

**UNITED STATES
OFFICE OF GOVERNMENT ETHICS**



Fiscal Year 2012

**Explanatory Notes
and
Annual Performance Plan**

**Prepared
for the
Committee on Appropriations**

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UNITED STATES OFFICE OF GOVERNMENT ETHICS

Mission Statement

The United States Office of Government Ethics (OGE) exercises leadership in the Executive Branch to prevent conflicts of interest on the part of Government employees, and to resolve those conflicts of interest that do occur. In partnership with Executive Branch departments and agencies, OGE fosters high ethical standards for employees and strengthens the public's confidence that the Government's business is conducted with impartiality and integrity. OGE's mission directly supports the President's goal of responsibly governing the Nation.

Fiscal Years 2010 through 2012 Priorities Overview

OGE has identified and developed strategies to accomplish three budget priorities during fiscal years 2010 through 2012. Each priority supports long-term goals set forth in OGE's strategic plan of strengthening the ethical culture within the Executive Branch, preventing conflicts of interest, and promoting good governance.

OGE's budget priorities for fiscal year 2010 through fiscal year 2012 are to:

- Modernize Government ethics laws, regulations, and programs;
- Harness technology to promote transparency, training, and oversight; and
- Promote continuity and succession planning in the Executive Branch ethics program.

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Section I – Purpose

A. About OGE

The Office of Government Ethics (OGE), established by the Ethics in Government Act of 1978, is the agency that provides overall direction, oversight and accountability of Executive Branch policies designed to prevent and resolve conflicts of interest. OGE is also charged with promoting high ethical standards for Executive Branch employees. Specifically, OGE is responsible for: promulgating and maintaining enforceable standards of ethical conduct for over four million civilian employees and uniformed service members in over 130 Executive Branch agencies and the White House; overseeing a financial disclosure system that reaches more than 28,000 public filers and over 325,000 confidential filers; ensuring that Executive Branch ethics programs are in compliance with laws and regulations; providing education and training to the more than 5,700 ethics officials; conducting outreach to the general public, the private sector, and civil society; and sharing good practices with, and providing 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 very lean organization, with fewer than 80 full-time equivalents (FTEs), and accomplishes its broad Executive Branch-wide responsibilities by organizing cross-functional teams to perform such diverse tasks as working with presidential nominees for Senate-confirmed positions to resolve potential financial conflicts of interest, training Executive Branch ethics officials, and enhancing oversight of Executive Branch ethics programs. OGE's three long-term strategic goals are described below.

B. Long-Term Strategic Objectives

OGE's budget priorities for fiscal year 2011 and fiscal year 2012 support the three goals set out in OGE's five-year strategic plan, put in place in fiscal year 2007. The daily work of OGE is driven by performance measures for the objectives established for each of these goals:

Strengthening the ethical culture within the Executive Branch: OGE strives to improve the effectiveness of ethics policy, enhance assistance to and oversight of agency ethics programs, increase employees' awareness of their ethical responsibilities, and increase OGE's focus on senior officials' roles in implementing ethics programs.

Preventing conflicts of interest: OGE supports the President and the Senate in the presidential appointment process and through its nominee public financial disclosure program, resolves potential conflicts of interest for presidential nominees requiring Senate confirmation, monitors compliance with conflict of interest laws, implements and oversees an effective public and confidential financial disclosure system, and reviews the ethics programs of Executive Branch agencies.

Promoting good governance: OGE supports and cooperates with federal, state, and local agencies implementing programs that help support good governance; enhances outreach to

the public sector, private sector and civil society; and supports United States foreign policy anti-corruption and good governance initiatives.

Section II – Budget Request Overview

A. Budget Request Overview Narrative

OGE is requesting \$13,664,000 in appropriated funds for fiscal year 2012. This request represents a decrease from fiscal year 2010 enacted funding. This level of funding will allow OGE to support only its core mission programs. Therefore, OGE will continue to pursue efficiencies and cost savings through maximum use of shared service centers for OGE’s non-core administrative support services, as suggested by the recent success and savings associated with the Office of Personnel Management’s Human Resources Line of Business program.¹

