UNITED STATES OFFICE OF GOVERNMENT ETHICS



Preventing Conflicts of Interest in the Executive Branch

Office of Government Ethics: Year In Review

STOCK Act



Stop Trading on Congressional Knowledge Act of 2012



 OGE LA-12-01 (§ 17 Negotiations and Agreements of Post-Government, Non-Federal Employment)

OGE LA-12-02 (Mortgage Reporting)

 OGE LA-12-04 (Periodic Transaction Reports)



 OGE LA-13-01 (Periodic Transaction Reports by Spouses and Dependent Children)

 OGE LA-13-06 (§ 17 Negotiations and Agreements of Post-Government Compensation)

• OGE LA-14-02 (§ 12 Initial Public Offerings)



§ 12 of the STOCK Act:

It's actually § 21A(i) of the Securities
 Exchange Act of 1934!



§ 12 of the STOCK Act:

 As applied to incoming nominees who held jobs at private companies and had arrangements or agreements retaining their ability to convert their private shares into public shares if their former employer took the company public

UNITED STATES OFFICE OF GOVERNMENT ETHICS



Preventing Conflicts of Interest in the Executive Branch

Effect of *U.S. v. Windsor* on the Executive Branch Ethics Program

Section 3 of the Defense of Marriage Act (DOMA)

"... the word 'marriage' means only a legal union between one man and one woman as husband and wife, and the word 'spouse' refers only to a person of the opposite sex who is a husband or a wife." 1 U.S.C. § 7

United States v. Windsor, 133 S. Ct. 2675 (June 26, 2013)



Which Ethics Provisions Are Affected by the *Windsor* Decision?



The terms "marriage," "spouse," and "relative" when they appear in federal ethics laws and regulations now include same-sex marriages and same-sex spouses.

See LA-13-10

Which Ethics Provisions Are Affected by the *Windsor* Decision?



- 18 U.S.C. §§ 203, 205, and 208;
- 5 U.S.C. app. §§ 102, 109, 505, and Pub. L.
 No. 112-178, § 3;
- 5 U.S.C. § 7351;
- 5 C.F.R. parts 2601, 2634, 2635, 2636, and 2640; and
- Agency supplemental standards of ethical conduct adopted with the concurrence of OGE under 5 C.F.R. § 2635.105.

Which Employees Are Affected by the *Windsor* Decision?



The Federal ethics rules will apply to same-sex married couples in the same way they apply to <u>all</u> married employees.





Which Employees Are Affected by the *Windsor* Decision?

*

All married same-sex couples, regardless of the federal employee's state of residency.



How Does the *Windsor* Decision Affect Married Same-Sex Couples? Financial Disclosure



Specific stock, bond, sector mutual fund, type/location of real estate, etc. (Indicate the full name of each specific asset or investment. You may add the ticker symbol to the full name.) Name of Employer or Business; Source of Fees, Commissions, or Honoraria (Include brief description.) You may distinguish any entry for a family member by preceding it with S for spouse, DC for dependent child, or J for jointly held.				
¹ ABC Company Stock				
² eShares Biotech Sector Fund				
³ Spouse: DEF Company (salary)				
Spouse: ABC stock				
⁵ Spouse: DEF 401(K): The KCB Precious Metals Fund				

How Does the *Windsor* Decision Affect Married Same-Sex Couples? 18 U.S.C. § 208





UNITED STATES OFFICE OF GOVERNMENT ETHICS



18 U.S.C. § 208(b)(2) Exemption for Official Participation in Nonprofit Organizations

History



1995

2006

2011

2013

2013

- OLC Issues FBI Memo
- OGE Report to Congress
- OGEPublishesProposedRule
- OGEPublishesFinalRule
 - OGE Publishes LA-13-05

5 C.F.R. 2640.203(m)



"An employee may participate in any particular matter where the disqualifying financial interest is that of a nonprofit organization in which the employee serves (or is seeking or has an arrangement to serve), solely in an official capacity, as an officer, director or trustee."

Scope of Exemption



- Applies <u>only</u> to financial interests of nonprofit arising from <u>official service</u> at nonprofit.
- Applies <u>only</u> to those serving (or seeking to serve) in their official position as:
 - Officers, directors, or trustees.
- Does <u>not</u> apply to those serving (or seeking to serve) in a for-profit organization or not-forprofit organization that is not a 501(c).

