 - Although a financial disclosure report sometimes reveals evidence of an actual violation of law or regulation, the primary purpose of financial disclosure is to assist agencies in identifying potential conflicts of interest between a filer's official duties and his/her private financial interests and affiliations. Once a reviewing official identifies a potential conflict of interest (and consults, as necessary, with the filer's supervisor), several remedies are available to avoid an actual or apparent violation of Federal ethics laws and regulations. These steps can include divestiture of assets, resignation from outside positions, recusal, waiver, reassignment of duties, or creation of a blind trust. Individuals in Presidentially-appointed, Senate-confirmed positions memorialize in written, publicly available ethics agreements the steps they will take to alleviate an actual or apparent conflict of interest.
- AWARENESS RAISING
 - Both public and confidential financial disclosure filers are required to receive annual training on the following: the Standards of Ethical Conduct for Employees of the Executive Branch, any agency supplemental standards, and the Federal conflict of interest statutes. The training must include contact information for the agency ethics officials available to advise on ethics issues.
 - As noted above under “Ethics Training & Counseling,” agencies also provide resources to their employees regarding ethics training and filing of financial disclosure. Examples include: <http://usda-ethics.net/>, http://www.dod.mil/dodgc/defense_ethics/, and <http://ethics.od.nih.gov/>.
 - OGE has created an interactive tool, the Nominee and New Entrant 278 Guide, to assist Presidential nominees and new entrants in completing the public financial disclosure report, the OGE Form 278 (<http://www.oge.gov/Financial-Disclosure/Public-Financial-Disclosure-278/Public-Financial-Disclosure/>).
 - Copies of certified public financial disclosure reports and ethics agreements for individuals who have been nominated by President Obama to executive branch positions requiring Senate confirmation are now available online

[\(http://www.oge.gov/Open-Government/Access-Records/Current-Executive-Branch-Nominations-and-Appointments/\)](http://www.oge.gov/Open-Government/Access-Records/Current-Executive-Branch-Nominations-and-Appointments/).

Federal Election Commission Website

- RELEVANT ARTICLE SECTIONS
 - Article 7, Para 3. – enhance transparency in the funding of candidatures for elected public office and the funding of political parties
- ABOUT
 - The Federal Election Commission (FEC), an independent regulatory agency, administers and enforces the Federal Election Campaign Act, the statute that governs the public and private financing of federal elections. The duties of the FEC are to disclose campaign finance information, to enforce the provisions of the law such as the limits and prohibitions on contributions, and to oversee the public funding of Presidential elections.
- AWARENESS RAISING
 - The Federal Election Commission's Campaign Finance Disclosure Portal (www.fec.gov) provides a single point of entry to campaign finance data. It includes easy-to-navigate maps and charts that display campaign finance data, as well as many search tools. Many of the data sets are customizable and downloadable so users can perform their own analyses. Graphic presentations allow users to search for specific candidates, political party committees and political action committees. Users can also explore independent expenditures for and against Presidential, House, and Senate candidates.