B. Budget Request By Object Classification

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

<u>Object Class</u>	<u>2010 Actual</u>	<u>2011 CR Levels</u>	<u>2012 Request</u>
11.1 Salaries	\$8,212	\$9,130	\$8,904
12.1 Benefits	\$2,108	\$2,060	\$2,115
21.0 Travel	\$58	\$150	\$48
22.0 Transportation (freight)	\$1	\$5	\$3
23.1 Rental payments to GSA	\$1,484	\$1,472	\$1,480
23.2 Rental payments to others	\$2	\$15	\$15
23.3 Communications & utilities	\$35	\$65	\$57
24.0 Printing and Reproduction	\$31	\$80	\$20
25.2 Other Services	\$1,005	\$788	\$879
26.0 Supplies and materials	\$138	\$130	\$111
31.0 Equipment	\$788	\$105	\$32
99.0 Subtotal	\$13,862	\$14,000	\$13,664
99.0 Reimbursable	\$546	\$725	\$725
99.9 Totals	\$14,408	\$14,725	\$14,389

¹ See the Office of Personnel Management’s latest cost-benefit analysis for the Human Resources Line of Business program which found a potential cost savings for agencies that moved their administrative support services to shared service centers: <http://www.opm.gov/egov/documents/CBA/CBAReport-12-31-09.pdf>.

Section III – Fiscal Year 2010 Accomplishments

Leading and shaping Executive Branch ethics policy and programs is OGE's primary mission. In this role, OGE identified three budget priorities on which to focus for fiscal year 2010 and subsequent years that support its strategic goals of strengthening the ethical culture within the Executive Branch, preventing conflicts of interest, and promoting good governance. Those budget priorities are:

- Modernizing Government ethics laws, regulations, and programs;
- Harnessing technology to promote transparency, training, and oversight; and
- Promoting continuity and succession planning in the Executive Branch ethics program.

OGE's accomplishments in fiscal year 2010 toward these budget priorities are discussed below.

A. Priority 1 – Modernizing Government Ethics Laws, Regulations, and Programs

An important ongoing priority of OGE is to modernize Government ethics laws, regulations, and programs. In fiscal year 2010, OGE made significant strides toward this priority. Highlights of these efforts in fiscal year 2010 include:

- Developing a legislative proposal to reauthorize OGE and update the Ethics in Government Act in order to: (1) allow OGE to be more flexible in adapting to new technologies and a changing financial and Government workplace climate; (2) further streamline the review of the financial disclosure forms of nominees to Senate-confirmed, presidential appointments for financial conflicts of interest; and (3) ensure OGE's Director has sufficient tools to fulfill his statutory responsibilities.
- Developing, through participation with the Federal Acquisition Regulatory (FAR) Council law team, a unified, Government-wide set of ethical requirements for Government contractors implemented through standardized contract clauses.
- Publishing the first report to the President on the implementation of the Ethics Pledge contained in Executive Order 13490. The report found 100 percent compliance by political appointees required to sign the Pledge.
- Initiating a benchmarking review of Cabinet-level ethics programs in fiscal year 2010 to allow OGE to commence a project to examine a meaningful range of program structures and processes. In fiscal years 2011 and 2012, OGE will use the results of this review to identify vulnerabilities and model practices relevant to the broader ethics community and to provide agency heads and Designated Agency Ethics

Officials with useful written guidance for charting and measuring improvements to their programs.

- Publishing two additional substantive policy memoranda to implement the Ethics Pledge contained in Executive Order 13490, bringing the number of substantive policy guidance documents issued by OGE on the Pledge to ten.
- Representing the Executive Branch ethics community to the Congress and providing ethics expertise on legislative proposals with Executive Branch-wide implications, as well as updating ethics officials on legislative developments affecting the federal ethics community and individual agencies.
- Sharing good governance practices with state and local government agencies whose responsibilities include ethics and with non-government organizations studying ethical culture in the private and government sectors.
- Representing the United States at anti-corruption and good governance meetings of international organizations of which the United States is a member, such as the United Nations Office on Drugs and Crime, the Council of Europe's Group of States Against Corruption, the Asia-Pacific Economic Cooperation, and the Organization of Economic Co-operation and Development.
- Engaging in mutually beneficial discussions with representatives of good governance programs throughout the world by meeting with 43 foreign delegations, totaling 473 persons from 84 countries, at the request of U.S. foreign policy agencies.
- Gathering good practice information while supporting the broader foreign policy objectives of the United States by planning the agenda and, with the Department of State, securing the participants for a joint two and a half day workshop co-hosted with China in Beijing on APEC economies' experiences in applying anti-corruption principles and preventing conflicts of interest. OGE worked to ensure that each of the APEC economies had a role in the workshop, a first for any program of the APEC Anti-Corruption and Transparency working group, and the Director was able to meet with very senior Chinese leadership on this topic.