Scope of Exemption



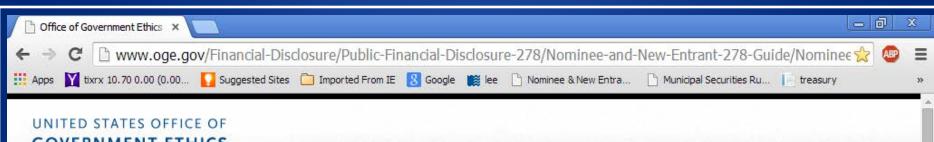
- Does <u>not</u> create independent authority for placing employees at nonprofit organizations.
- Does <u>not</u> prohibit agencies from imposing limitations on employee activity at nonprofits.
- Does <u>not</u> affect the applicability of any other statute or rule, including the Criminal COI statutes and the Standards of Conduct.

UNITED STATES OFFICE OF GOVERNMENT ETHICS



Preventing Conflicts of Interest in the Executive Branch

Nominee and New Entrant 278 Guide



GOVERNMENT ETHICS

Preventing Conflicts of Interest

in the Executive Branch

Nominee and New Entrant 278 Guide

Nominee & New Entrant 278 Guide

- 1 How to Use this Guide
- 2 The OGE Form 278
- 3 Cover Page
- 4 Assets and Income
- 5 Liabilities
- 6 Agreements or Arrangements
- 7 Positions
- 8 Sources of Compensation
- 9 Checklist

For Ethics Officials

Nominee & New Entrant 278 Guide







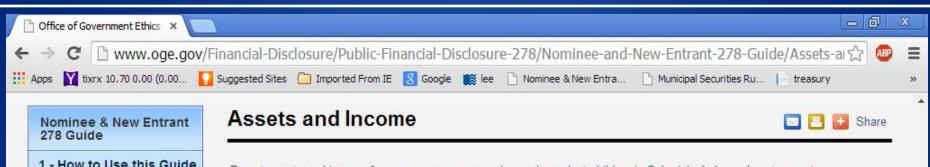
Welcome to your new public role as you embark on a new leadership challenge. You may be a "Nominee" filer, engaged in a process leading to Senate confirmation and appointment by the President. Or, you may already be in your new government position and are filing as a "New Entrant." In either case, you are presented with the prospect of accomplishing important policy and personal goals.

The opportunities presented by government service come with responsibilities. Transparency is a critical part of government ethics, and Congress has determined that the citizens should know their leaders' financial interests. To facilitate such transparency, Congress enacted the financial disclosure provisions of the Ethics in Government Act. The Act imposes detailed requirements for financial disclosure for senior government officials. The OGE Form 278 is a financial disclosure report that requests only as much information as the Act requires you to disclose.

We at OGE are sensitive to the burden of completing this report, and the "Nominee and New Entrant 278 Guide" is designed to assist you with this process. Throughout the guide, you will find helpful instructions, illustrations, definitions and answers to frequently asked questions in plain language. We have attempted to keep our instructions clear and concise without compromising detail and accuracy.

Please proceed to the "How to Use this Guide" page, and we will get started.

Forward: How to Use this Guide



Nominee & New Entrant 278 Guide

1 - How to Use this Guide

2 - The OGE Form 278

3 - Cover Page

4 - Assets and Income

5 - Liabilities

6 - Agreements or Arrangements

7 - Positions

8 - Sources of Compensation

9 - Checklist

For Ethics Officials

Report assets and income for you, your spouse, and your dependent children in Schedule A. Learn how to report a particular asset by selecting that asset or source of income from the table below.