Article 12. Private Sector

Foreign Corrupt Practice Act – Books and Records Requirements

- RELEVANT ARTICLE SECTIONS
 - Article 12, Para 1. – enhance accounting and auditing standards in the private sector, provide effective, proportionate and dissuasive penalties
 - Article 12, Para 2. (f) – ensuring that private enterprises have sufficient internal auditing controls and that financial statements are subject to appropriate auditing and certification procedures
 - Article 12, Para 3. – prohibition of acts such as off-the-book accounts, recording non-existent expenditures, etc.
- ABOUT
 - Since 1977, the Foreign Corrupt Practices Act (FCPA) and regulations issued by the U.S. Securities and Exchange Commission (SEC) have required all public companies to, among other things, maintain books and records that, in reasonable detail, accurately reflect the companies' transactions. Further, public companies must maintain a system of internal accounting controls sufficient to provide reasonable assurance that all transactions take place in accordance with management's authorization and are recorded in a manner that permits the preparation of financial statements in conformity with generally accepted accounting principles (GAAP).
- AWARENESS RAISING
 - The SEC brings numerous enforcement actions against companies for violating the books and records and internal controls provisions of the FCPA. The SEC describes and publishes on its website the nature of the conduct and the misreported payments in its public charging documents to increase awareness of its diligent pursuit of books and records violations (<http://www.sec.gov/spotlight/fcpa/fcpa-cases.shtml>). During fiscal year 2011, the SEC filed 20 cases involving books and records violations.
 - In addition to information about cases, the SEC's website features a "spotlight" page with information and resources on the FCPA (<http://www.sec.gov/spotlight/fcpa.shtml>).
 - The U.S. Government seeks to increase awareness in the private sector about FCPA books and records violations through conferences and other public events on accounting and internal controls. These events include business roundtables hosted by the Commerce Department, Department of Justice (DOJ), and the SEC where companies discuss their views and experiences with the FCPA and conferences where SEC staff identify problematic conduct and red flags of possible violations.
 - Government agencies such as the SEC, DOJ, and Federal Bureau of Investigation also cooperate to provide government attorneys, prosecutors, federal agents, internal revenue agencies and accountants of U.S. regulators and criminal authorities training on the FCPA information on FCPA enforcement techniques.

Foreign Corrupt Practices Act – Corporate Compliance Programs

- RELEVANT ARTICLE SECTIONS
 - Article 12, Para 2. (b) – development of standards and procedures to safeguard the integrity of private entities, including codes of conduct for the correct, honorable and

proper performance of the activities of business and the prevention of conflicts of interest

○ ABOUT

- In addition to subjecting U.S. companies and other business entities under U.S. jurisdiction to criminal and civil prosecutions, the Foreign Corrupt Practices Act (FCPA) encourages such business entities engaged in international business to develop comprehensive corporate compliance programs. These compliance programs include establishing procedures to prevent the payment of bribes, conducting internal investigations when allegations of bribery are brought to management's attention, and, when appropriate, voluntarily disclosing to the government any bribery uncovered as a result of their investigation.

○ AWARENESS RAISING

- The Department of Justice has a comprehensive website on the FCPA that includes a useful one-page description of the statute, a "Lay-Person's Guide to the FCPA" that summarizes the anti-bribery provisions of the FCPA in more detail, the legislative history behind the law, and links to specific enforcement actions (<http://www.justice.gov/criminal/fraud/fcpa>).
- Certain entities can request from the Department of Justice an opinion of the Attorney General as to whether certain specified, prospective--not hypothetical--conduct conforms with the Department's present enforcement policy regarding the anti-bribery provisions of the FCPA (<http://www.justice.gov/criminal/fraud/fcpa/docs/frgncrpt.pdf>).
- Through its enforcement actions, the Department of Justice has identified the elements of a rigorous anti-corruption compliance code, standards, and procedures designed to detect and deter violations of the FCPA and other applicable anti-corruption laws. These standards are frequently identified in the Department of Justice's public resolutions. *See, e.g.*, Attachments C and D of Deferred Prosecution Agreement with Johnson & Johnson (April 8, 2011) (http://www.google.com/url?sa=t&rct=j&q=&esrc=s&frm=1&source=web&cd=2&ved=0CC4QFjAB&url=http%3A%2F%2Fwww.justice.gov%2Fcriminal%2Ffraud%2Ffcpa%2Fcase%2Fdeputy-inc%2F04-08-11deputy-dpa.pdf&ei=ZYOIT_KxD4PC0QG9hITBCQ&usg=AFQjCNHBTfmHja5XLJdsbndqzI502nyV-g).
- Senior Department of Justice leadership and the Enforcement Division of the U.S. Securities and Exchange Commission have also met with members of corporate compliance organizations, nongovernmental organizations, and members of civil society to discuss the enforcement of the FCPA and how to effectively provide guidance regarding the FCPA.
- Both the U.S. Commerce and State Departments provide FCPA and related anticorruption training to U.S. and Foreign Commercial Service officers and State Department Foreign Service officers so that they may raise awareness about corruption and compliance programs and assist U.S. exporters as appropriate when confronted with corruption issues overseas.
- Commerce officials also participate in numerous seminars and conferences on corruption, the FCPA, and related corporate compliance issues sponsored by professional associations and industry groups, many of which are attended by outside and in-house counsel representing Small and Medium Enterprises (SMEs).