B. Priority 2 – Harnessing Technology to Promote Transparency, Training, and Oversight

OGE made significant strides in fiscal year 2010 toward achieving another of its budget priorities: increasing use of technology to improve transparency in the ethics program and enhance training and oversight of agency ethics programs. Highlights of OGE's efforts in fiscal year 2010 include:

- Improving the transparency of the Executive Branch ethics program by redesigning OGE's website to increase accessibility to government ethics documents, an effort that has been OGE's flagship technology initiative. As part of this initiative, OGE

developed and executed an acquisition strategy to acquire a web content management solution for OGE's new website. This new website is expected to go live in the fourth quarter of fiscal year 2011.

- With the Office of Science and Technology Policy in the Executive Office of the President, determining the content of the Ethics.gov project. In connection with this project, OGE removed a barrier to the posting of Ethics Pledge waivers on the Internet by securing a routine use exception from the Office of Personnel Management.
- Developing and delivering on-demand, self-paced tutorials and live, instructor-led, web-based training directed at ethics officials, staff of Inspectors General, and Executive Branch employees generally. Web-based training products allow access to training on demand from any location. Further, because the vast majority of ethics officials devote only part of their official time to the ethics program, web-based training is a particularly effective means for providing specialized training on a just-in-time basis.
- Employing electronic survey software and other automated assessment tools to complement its oversight responsibilities for a large, geographically dispersed ethics community. These tools also improve the efficiency and effectiveness of the review process, while addressing the needs and vulnerabilities of the ethics community.
- Testing several agencies' financial disclosure e-filing systems to determine whether there is an existing system that could be deployed to allow individuals who file with OGE, including all presidential nominees, to prepare their financial disclosure reports electronically. As a result of this effort, OGE has identified existing systems potentially suitable for this use.

C. Priority 3 – Promoting Continuity and Succession Planning of the Executive Branch Ethics Program

As the leader of the Executive Branch ethics community, OGE set as a third budget priority promoting continuity and succession planning in the Executive Branch ethics program. Highlights of OGE's efforts in fiscal year 2010 include:

- Continuing its brisk pace of reviewing and certifying the financial disclosure reports of nominees to Senate-confirmed, presidential appointments. In fiscal year 2010, OGE reviewed the reports of nominees for over 35% of the Senate-confirmed, presidential appointee positions. Since the start of the presidential transition in January 2009, OGE has completed conflict of interest analyses for more than 80% of the presidentially-appointed Executive Branch positions requiring Senate confirmation. In the course of this process, OGE carefully ensured that all of these nominees' financial disclosure reports were compliant with disclosure and conflicts of interest requirements. OGE and agency ethics officials also introduced the nominees to the broader scope of the ethical requirements of the Executive Branch. In addition,

OGE emphasized the need for ethical leadership and impressed upon these nominees the importance of the ethics programs at their agencies.

- Launching a certificate program for new ethics officials throughout the Executive Branch to promote Government ethics as a professional career field, to help identify persons who are best qualified for ethics official positions and to promote succession planning.
- Hosting a special training conference for new ethics officials that introduced them to the legal framework for ethics in the Executive Branch. Conference attendees participated in an intensive, two-day series of seminars designed to build a working knowledge of the fundamentals of conflict of interest laws, the standards of conduct regulations, the financial disclosure rules, ethics program elements, and the collaborative resource that is the ethics community.
- Delivering its 17th National Government Ethics Conference for over 700 Executive Branch ethics officials, Inspector General officials, and representatives from state, local, and foreign governments. This training event included presentations on emerging ethics issues, the Ethics Pledge, program management, continuity and succession planning, reviewing complex nominee reports, and other important ethics issues.
- Partnering with other Government agencies in employee exchanges, which allowed ethics officials to receive intensive training at OGE and improved OGE's understanding of the practical needs of the ethics community.

Section IV – Fiscal Years 2011 and 2012 Budget and Performance Plan Priorities

OGE will use momentum from the significant progress made on its three budget priorities in fiscal year 2010 to build on prior successes and continue to pursue advancements in these priorities in fiscal years 2011 and 2012. To support its strategic goals of strengthening the ethical culture within the Executive Branch, preventing conflicts of interest, and promoting good governance, OGE will work to:

- Modernize Government ethics laws, regulations, and programs;
- Harness technology to promote transparency, training, and oversight; and
- Promote continuity and succession planning in the Executive Branch ethics program.

A. Priority 1 – Modernizing Government Ethics Laws, Regulations, and Programs

Last year, OGE began modernizing Government ethics laws, regulations, and programs through several specific initiatives, some of which are intended to continue beyond the

current fiscal year. Building on this momentum, OGE will continue several of these activities as well as initiate additional modernization activities. The ongoing efforts include pursuing revision of the Ethics in Government Act, fully implementing Executive Order 13490, and working toward solutions to contractor ethics issues. OGE will enhance its Executive Branch benchmarking project and use information gleaned from that effort to foster improvements in ethics programs across all agencies. OGE's innovations include the deployment of a web-based tool designed to assist presidential nominees in preparing their financial disclosure reports for submission to the Senate. OGE also is expanding its efforts to engage the broader private sector, state and local, and international ethics community.