Assets/Income (A - F)	Assets/Income (G - Q)	Assets/Income (R - Z)	
American Depositary Receipt	Gambling Winnings	Real Estate	
Annuity (fixed)	Government Agency Security	Real Estate Holding Company (e.g., REIT)	
Annuity (variable)	Government Benefits	Restricted Stock	
Award or Prize	Honorarium	Restricted Stock Unit	
Bank Account (cash)	IRA, SEP IRA, or Keogh Plan	Salary	
Bond (corporate)	Intellectual Property	Self-Funded Defined Benefit Plan	
Bond (municipal)	Investment Fund (general)	Severance Payment (cash)	
Bonus (cash)	Law Firm (partnership)	Short Sale	
Brokerage Account	Law Firm (sole proprietorship)	Stable Value Fund	
Cash Balance Pension Plan	Life Insurance (split-dollar)	Stock	
Collectible Item	Life Insurance (term)	Stock Appreciation Pight	
Common Trust Fund of a Bank	Life Insurance (variable)	Stock Option (incentive stock option	
Consulting Fee	Life Insurance (whole or universal)	Stock Option (over the counter, puts and calls)	
Contingency Fee	Loan Made to Another Party	Sweep Account	
Deferred Compensation	Managed Account	Third-Party Escrow Agreement	
Defined Benefit Plan	Money Market Fund	TIAA-CREF	
Defined Contribution Plan (e.g., 401k	Money Purchase Pension Plan	Treasury Security	

1	Mimeograph Supply Co. (MIME), stock options	x			left side of form
2	Mimeograph Supply Co. (MIME), stock		x		—
3 S	Widgets Unlimited (WIG), stock options	x			
4 S	Widgets Unlimited (WIG), stock			x	

OR

If the value of the stock options is not readily ascertainable

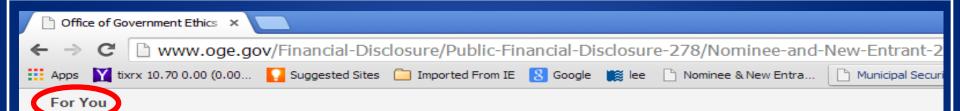
1	Mimeograph Supply Co. (MIME), stock options (value not readily ascertainable):			
2	740 vested shares: strike \$19, exp. 3/171,200 unvested shares: strike \$22, exp. 1/18	385		
3	vest 8/15/17			
4	Mimeograph Supply Co. (MIME), stock		x	
5 S	Widgets Unlimited (WIG), stock options (value not readily ascertainable):			
6 S	900 vested shares: strike \$31, exp. 2/17			
7 S	Widgets Unlimited (WIG), stock			x

left side of form



Schedule C, Part II

1	I will retain my vested options received through the Mimeograph Supply Co. incentive stock option plan.	Mimeograph Supply Co., Nashville, TN	11/02
2	I will forfeit any unvested options upon my resignation.		



Schedule A

Reporting Your Stock Option

Report an option if the value of the option was more than \$1,000 at the end of the reporting period, or if the option produced more than \$200 in income during the reporting period.

Block A: Provide the exact name of the stock for which the option was issued and write "stock option."

Block B: If you are able to determine the value of your option, report the value by marking the appropriate column. Keep in mind that the value of an option is not the same as the value of the stock for which it was issued. However, your employer's human resources office may be able to provide you with the value of your stock option. If your employer has not provided you with this information, the U.S. Office of Government Ethics will accept either of the following methods of valuation:

- A) If the option is "underwater" or if the value of the option is otherwise difficult to determine, write "value not readily ascertainable" in Block A and provide the following information in Block A: (1) the name of the stock for which the option was issued; (2) the number of shares of the stock for which the option was issued; (3) the strike price; (4) the expiration date; (5) an indication as to whether the option is vested; and (6) the date on which the option will vest, if the option is unvested.
- B) Alternatively, you may use any commonly accepted formula to calculate the value of your options (e.g., the Black-Scholes pricing model).

Block C: Report the amount of income produced during the reporting period by marking the appropriate "Amount" column. If the amount of income is more than \$200, you also need to report the type of income by marking the applicable "Type" column(s). Incentive stock options normally do not produce income, which means most filers mark the "None (or less than \$201)" column.

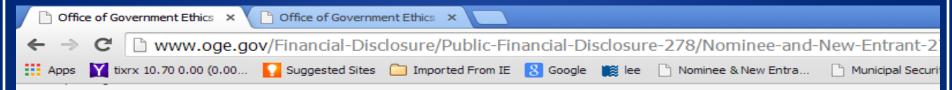
Reporting Your Stock

Report the stock and any income from the stock using the instructions in this guide for reporting stock.

Schedule C, Part II

You also need to report your participation in an incentive stock option plan in Schedule C, Part II.