- Commerce also provides information to companies through a number of U.S. and international publications designed to assist firms in complying with anti-corruption laws. For example, particularly helpful for SMEs is the recently issued OECD Good Practice Guidance on Internal Controls, Ethics, and Compliance, developed and agreed upon by the United States and other countries which are parties to the OECD Antibribery Convention. Commerce has also included a new anticorruption section in U.S. Foreign Commerce Service Country Commercial Guides, (http://export.gov/about/eg_main_016806.asp) including U.S. Foreign Corrupt Practices Act information from the Layperson's Guide and the OECD Good Practice Guidance.

Industry-Specific Compliance Programs

- RELEVANT UNCAC PROVISIONS
 - Article 12, Para 2. (b) – development of standards and procedures to safeguard the integrity of private entities, including codes of conduct for the correct, honorable and proper performance of the activities of business and the prevention of conflicts of interest, and for the promotion of good commercial practices in the contractual relations of businesses with the State
- ABOUT
 - Several Federal agencies outline criteria for industry-specific compliance programs that are tailored to industry-specific regulations and good practices and include recommendations regarding codes of conduct and systems to identify and prevent conflicts of interest.
- AWARENESS RAISING
 - The Health and Human Services (HHS) Office of Inspector General OIG has developed a series of voluntary compliance program guidance documents directed at various segments of the health care industry, such as hospitals, nursing homes, third-party billers, and durable medical equipment suppliers, to encourage the development and use of internal controls to monitor adherence to applicable statutes, regulations, and program requirements. HHS also provides free training for health care providers, compliance professionals, and attorneys, on the realities of Medicare and Medicaid fraud and the importance of implementing an effective compliance program (<http://oig.hhs.gov/compliance/101/index.asp>).
 - In June of 2011, the U.S. Department of Commerce's Bureau of Industry and Security published "Compliance Guidelines: How to Develop an Effective Export Management and Compliance Program and Manual." These Guidelines assist companies in establishing, or enhancing, an Export Management and Compliance Program (EMCP). The Guidelines promote good export compliance practices, including recommendations related to codes of conduct and identifying and preventing conflicts of interest (http://www.bis.doc.gov/complianceandenforcement/emcp_guidelines.pdf).

SEC Interpretive Guidance - Audit Requirements

- RELEVANT UNCAC PROVISIONS
 - Article 12, Para 2. (f) – ensuring that private enterprises have sufficient internal auditing controls and that financial statements are subject to appropriate auditing and certification procedures

- ABOUT
 - As directed by Section 404 of the Sarbanes-Oxley Act, the SEC adopted rules in 2003 to require issuers and their independent auditors to report to the public on the effectiveness of the company's internal control over financial reporting. Internal control over financial reporting includes controls related to preventing and detecting illegal acts and fraud, including acts of bribery that result in a material misstatement of the financial statements.
- AWARENESS RAISING
 - The SEC issued interpretive guidance for management in 2007 regarding its evaluation and assessment of internal control over financial reporting. The guidance sets forth an approach by which management can conduct a top-down risk-based evaluation of internal controls. This guidance includes direction for management in identifying financial reporting risks and controls and evaluating evidence of the operating effectiveness of internal control over financial reporting. Further, the guidance contains information to assist management in developing disclosures about their internal control over financial reporting including disclosures about material weaknesses that may be identified.