1. Reauthorization and Ethics Legislative Reform

Pending approval by the Office of Management and Budget, within the first half of fiscal year 2011, OGE will transmit to Congress a legislative proposal to reauthorize OGE until 2014 and modernize the Ethics in Government Act. Title IV of the 1978 Ethics in Government Act (EIGA) created OGE and the Executive Branch ethics program. Since its enactment, there have been only slight modifications to this title, and no significant amendments have been made since 1989. While OGE has adapted the Executive Branch ethics program over the years to maintain relevance in the Government, there has been no comprehensive review of this title of EIGA since the Act was signed. For example, EIGA's financial disclosure requirements did not anticipate and, therefore, have not kept pace with the increasing complexity of investment instruments. Similarly, current provisions of EIGA undermine transparency by preventing OGE and Executive Branch agencies from posting public financial disclosure reports on Government websites. Indeed, that technological capability was unknown when the provisions of EIGA that limit public access became law 33 years ago.

In fiscal year 2010, OGE developed a legislative proposal to modernize the EIGA. This proposal would, among other things, allow OGE to be more agile in adapting to technology and the changing financial and Government workplace climate, to further streamline review of Senate-confirmed, presidential appointees for financial conflicts of interest and to ensure that OGE's Director has sufficient tools to fulfill his statutory responsibilities. OGE expects to send its legislative proposal to Congress in fiscal year 2011.

2. Full Implementation of Executive Order 13490

OGE will continue efforts to fully implement Executive Order 13490 in fiscal years 2011 and 2012. The Executive Order made significant changes to the Executive Branch ethics program. OGE initially focused on implementing the Ethics Pledge in fiscal years 2009 and 2010.² However, outstanding work on the Executive Order includes reporting to the President on whether to extend the Pledge's post-Government cooling-off period to

² Most significantly, OGE has issued 10 memoranda providing substantive guidance on the Ethics Pledge for Political Appointees and its first report to the President on Executive Order 13490, Ethics Commitments by Executive Branch Personnel, which may be found at: http://www.usoge.gov/directors_corner/reports/rpt_exorder13490.pdf.

procurement employees and whether procurement lobbying disclosures are adequate, and revising the Standards of Ethical Conduct to apply the lobbyist gift ban to all Executive Branch employees. Full implementation of Executive Order 13490 will continue to require significant OGE human resources over fiscal years 2011 and 2012.

3. Ongoing Efforts to Address Contractor Ethics Issues

For years, OGE has been a leader in the effort to increase ethics oversight of Government contractors. Congress has recognized this leadership and, as a result, OGE has participated in several rulemakings to address contractor conflicts of interest and related ethics concerns through fiscal year 2010. Also in fiscal year 2010, in order to strengthen its ability to assist in these important efforts, OGE built additional in-house procurement expertise.

In fiscal years 2011 and 2012, OGE will continue to participate in FAR Council rulemakings involving organizational and personal contractor ethics and the subcommittees of the Department of Defense Panel on Contracting Integrity. OGE will also share information with Inspectors General involved in contractor ethics issues and will provide technical assistance to the Senate Subcommittee on Contracting Integrity. In addition, OGE will continue to work with agency ethics officials to promote the use of contract clauses to address personal conflicts of interest of personal services contractors.

4. Development of Program-Enhancing Tools Based on the Benchmarking of Cabinet-Level Ethics Programs

In fiscal years 2011 and 2012, OGE will expand its modernization efforts to ethics programs throughout the Executive Branch based on information gleaned from the comprehensive benchmarking of every cabinet-level ethics program. The cabinet-level ethics programs are the largest programs, reaching over 80 percent of all Executive Branch employees. The benchmarking project allows OGE to identify model practices, vulnerabilities, and needs of the Executive Branch ethics program at the broadest level.

Building on the results of this project, OGE will undertake several other projects to enhance the quality of all Executive Branch ethics programs. Planned projects include sharing model practices and developing training for ethics officials on management of ethics programs. OGE also will identify appropriate agencies for participation in a second round of benchmarking. Finally, OGE will develop a comprehensive oversight and compliance plan to ensure that OGE performs consistent monitoring of the ethics programs at both the agency and major component levels.