Terms: You need to describe what will happen to your stock options. Specifically, report such details as whether you will retain vested options, exercise vested options, forfeit unvested options, or receive accelerated vesting of unvested options. If applicable, specify the timeframe in which these actions will occur (e.g., "upon my resignation"). In addition, report any anticipated grants of stock options.



Report the stock and any income from the stock using the instructions in this guide for reporting stock.

Schedule C, Part II

You also need to report your participation in an incentive stock option plan in Schedule C, Part II.

Terms: You need to describe what will happen to your stock options. Specifically, report such details as whether you will retain vested options, exercise vested options, forfeit unvested options, or receive accelerated vesting of unvested options. If applicable, specify the timeframe in which these actions will occur (e.g., "upon my resignation"). In addition, report any anticipated grants of stock options.

Parties: Provide the name of the employer as well as the city and state in which the employer is located.

Date: Provide the month and year in which you began participating in the incentive stock option plan.

For Your Spouse

Schedule A

Report your spouse's incentive stock options and stock acquired through an incentive stock option plan using the guidance provided above in the section titled, "For You."

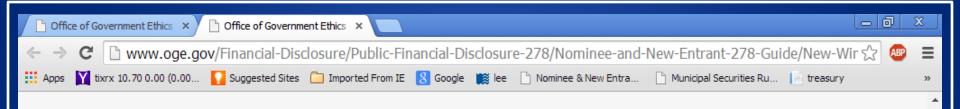
Schedule C. Part II

Do not report an incentive stock option plan in which your spouse participates in Schedule C, Part II.

Click Here for Frequently Asked Questions

Exit to OGE.gov - Public Financial Disclosure

This guide is not intended to provide investment advice, and you should not rely on statements in this guide when making investment decisions.



FAQs: Incentive Stock Option



1. The sale of stock that I purchased using an incentive stock option produced ordinary income. How do I report that income?

Generally, the sale of stock would produce a capital gain or loss. However, in some situations, the sale of stock acquired through an incentive stock option may produce ordinary income as well.

In these cases, you must report the exact amount of ordinary income in Schedule A in the column labeled "Other Income" on the right side of the page. In Block A, on the left side of the page, identify the employer in which you held the stock option and describe the income as "option exercise, ordinary income."

Block A Other Income
Wilson Widgets stock – option exercise, ordinary income \$12,392

The foregoing discussion applies only to your own income, not your spouse's income. See the question immediately below for a discussion of the reporting requirements for income that your spouse earns through an incentive stock option plan.

2. The sale of stock that my spouse purchased through an incentive stock option plan produced ordinary income. How do I report my spouse's income from this transaction?

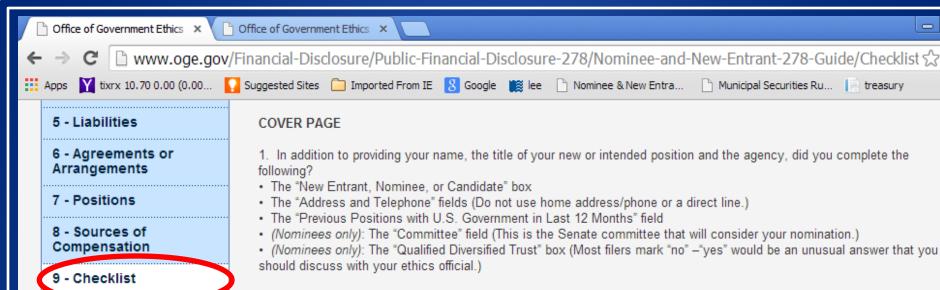
Generally, the sale of stock would produce a capital gain or loss. However, in some situations, the sale of stock acquired through an incentive stock option plan may produce ordinary income as well.

In these cases, describe the income in Block A as "option exercise, ordinary income" and identify the stock by name. You do not need to report the ordinary income that your spouse earned.

Block A

Wilson Widgets stock - option exercise, ordinary income

This guide is not intended to provide investment advice, and you should not rely on statements in this guide when making investment decisions.