Post-Employment Guidance

- RELEVANT UNCAC PROVISIONS
 - Article 12, Para 2. (e) – imposing restrictions on professional activities of former public officials
- ABOUT
 - Since its enactment in 1962, 18 U.S.C. § 207 has remained the primary source of restrictions that may limit the activities of individuals after they leave executive branch (and more recently the legislative branch) service.
- AWARENESS RAISING
 - The U.S. Office of Government Ethics (OGE) has published guidance at 5 C.F.R. part 2641 concerning all of the executive branch prohibitions in section 207 as well as all of the exceptions in the statute (<http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&sid=f5a750dc9c1e675ff404e5e2757915ac&rgn=div5&view=text&node=5:3.0.10.10.13&idno=5>).
 - OGE also publishes a variety of resources to educate executive branch employees about the post-government restrictions. These resources include pamphlets, brochures, and web-based training (<http://www.oge.gov/Education/Education-Resources-for-Ethics-Officials/Resources/Resources/>). OGE's guidance also addresses the ethical requirements that apply to employees even before they leave Government, i.e., while they are still seeking future employment (<http://www.oge.gov/DisplayTemplates/ModelSub.aspx?id=1456> and <http://www.oge.gov/Education/Education-Resources-for-Ethics-Officials/Resources/Understanding-the-Revolving-Door--How-Ethics-Rules-Apply-to-Your-Job-Seeking-and-Post-Government-Employment-Activities/>).
 - Some federal agencies require employees to receive in-person post-employment counseling as part of the required “check out” process prior to an employee leaving for other employment.

- Section 847 of the National Defense Authorization Act for FY 2008, Public Law 110181, requires a selected category of senior Department of Defense (DoD) acquisition officials to seek a post-employment DoD ethics opinion letter before accepting compensation from a DoD contractor. The ethics officials are required to issue the written opinion letter within 30 days after receiving the request. DoD is required to maintain copies of these opinion letters in a centralized database/repository. The Inspector General is required to perform periodic reviews to ensure that written opinions are being provided and retained in accordance with the requirements of this section. Also, defense contractors are required, prior to compensating a former DoD official, to determine that the former DoD official has sought and received (or has not received after 30 days of seeking) a written opinion from the appropriate ethics counselor.

Tax Deductibility of Bribes

- RELEVANT UNCAC PROVISIONS
 - Article 12, Para 4. – disallow the tax deductibility of expenses that constitute bribes
- ABOUT
 - U.S. law explicitly disallows tax deductibility of illegal bribes for all tax purposes. Under section 162(c) of the Internal Revenue Code, illegal bribes made to U.S. government officials and employees are not allowable. Also, if the payment is to an official or employee of a foreign government and such payment is unlawful under the Foreign Corrupt Practices Act, no deduction shall be allowed.
- AWARENESS RAISING
 - IRS publications are informational booklets written by the Internal Revenue Service that give taxpayers detailed guidance on tax issues. IRS Publication 535, “Business Expenses (for use in preparing 2011 returns),” discusses the tax deductibility of illegal bribes as follows: “Bribes and kickbacks. Engaging in the payment of bribes or kickbacks is a serious criminal matter. Such activity could result in criminal prosecution. Any payments that appear to have been made, either directly or indirectly, to an official or employee of any government or an agency or instrumentality of any government are not deductible for tax purposes and are in violation of the law. Payments paid directly or indirectly to a person in violation of any federal or state law that provides for a criminal penalty or for the loss of a license or privilege to engage in a trade or business are also not allowed as a deduction for tax purposes” (http://www.irs.gov/publications/p535/ch11.html#en_US_2011_publink1000209182).
 - Further, several other IRS Publications list illegal bribes as nondeductible expenses. See IRS Publication 17, “Your Federal Income Tax (for Individuals)”; IRS Publication 334, “Tax Guide for Small Business (for Individuals Who Use Schedule C or C-EZ)”; and Publication 529, “Miscellaneous Deductions.”

Article 13. Participation of Society

Strategic Dialogue with Civil Society

- RELEVANT UNCAC PROVISIONS
 - Article 13, Para 1. – promote active participation of individuals and groups outside the public sector in the prevention of and the fight against corruption, raise public awareness regarding existence, causes and gravity of corruption
 - Article 13, Para 1. (a) – promoting the contribution of the public to the decision-making process
 - Article 13, Para 1. (b) – ensuring the public has effective access to information
 - Article 13, Para 1. (c) – public information activities that contribute to the non-tolerance of corruption
- ABOUT
 - On February 16, 2011, Secretary of State Clinton launched the Strategic Dialogue with Civil Society (the “Dialogue”) (<http://www.state.gov/s/sacsed/c47725.htm>). The Dialogue is designed to elevate the importance of the Department of State’s work with civil society and underscore its commitment to protect and defend civil society around the world. The Dialogue serves both as a forum for discussion and cooperation with civil society and as a vehicle for telling the story of its ongoing work to support and protect the freedoms of association and expression. One of the Dialogue’s several working groups focuses on Governance and Accountability.
- AWARENESS RAISING
 - The Dialogue launch event brought together a broad cross-section of civil society that included representatives from more than 20 countries, senior officials from the U.S. Government, and Executive Directors from prominent U.S.-based International NGOs. It also included virtual participation from thousands of civil society representatives worldwide including attendees at viewing parties hosted by 55 U.S. Embassies (<http://www.state.gov/statecraft/rm/156709.htm>).