5. Creation of a Web-Based, Plain English Guide for Financial Disclosure Filers

During fiscal year 2011, OGE has begun creating a web-based guide to educate and assist senior officials required to complete public financial disclosure reports. When published on OGE's new website in the fourth quarter, this will be the first comprehensive guide on public financial disclosure reporting designed specifically for nominees. The guide will provide detailed guidance written in plain English. This will be a major undertaking because the

guidance will cover a broad range of information that is required to be reported on the public financial disclosure report. It will increase the efficiency of the financial disclosure process by improving the quality of the initial drafts of financial reports submitted by nominees. By clarifying the reporting requirements in plain English, this tool will eliminate many of the errors typically found in financial disclosure reports, thereby helping to expedite the ethics clearance of candidates for presidential nomination.

6. Expansion of Efforts to Engage the Larger Ethics Community: Good Governance Initiatives and International Assistance

In fiscal years 2011 and 2012, OGE will continue sharing good governance practices and learning experiences with other federal government entities, state and local government entities, international organizations, foreign governments, and non-profit and business communities that have integrity programs similar to OGE's or that have conducted research into innovative and effective ethics and integrity programs.

Specific activities at the federal level will include OGE's continued collaboration with the Inspector General community through the Council of Inspectors General on Integrity and Efficiency (CIGIE), its Integrity Committee and the IG Criminal Investigator Academy. OGE also plans to initiate a round table comprised of participants representing ethics officials from each of the three branches of the federal government. OGE expects that this round table will provide a forum for ethics officials from the three branches to discuss common issues, laws, and trends toward solving common problems as well as an opportunity for sharing good practices.

At the state and local government level, OGE will continue to actively share information and good practices with the Council of Government Ethics Laws (COGEL), an organization whose members are primarily state and local government agencies with ethics and other good governance responsibilities. OGE also expects to share and receive information on good ethics program practices, including innovative and effective training programs developed in the private sector. For example, OGE recently expanded its participation in the Ethics and Compliance Officer Association, a well-established 501(c)(3) organization.

Finally, at the request of United States foreign policy agencies, OGE will continue to participate in programs designed to support and enhance United States foreign policy initiatives and assistance in the areas of anti-corruption and good governance. Through these interactions, OGE will also gain ideas for enhancing its own programs and policies. In fiscal years 2011 and 2012, the United States will host the Asia-Pacific Economic Cooperation (APEC). OGE will provide significant substantive expertise for and collaboratively assist a number of United States federal agencies with the meetings of the APEC Anti-Corruption and Transparency Task Force. In addition, OGE will provide technical experts for three reviews of the United States' adherence to certain international anti-corruption agreements. The review implementation mechanisms include the newly established review of implementation mechanism for United Nations Convention Against Corruption (1st round), the Group of States Against Corruption (3rd round), and the Inter-American Convention Against Corruption's MESICIC (4th round). Separately, OGE will provide technical experts

to meet the United States' obligations as a reviewer in each of these three mechanisms. OGE also will continue to meet with numerous foreign delegations sponsored primarily by the Department of State's International Visitors Program, and will continue to represent the United States in various international forums focusing on prevention and good governance.

B. Priority 2 – Harnessing Technology to Promote Transparency, Training, and Oversight

OGE's second priority is to increase its use of technology to improve transparency and efficiency in the Executive Branch ethics program and to enhance training and oversight of agency ethics programs. OGE is in the midst of several major efforts aimed at achieving this goal. The first of these initiatives is to initiate an electronic financial disclosure system for the more than 1,400 public and confidential financial disclosure filers whose reports OGE reviews and certifies. For its next three technology initiatives, OGE has already begun working with technical experts to develop the criteria necessary for OGE to be prepared to evaluate and procure its new website, a replacement for its deteriorating Financial Disclosure Tracking System, and an information management system to manage requests for advice from Executive Branch ethics officials. OGE has laid the critical groundwork in fiscal year 2010 and, as resources permit, OGE will pursue all three of these initiatives. Finally, OGE seeks to launch an education effort consisting of a learning management portal on the internet.

1. Implementation of Electronic Financial Disclosure System

If resources permit, OGE will use fiscal year 2012 funds to implement one of the existing Executive Branch electronic financial disclosure systems at OGE. To this end, OGE has tested the e-filing systems and electronic financial disclosure forms of seven agencies over the last two fiscal years. As a result of that testing, OGE is currently working to determine the suitability of one of these systems for use by all of the more than 1,400 filers whose financial disclosure reports OGE certifies. This includes the approximately 1,200 nominees for Senate-confirmed, presidential appointments to the Executive Branch. OGE plans to complete the evaluation and prepare for implementation of a system to permit electronic preparation of financial disclosure reports for these filers during fiscal year 2011, with the goal of deploying the new system in fiscal year 2012. This would bring a new face of efficiency and function to the Executive Branch ethics program for the highest-level government officials and would encourage all agencies to pursue electronic filing to the benefit of all filers. In addition, it would complete a long-sought goal of bringing OGE-certified financial disclosure into the digital age.