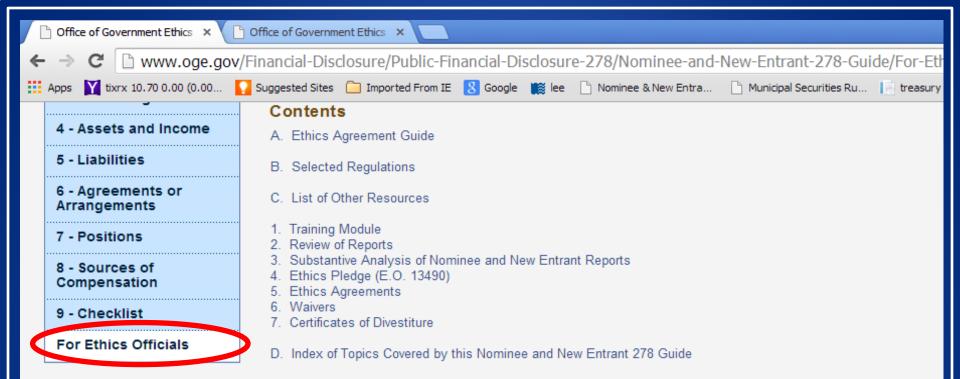


2. Did you sign and date the form?

SCHEDULE A

For Ethics Officials

- 3. Did you remember to report information for your spouse and dependent children, if applicable?
- 4. Did you capture all reportable assets and sources of income? The following common items are sometimes overlooked:
- a. Employment-Related
- · Salary, bonus, severance, director fees, consulting fees, or honoraria
- · Anticipated bonus or severance
- · Retirement plans (e.g., defined benefit pension plan or defined contribution plan)
- · Deferred compensation
- · Equity in an employer (e.g., stock or stock options)
- TIAA-CREF accounts
- * Note: Do not report federal salary or retirement benefits.
- b. Other Assets and Investment Income
- · Bank accounts (e.g., checking, savings, CDs, money market accounts)
- · Real estate (However, do not report a personal residence, unless it has been rented.)
- · Stock, bonds, mutual funds, etc.
- · Qualified tuition programs, also called 529 plans (i.e., college savings plans or prepaid tuition plans)
- · Whole, universal, or variable life insurance
- · Fixed or variable annuities
- · Books and other intellectual property
- Interests in or income from a trust or estate



A. Ethics Agreement Guide

- Ethics Agreement Guide: Ethics officials need to use the ethics agreement guide for all Presidential nominee ethic agreements. (MS Word version) (PDF version)
- Conflict of Interest Analysis: Coming soon -- This page will provide guidance on how to review entries for potential of interest or appearance concerns.

B. Selected Regulations

- Executive Branch Financial Disclosure, Qualified Trusts, and Certificates of Divestiture: 5 C.F.R. part 2634
- Standards of Ethical Conduct for Employees of the Executive Branch: 5 C.F.R. part 2635
- Limitations on Outside Earned Income, Employment, and Affiliations for Certain Noncareer Employees: 5 C.F.R. p. 2636
- Interpretation, Exemptions, and Waiver Guidance Concerning 18 U.S.C. § 208: 5 C.F.R. part 2640

UNITED STATES OFFICE OF GOVERNMENT ETHICS



Preventing Conflicts of Interest in the Executive Branch

Other Legal Advisories of Note

LA-13-04: Discretionary Trusts, Redux



 Maintains definition of discretionary trusts (DO-08-024)

 Filers no longer required to report underlying assets of discretionary trusts

Still, must report income received

LA-12-09: 18 U.S.C. § 205 Exception for Parents/Children

 18 U.S.C. § 205(e) may cover representing stepparents or stepchildren

- Exception available if:
 - Parent-child relationship created by adoption, judicial decree, or
 - Stepchild is a "dependent child" under EIGA

LA-12-07: 18 U.S.C. § 208(b) Waivers Valid After Transfer of Position

- 18 U.S.C. § 208(b) waivers remain valid if function is transferred (inter- and intraagency)
 - Disqualifying financial interest <u>and</u> functions of transferred employee's position must remain <u>substantially</u> the same
- Receiving agency should review waiver, determine whether still necessary and prudent

LA-14-03: Increased Thresholds



- <u>Financial disclosure reports</u>: New aggregation threshold for reporting gifts and reimbursements from any one source: **more than \$375** (previously \$350). Items worth **\$150 or less** do not need to be counted towards the threshold (previously \$140)
 - Retroactive, applicable as of January 1, 2014
- Nonsponsor WAG gift exception ceiling: Widely attended gathering gift exception ceiling now \$375 (previously \$350) for nonsponsor gifts of free attendance (2635.204(g)(2))
 - Effective May 19, 2014