Regulations.gov

- RELEVANT UNCAC PROVISIONS
 - Article 13, Para 1. – promote active participation of individuals and groups outside the public sector in the prevention of and the fight against corruption
 - Article 13, Para 1. (a) – promoting the contribution of the public to the decision-making process
 - Article 13, Para 1. (b) – ensuring the public has effective access to information
- ABOUT
 - One of the principal mechanisms for seeking consultation in the executive branch is the Administrative Procedure Act (5 U.S.C. § 551). The Act requires (with limited exceptions) that all rules and regulations proposed by federal agencies must be announced in the Federal Register with opportunity for public comment. The agency must also issue its responses to the comments.
- AWARENESS RAISING

- In 2003, the eRulemaking program launched the Regulations.gov website (www.regulations.gov) to enable citizens to search, view and comment on regulations issued by the U.S. Government.
- On average, Federal agencies and departments issue nearly 8,000 regulations per year. In the past, if members of the public were interested in commenting on a regulation, they would have to know the sponsoring agency, when it would be published, review it in a reading room, then struggle through a comment process specific to each agency. Today using Regulations.gov, the public can shape rules and regulations that impact their lives conveniently, from anywhere. On the regulations.gov site, users can:
 - Search for a regulation such as a proposed rule, final rule or Federal Register (FR) notice
 - Submit a comment on a regulation or on another comment
 - Submit an application, petition or adjudication document
 - Sign up for e-mail alerts about a specific regulation
 - Quickly access regulations that are popular, newly posted or closing soon-directly from the home page
 - Subscribe to RSS feeds by agencies with newly posted FR notices

Federal Advisory Committees

- RELEVANT UNCAC PROVISIONS
 - Article 13, Para 1. – promote active participation of individuals and groups outside the public sector
 - Article 13, Para 1. (a) – promoting the contribution of the public to the decision-making process
- ABOUT
 - The Federal Advisory Committee Act (FACA) was enacted in 1972 to ensure that advice by the various advisory committees is objective and accessible to the public. The Act formalized a process for establishing, operating, overseeing, and terminating these advisory bodies; it also created the Committee Management Secretariat to monitor compliance with the Act. All public advisory committees, some of which are created by law and others by agency decision, must: hold their meetings in public; provide an opportunity for the public to attend; and, under certain circumstances, provide an opportunity for the public to be heard. These public meetings provide civil society and non-governmental organizations an important mechanism to consult with both the agency personnel and the members of the public advisory committees on matters within their sphere of competence, including, of course, matters dealing with corruption prevention.
- AWARENESS RAISING
 - The Federal Advisory Committee Act Training course is intended for federal Committee Management Officers and their staff, Designated Federal Officers, FACA and ethics legal staff, FACA support staff, and managers and decision makers involved in advisory committee management and/or operations. Agency contractor staff directly involved in FACA management or operations may also be nominated by their host agency. The course is taught by an interagency team of FACA subject matter experts. The course is

administered by the General Services Administration Committee Management Secretariat with five classes each fiscal year.

- The FACA database (<http://www.facadatabase.gov/>) is used by Federal agencies to continuously manage an average of 1,000 advisory committees government-wide. This database is also used by the Congress to perform oversight of related executive branch programs and by the public, the media, and others, to stay abreast of important developments resulting from advisory committee activities.