2. Redevelopment of OGE Website

OGE is committed to increasing transparency in government. Currently, OGE's legacy website contains all substantive guidance that OGE has issued over the past 30 years; however, OGE's current website design makes this guidance difficult to find or access. OGE currently has under development a vastly more capable and user-friendly website and will employ a new web content management solution that will greatly improve the accessibility of

ethics documents and information to ethics officials, Executive Branch employees, Congressional staff, the media, and members of the general public. It is anticipated that this new website will go live in the fourth quarter of fiscal year 2011.

OGE's new website will serve as OGE's flagship effort required by OMB's Open Government Directive. Most significantly, this new website will improve the accessibility of the tremendous amount of content already available on OGE's website. OGE will better identify and tag current content, identify high-value content in OGE's possession that is not currently posted on OGE's website, and identify any content gaps. This cataloging will be housed in a content management system and will improve a user's ability to search for content on OGE's website. Thus, OGE's new website will harness new technologies to better reach its target audiences.

3. Replacement of OGE's Financial Disclosure Tracking System

The volume and significance of the financial disclosure reports that OGE certifies necessitate meticulous tracking of collection, review, and certification activities. However, OGE's Financial Disclosure Tracking System (FDTS) is antiquated and rapidly deteriorating. The FDTS is an internal web-based application that contains information about the collection, review, and certification of public financial disclosure reports and other covered documents as required by the Ethics in Government Act of 1978. This critical system tracks the receipt, review, certification, and destruction of approximately 6,000 reports filed by presidential nominees for Senate-confirmed appointments, certain presidential appointees, senior White House employees, and presidential and vice presidential candidates. OGE currently uses this outdated legacy system based on technology that can no longer be supported to meet the financial disclosure program's tracking and management needs. In fiscal year 2011, OGE will begin the design phase of replacing FDTS, with full implementation during fiscal year 2012.

4. Development of Office of Agency Programs Information Management System

In fiscal years 2011 and 2012, OGE also plans to develop and deploy a client management system: the OAP Information Management System (OAP IMS). The system will be designed and implemented to better track and manage incoming requests from over 130 Executive Branch agencies and other organizations. Ideally, the system also will provide a management tool by allowing OGE to identify agency ethics programs that require significant OGE assistance and by revealing trends in issue areas of concern about which OGE should develop training and guidance.

5. Development of Learning Management Portal

Subject to available resources, in fiscal years 2011 and 2012, OGE will establish a learning management portal on the internet. If OGE pursues this initiative, customers of this portal will be able to create a professional development plan, browse the OGE course catalog, register for classes, view a list of completed courses, view pending courses, take online courses, participate in discussion forums, and take online quizzes.

C. Priority 3 – Promoting Continuity and Succession Planning of the Ethics Program

As the entire federal government faces a wave of retirements,³ OGE will promote continuity and succession planning within the agency and across the Executive Branch ethics program through four specific leadership initiatives. First, OGE will prepare the Executive Branch ethics community for an anticipated increase in the volume of financial disclosure filings by presidential nominees incident to the 2012 presidential election. Second, through its high-performing public financial disclosure program, OGE will continue to acquaint a high volume of the most senior Government employees with the importance and scope of the Executive Branch ethics program. Third, at its 18th National Government Ethics Conference, which will occur in late fiscal year 2011, OGE will emphasize continuity and succession planning as a major theme. OGE also currently plans to hold its 19th National Government Ethics Conference in 2012 in preparation for the substantial increase in nomination activity that occurs following a presidential election, regardless of whether there is a new or incumbent administration. Finally, OGE will begin to develop curriculum leading to an ethics official certification program. This is an outgrowth of the successful two-day new ethics official certificate program launched in fiscal year 2010.