LA-12-05: Speaking and Similar Engagements Involving Presentation of Information on Behalf of Agency

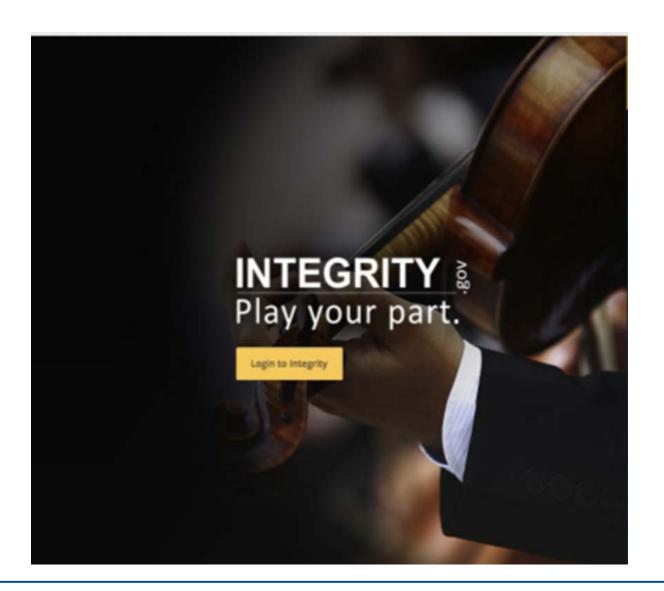


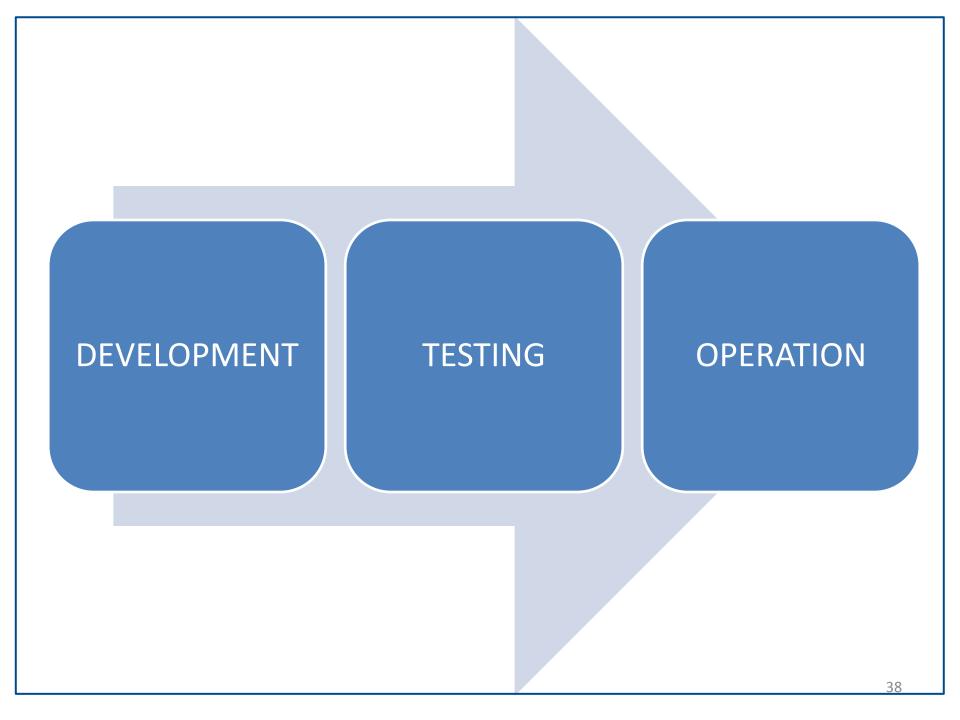
- 5 C.F.R. § 2635.204(g)(1) Employee can accept gift of free attendance when he or she is "assigned to participate as a speaker or panel participant or otherwise present information on behalf of the agency at a conference or other event."
- "[O]r otherwise present information" = less formal role, but employee must be assigned, and agency's message must be communicated in a deliberate, substantive presentation
 - Actual participation required; mere possibility of giving remarks insufficient