“We the People” Petitions

- RELEVANT UNCAC PROVISIONS
 - Article 13, Para 1. – promote active participation of individuals and groups outside the public sector
 - Article 13, Para 1. (a) – promoting the contribution of the public to the decision-making process
- ABOUT
 - “We the People” is an online method to petition the Obama Administration to take action on a range of important issues. If a petition gets enough support, White House staff will review it, ensure it is sent to the appropriate policy experts, and issue an official response.
- AWARENESS RAISING
 - <https://www.whitehouse.gov/petitions#!/>.

Freedom of Information Act

- RELEVANT UNCAC PROVISIONS
 - Article 13, Para 1. (b) – ensuring the public has effective access to information
- ABOUT
 - The Freedom of Information Act (5 U.S.C. § 552) ("FOIA") generally provides that any person has a right, enforceable in court, to obtain access to federal agency records. FOIA is administered through a decentralized system so that each federal agency is responsible for implementing the Act’s requirements.
 - On January 21, 2009 President Obama issued a FOIA Memorandum that called for federal executive departments and agencies to administer the FOIA with a presumption of openness in order to achieve an unprecedented level of transparency in the work of the Executive Branch.
[\(http://www.whitehouse.gov/the_press_office/FreedomofInformationAct/\)](http://www.whitehouse.gov/the_press_office/FreedomofInformationAct/). In accordance with the President’s Memorandum, on March 19, 2009, Attorney General Holder issued new FOIA Guidelines that reaffirm the commitment to accountability and transparency (<http://www.justice.gov/ag/foia-memo-march2009.pdf>).
- AWARENESS RAISING
 - Agency FOIA websites provide extensive information, such as instructions on how to make FOIA requests, agency FOIA contacts, FOIA Libraries that contain frequently requested documents as well as operational documents that describe agency policies and procedures, documents that agencies proactively make available to the public, and FOIA compliance reports. For some examples of agency FOIA pages visit <http://www.state.gov/m/a/ips/>, <http://energy.gov/management/office-management/operational-management/freedom-information-act>,

<http://www.dol.gov/dol/foia/main.htm>, <http://www.epa.gov/foia/> and <http://www.fcc.gov/foia>.

- Each federal agency that handles FOIA requests is required to establish a FOIA Requester Service Center where requesters can call to ask questions about their pending FOIA requests. The FOIA statute also requires that each agency designate one high-level official to serve as the Chief FOIA Officer responsible for the agency's overall compliance with the Act and one or more FOIA Public Liaisons that report to the Chief FOIA Officer and can be contacted by requesters directly to address issues concerning the agency's FOIA Requester Service Center or its handling of a particular request.
- FOIA.gov (www.foia.gov) is a government-wide, comprehensive FOIA website that was developed as the Flagship Initiative under the Department of Justice's Open Government Plan. FOIA.Gov shines a light on FOIA compliance by graphically displaying all the detailed FOIA statistics that are reported to DOJ each year and by allowing users to sort this data in any way they want, so that comparisons can be made between agencies and over time. The site also has an educational component, with embedded videos that explain the FOIA process, definitions of FOIA terms, and answers to frequently asked questions. In addition to serving as an educational resource on how the FOIA works, FOIA.gov provides a wealth of FOIA contact information for all ninety-nine agencies subject to the FOIA, including their Chief FOIA Officer and all their FOIA Requester Service Centers and FOIA Public Liaisons. The website also links to all available online FOIA request forms, making it easier than ever for the public to make a request. Further, the site has a search function that allows the public to search across all agency websites to access records on any topic posted anywhere on an agency's website. The search feature provides an easy way for potential FOIA requesters to first see what information is already available on a topic. This might preclude the need to even make a request in the first instance, or might allow for a more targeted request to be made.
- The Department of Justice's Office of Information Policy (OIP) (<http://www.justice.gov/oip/index.html>) is responsible for encouraging agency compliance with the Freedom of Information Act (FOIA) and for ensuring that the President's FOIA Memorandum and the Attorney General's FOIA Guidelines are fully implemented across the government. OIP develops and issues policy guidance to all agencies on the proper implementation of the FOIA. OIP also publishes the United States Department of Justice Guide to the Freedom of Information Act, which is a comprehensive legal treatise addressing all aspects of the FOIA. OIP provides individualized guidance to agencies on questions relating to the application of the FOIA, regularly conducts training programs for FOIA personnel across the government, including specialized agency programs, and provides general advice to the public on use of the FOIA. OIP also conducts outreach with requester groups, regularly holding FOIA Requester Roundtables. In addition to its policy functions, OIP oversees agency compliance with the FOIA. All agencies are required by law to report to the Department of Justice on their FOIA compliance through submission of Annual FOIA Reports and Chief FOIA Officer Reports. OIP develops guidelines for those reports, issues guidance and provides training to agencies to help them complete the reports, and reviews and compiles summaries of both agency Annual FOIA Reports and Chief FOIA Officer Reports.