1. Training to Prepare Financial Disclosure for Succession

In fiscal year 2012, OGE will prepare its staff and agency ethics officials for the anticipated increase in volume of financial disclosure filings by nominees for Senate-confirmed, presidential appointments that will occur in fiscal year 2013 and beyond, following the 2012 presidential election. Based on past experience, the volume of nominee financial disclosure filings will increase regardless of the outcome of the election. To prepare for this, in fiscal year 2012, OGE will both build internal capacity and conduct focused training for agency ethics officials involved in the financial disclosure process. OGE also plans to conduct briefings for Senate nominations staff to provide details about the Executive Branch public financial disclosure reporting process, including OGE's role in nominees' public financial disclosure and its role as a resource to the Executive and Legislative Branches of government. OGE also will arrange meetings with representatives of presidential candidates' campaign teams prior to the election to provide training on the legal requirements imposed by the Executive Branch ethics program.

2. Providing Continuity in Senior Leadership

For most nominees to Senate-confirmed, Executive Branch presidential appointments, OGE's financial disclosure program represents their first encounter with the ethics requirements of the Executive Branch. OGE traditionally works closely with nominees as well as with ethics officials at their prospective agencies to ensure compliance with all financial disclosure and conflict of interest requirements. These early interactions help to

³ OPM has projected that 36% of Executive Branch employees were eligible to retire in 2010, and 61% will be eligible by 2016. OGE has confirmed through its surveys of ethics officials that the Executive Branch ethics program is not immune from this workforce turn-over and it is to be expected that ethics officials will be among those who leave the federal workforce.

stress the importance of a conflict-free Government workplace and ensure that new appointees understand the importance of the Executive Branch ethics program.

In fiscal years 2011 and 2012, OGE will continue to review public financial disclosure reports affecting government succession at the highest levels of Executive Branch leadership. Specifically, OGE personnel will be reviewing a significant volume of financial disclosure reports of nominees to Senate-confirmed, presidential appointments in order to ensure continuity in government leadership. Due to the ongoing appointment of officials to vacant positions and routine turnover of senior leaders, OGE personnel typically review and certify more than 250 public financial disclosure reports of presidential nominees every year. OGE's review and certification of these presidential nominee reports is in addition to its review and certification of 1,100 annual and termination financial disclosure reports of presidential appointees.

3. Principal Training Conferences

In late fiscal year 2011, OGE will hold the 18th National Government Ethics Conference. In developing an agenda for this conference that will best serve the ethics community, OGE will rely upon data gathered through the use of survey technology, monitoring activities, and requests for technical advice. As an additional reimbursable activity, OGE will present other training conferences for new and inexperienced ethics officials.

Conference materials will be electronically archived, and selected presentations will be electronically recorded. Following the national conference, substantial training resources will be devoted in fiscal year 2012 to editing, refining, and distributing conference presentations and materials. In this way, OGE plans to substantially enhance the practical value of its national ethics conferences by reaching a larger portion of the ethics community. In addition, OGE will continue to place pertinent materials on its website to facilitate public access.

OGE currently projects that it will hold its 19th National Ethics Conference in the latter half of calendar year 2012 in time to prepare ethics officials throughout the Executive Branch for the unique challenges they face following a presidential election.

4. Development of a New Certification Program for Ethics Officials

Due to the decentralized nature of the Executive Branch ethics community, ethics officials rely almost exclusively on OGE for essential training and continuing education to remain current and enhance their knowledge base. Building on the successful new ethics official certificate program launched by OGE in fiscal year 2010, OGE will begin developing an ethics official certification program to ensure that ethics officials possess the knowledge and skill sets to perform their jobs. In 2011, OGE will identify certification criteria, to include the essential competencies needed to be an effective ethics official and to delineate a clear path that ethics officials can take to build a career in this field. Following the identification of certification criteria, in fiscal year 2012, OGE will begin to develop a comprehensive curriculum to prepare ethics officials for certification. The curriculum will include a number of classroom and online courses to prepare ethics officials to perform successfully in their

jobs. Beyond 2012, OGE will provide continuing education courses to agency ethics officials in order to maintain their expertise once certification is achieved. OGE will partner with experts in the field of ethics as well as Executive Branch agencies and leaders from the private sector to deliver continuing education that is innovative and of the highest quality.

Section V – Improve Employee Satisfaction and Wellness

A. Model Employer Behavior for Executive Branch Agencies

Consistent with the President’s priority of responsibly governing the Nation and the President’s expectation that the Government will be a model employer, in fiscal years 2011 and 2012, OGE will continue to both gain efficiencies in the workplace and to increase employee satisfaction and well-being. OGE’s Administrative and Technology teams will work to create a supportive work environment in which employees will be able to fulfill their Government responsibilities. OGE will continue to prioritize its employees’ professional development through training and experiential learning. OGE’s management will continue to provide a safe and hospitable working environment.