New Developments

INTEGRITY





INTEGRITY & Play your part



A conflicts-prevention instrument

Integrity Summit Events

September 9th at NIH 8:00-8:45, Balcony B 9:00-9:45, Auditorium 10:45-11:45, Balcony B 12:00-12:40, Auditorium 12:50-1:30, Auditorium

September 19th at NIH 8:00-8:45, Balcony C 9:00-10:30, Balcony C 3:45-5:00, Balcony C

September 23rd at FHFA 8:00-8:45, Room A 9:00-9:45, Room A



OGE's Strategic Plan

Ethics Pledge Report

Annual Questionnaire



OGE MISSION





GOVERNMENT ETHICS

Preventing Conflicts of Interest in the Executive Branch

ANNUAL REPORT PURSUANT TO EXECUTIVE ORDER 13490

ETHICS COMMITMENTS BY EXECUTIVE BRANCH PERSONNEL

JANUARY 1, 2013 - DECEMBER 31, 2013

Highlights from the Report

100% Compliance (791 appointees)

- 0 Registered Lobbyists
- 0 Reported Violations
- "Reverse Revolving Door"
 Waivers Issued



Annual Questionnaire (CY 13)

100% Compliance

New Deliverables

Ethics Community EDUCATION Outreach

together

A GREAT YEAR

Intensive Curriculum in Ethics

Instructor Development Program

MOOCs

Spring Practitioner Series

Financial Disclosure Workshops

Summit

Advanced Practitioner and Ethics Fundamentals Series

Oct. 2013

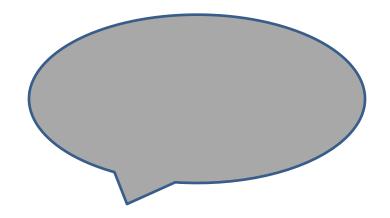
March. 2014

Sept. 2014





Education Development Symposium



YOU SPOKE.

WE LISTENED.



IMMEDIATE NEEDS

Intensive Curriculum in Ethics

Financial Disclosure Workshops

Education Development Symposium



LONG TERM NEEDS

Instructor Development Program

OGE's Institute for Ethics in Government on MAX.gov Store Distance Learning

FEEDBACK

"Please continue to make the course recording and documents available afterwards on OMB max. It helps because we don't have to worry about saving everything to our own drives or taking transcript-like notes, and we can share information with colleagues without having to reteach what we've learned."

CONTINUOUS LEARNING

IN-PERSON

Spring Practitioner Series

CONTINUOUS LEARNING

VIRTUAL

Advanced Practitioner and Ethics Fundamentals Series

3,214

(People Reached)



FEEDBACK

"Providing the OGE training over the web makes it accessible to all employees whether they are in the local DC commuting area or whether they are in another state. That's the best part of these training events!"



FEEDBACK

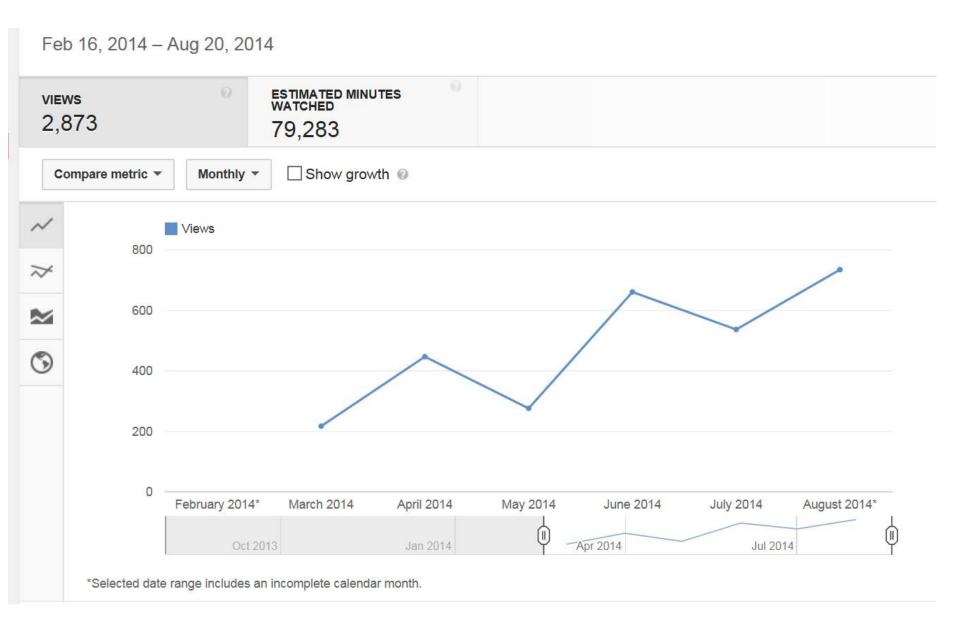
"For those of us who are not in the DC area these web classes provide us an opportunity to learn that we might otherwise not have. Especially at a time when travel budgets are basically depleted."