- The Office of Government Information Services (OGIS) (<https://ogis.archives.gov/>) is a FOIA resource for the public and the government. OGIS is a place where anyone can ask for FOIA assistance. In other words OGIS, also serves as the FOIA ombudsman -- answering questions, tracking suggestions and providing information. OGIS:
 - Provides general information about FOIA and the FOIA process;
 - Offers best practices for working with Federal agencies;
 - Hosts roundtables and events with the public to discuss FOIA issues; and
 - Points to agency contacts such as FOIA Public Liaisons.

Dot Gov Websites

- RELEVANT UNCAC PROVISIONS
 - Article 13, Para 1. (b) – ensuring the public has effective access to information
- ABOUT
 - The executive branch has created a variety of centralized online platforms that aggregate data from across agencies. These websites make unprecedented amounts of information available and easily accessible to the public, often in searchable and downloadable formats.
- AWARENESS RAISING
 - www.usa.gov – A centralized place to find information from U.S. local, state, and federal government agency websites, USA.gov offers a powerful search engine and an index of web-accessible government information and services to help users find what they need.
 - www.data.gov - The purpose of Data.gov is to increase public access to high value, machine readable datasets generated by the Executive Branch of the Federal Government.
 - www.performance.gov - This site gives users a view of the progress underway in cutting waste, streamlining government, and improving performance. Specifically, Performance.gov provides information on the following areas of focus: Acquisition, Financial Management, Human Resources, Technology, Performance Improvement, Open Government, Sustainability, Customer Service
 - www.usaspending.gov – This site provides the public with information about how their tax dollars are spent on the various types of contracts, grants, loans, and other types of government spending. It includes for each Federal award: the name of the entity receiving the award; the amount of the award; information on the award including transaction type, funding agency, etc; the location of the entity receiving the award; and a unique identifier of the entity receiving the award.
 - www.itdashboard.gov - Through the IT Dashboard, users can view details of Federal information technology (IT) investments online and to track their progress over time. The IT Dashboard includes general information on over 7,000 Federal IT investments and detailed data for over 700 of those investments that agencies classify as "major."
 - www.foreignassistance.gov - This website provides a visual presentation of and access to key foreign assistance budget and appropriation data for the Department of State and USAID. The Foreign Assistance Dashboard was created in response to the principles of the Paris Declaration on Aid Effectiveness and President Obama's Open Government Initiative. The goal of the Foreign Assistance Dashboard is to give a wide variety of stakeholders, including U.S. citizens, civil society organizations, the Congress, U.S. Government agencies, donors, and partner country governments the ability to examine,

research and track U.S. Government foreign assistance investments in an accessible and easy-to-understand format.

- www.foia.gov – see above under “Freedom of Information Act”
- www.regulations.gov – see above under “Regulations.gov”
- www.recovery.gov – see above under “Recovery Accountability and Transparency Board”

Inspector General Hotlines

- RELEVANT UNCAC PROVISIONS
 - Article 13, Para 2. – provide access for the reporting, including anonymously, of any incidents considered to be an offence established in accordance with the Convention
- ABOUT
 - The "hot line" procedure established by the Inspectors General under the Inspector General Act of 1978 allows anyone to confidentially report allegations of fraud, abuse, waste or mismanagement by Federal employees, contractors or grantees.
- AWARENESS RAISING
 - Most agencies have dedicated web pages for the agency’s office of Inspector General. A list of agency IG website links and contacts is located at:
<http://www.ignet.gov/igs/homepage1.html>.