1. Administrative Improvements

In fiscal years 2011 and 2012, OGE will continue to improve administrative support services and realize operational efficiencies. In fiscal year 2010, OGE began expanding services provided by the Department of Treasury’s Bureau of Public Debt (BPD) for some of its human resources and fiscal services, and significantly increased the number and range of services provided by BPD in fiscal years 2011. Included in the services that OGE procured from BPD in late fiscal year 2010- early fiscal year 2011 are staffing, classification, personnel processing, time and attendance, full service budget and financial management, full service for procurements over the micro-purchase threshold, travel services, and Government purchase card management. The purpose of procuring these functions from BPD was to achieve operational efficiencies and improve administrative support to OGE. However, OGE anticipates that the procurement may also result in cost savings. The Office of Personnel Management’s recent cost analysis of its Human Resources Line of Business program found a potential for benefits for agencies that use shared service centers for their non-mission critical, administrative support functions.⁴

Other OGE administrative efforts expected to continue in fiscal year 2012 include continued evaluation and improvement of its continuity and succession planning to provide a stable work environment for employees and continued exploration of electronic information technology solutions for personnel data security and Official Personnel Folder documentation. Also, in fiscal year 2012, OGE will document and submit to the Office of Personnel Management the necessary paperwork to re-certify OGE’s Senior Executive

⁴ See the Office of Personnel Management’s latest cost-benefit analysis for the Human Resources Line of Business program which found a potential for cost savings for agencies that moved their administrative support services to shared service centers: <http://www.opm.gov/egov/documents/CBA/CBAReport-12-31-09.pdf>.

Service performance system. Finally, OGE will comply with requirements to participate in the national level Federal Continuity of Operations (COOP) exercise in 2012.

2. Creating a Performance Culture

In addition to providing robust information technology and administrative support, OGE management will continue to support employees' professional development, despite overall limited resources in the fiscal year 2012 budget. OGE encourages details, both among its agency divisions and to other Government entities, for the purpose of increasing the knowledge and skills of the employees who fulfill OGE's mission. OGE employees benefit from a combination of formal course work and experiential assignments, including working with the Congress, the White House, and other Executive Branch agencies. OGE also invites guest speakers to discuss issues of relevance to agency programs. Similarly, OGE encourages employees to participate in an ethics round table discussion group.

To enhance quality of life standards for employees, OGE supports flexible work schedules and encourages a team environment. OGE's flexible work options and benefits include part-time employment, compressed work schedules, telecommuting, staggered start-time options, and accommodations for nursing mothers. OGE creates a team environment by recognizing employee service at an annual awards ceremony, encouraging employees to participate in volunteer and sporting programs after hours, engaging in Combined Federal Campaign activities, and permitting its employees to organize a lunchtime book club and an off-duty movie club. OGE employees also are encouraged to actively support the Feds Feed Families drive and charitable holiday activities.

B. Wellness Programs

OGE offers a number of health and wellness opportunities to employees. OGE provides employees with access to a Health Unit one block from OGE's offices through the Federal Occupational Health Service (FOH), a program of the Department of Health and Human Services. Employees can visit the Health Unit for regular health screenings and certain basic, unexpected health needs. An FOH nurse visits OGE monthly to offer blood-pressure, cholesterol, and diabetes screenings for all employees. Through FOH, OGE offers its employees flu shots seasonally and tetanus shots occasionally. FOH also hosts periodic brown bag lunches to discuss topics such as healthy diets, sunscreen use, and the importance of regular health screenings. Finally, OGE employees can access counseling services through the Employee Assistance Program.

The building in which OGE leases its office space contains a fitness facility, renovated in 2009, that is available without charge to the employees of all building tenants. The building also provides a secure bike rack in its parking garage for tenants' employees who bike to work.

With regard to nutrition, OGE's building does not contain a cafeteria, but its downtown location is surrounded by numerous eateries that offer healthy dining choices. Additionally, there are full-size refrigerators and designated food preparation areas within OGE's office

space. Many, if not most, employees utilize these facilities to bring lunch to work. In addition to three drinking fountains and water in kitchen facilities, bottled water is available for employees who have pooled personal funds for a commercial bottled water service.

Section VI -- Conclusion

The Office of Government Ethics will use its fiscal year 2012 budget request to support its mission of fostering high ethical standards for Executive Branch employees, and thereby, to enhance the public's confidence that the Government's business is conducted with impartiality and integrity. OGE will employ its resources to achieve its strategic goals of strengthening the ethical culture within the Executive Branch, preventing conflicts of interest, and promoting good governance. With reductions in support and other expenses, the budget request provides the minimum amount OGE will need to carry out its statutorily required mission, as well as to conduct activities designed to enhance OGE's oversight of Executive Branch ethics.