PART II – INITIATIVES & GOOD PRACTICES RELATED TO ARTICLES 8 AND 10

Article 8 – Codes of Conduct for Public Officials

- Codes of Conduct (Para 2):
 - Visit the U.S. Office of Government Ethics (OGE) website (www.oge.gov) for a summary of the Standards of Ethical Conduct for Employees of the Executive Branch, links to the full regulation, and links to agency supplemental regulations. The Standards of Conduct, translated into the six official UN languages, is available on OGE’s website at <http://www.oge.gov/About/International-Activities/Translated-Documents/>. See, also, the above section on “Ethics Training & Counseling.”
 - For the legislative branch, the Senate code of conduct is available at <http://ethics.senate.gov/public/> and the House of Representative’s code of conduct is available at <http://ethics.house.gov/>.
 - The code of conduct for Federal judges and the code for judicial employees are available at <http://www.uscourts.gov/RulesAndPolicies/CodesOfConduct.aspx>.
- Reporting Acts of Corruption (Para 4):
 - See above under “Inspector General Hotlines.” Visit the Council of Inspectors General on Integrity and Efficiency website (www.ignet.gov) for more information about Inspectors General, including a link to the Inspector General Act of 1978, information about the role and responsibilities of Inspectors General, and links to agency Inspectors General websites.
 - The U.S. Office of Special Counsel serves as a safe conduit for the receipt and evaluation of whistleblower disclosures from federal employees, former employees, and applicants for federal employment (<http://www.osc.gov/wbdiscOverview.htm>).
 - See, also, the above sections on “Recovery Accountability and Transparency Board,” “Financial Fraud Enforcement Task Force,” and “Inspector General Hotlines.”
 - In the legislative branch, allegations of misconduct or illegal activity may be reported to the Senate Select Committee on Ethics (<http://ethics.senate.gov/public/>) and the House Committee on Ethics (<http://www.osc.gov/wbdiscOverview.htm>), pursuant to their respective committee rules of procedure.
- Financial Disclosure (Para 5):
 - The financial disclosure system for all three branches of government is set out in the Ethics in Government Act of 1978, as amended. Visit OGE’s website (www.oge.gov) for a link to the Ethics in Government Act and, links to the implementing regulations for the executive branch, and related guidance and resources. See, also, the above section on “Financial Disclosure.”
 - For more information about financial disclosure in the legislative branch, visit the Senate Select Committee on Ethics (<http://ethics.senate.gov/public/>) and the House Committee on Ethics (<http://www.osc.gov/wbdiscOverview.htm>).

Article 10 – Public Reporting

- Transparency in public administration; allowing members of the general public to obtain information; facilitate public access to decision-making authorities:

- USA.gov (www.usa.gov) is a centralized place to find information from U.S. local, state, and federal government agency websites. This website offers a powerful search engine and an index of web-accessible government information and services to help users find what they need.
- For additional information specific to the executive branch, see above sections on "Regulations.gov," "Freedom of Information Act," and "Dot Gov Websites." The full text of the Administrative Procedure Act, inclusive of the Freedom of Information Act, is available here: <http://www.archives.gov/federal-register/laws/administrative-procedure/>.
- There are a variety of ways to access records on the legislative process. The Congressional Record, published daily when Congress is in session, is the official record of the proceedings and debates of the United States Congress. At the back of each daily issue is the "Daily Digest," which summarizes the day's floor and committee activities (<http://www.gpo.gov/fdsys/browse/collection.action?collectionCode=CREC>). In addition, each house of the Congress has a dedicated website that includes webcasts of floor proceedings, schedules for hearings, and voting records. Each page allows constituents to easily find their representatives and contact him or her (<http://www.house.gov/> and <http://www.senate.gov/>).
- Within the judicial branch, the predominant type of record the Federal courts create and maintain is a case file, which contains a docket sheet and all documents filed in a case. One way to obtain this information is through the Public Access to Court Electronic Records (PACER), an internet-based public access service. This allows users to locate cases using the Case Locator and to obtain case and docket information from Federal appellate, district and bankruptcy courts (<http://www.uscourts.gov/CourtRecords.aspx>). Information on accessing opinions and case-related documents for the Supreme Court of the United States is available on the court's website (<http://www.supremecourt.gov/>).