CONTINUOUS LEARNING

VIRTUAL

Massive Open Online Courses (MOOCs)

(People Reached)



FY 2015?

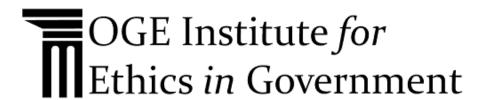
A Look Ahead

YOU OFFERED. WE ACCEPT.

FY 2015?

LIVE Training Comes to You

A Look Ahead



Thank you for a great year!

Communications Outreach

Why conduct outreach?

Our Stakeholders

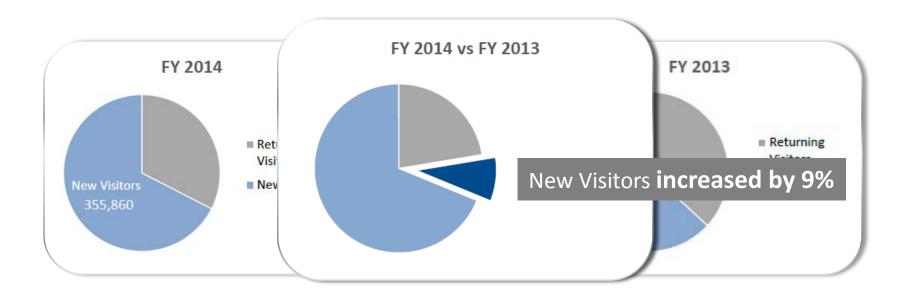


Sharing Information through OGE's Website

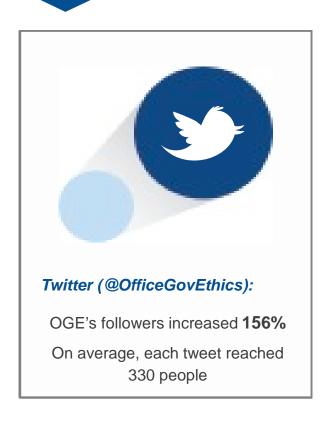
Total # of Visitors: **> 545,000**

New Visitors: 67%





Connecting through Social Media





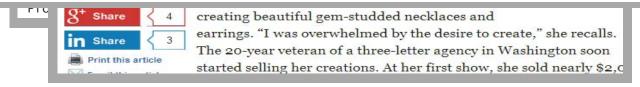
The Executive Branch Ethics Program in the News



As common as side businesses are today, employers' policies on outside work aren't always clear cut, and the rules can be particularly stringent for federal employees. Avoiding conflicts of interest, abiding by all laws and agency policies, and following ethical guidelines are paramount, especially given the additional scrutiny of public sector employees. Still, even within those constraints, there's flexibility to unleash your inner entrepreneur.

The Office of Government Ethics <u>specifies that federal employees</u> cannot take on any additional work that conflicts with their official duties, or accept money for teaching, speaking or writing that relates to their official duties. Some noncareer employees and appointees face an all-out ban on earning outside income while in office, and agencies can require employees to get explicit approval before starting any kind of business on the side. At least 44 agencies have <u>supplemental standards of conducts</u>, and many deal specifically with outside activities.

That's why the first step is to check with your agency's ethics officials to make sure you have the go-ahead. That's exactly what Hernandez did. "We have a strict internal process. I immediately went to my internal affairs office. They vetted my



Communications Outreach

Why conduct outreach?

Our Stakeholders



COMPLIANCE



Financial Disclosure

Program Review

STOCK ACT



PERIODIC TRANSACTION REPORTS MORTGAGE REPORTING

LA-12-04 - New requirement in 2012 courtesy of the STOCK Act

LA-13-01 – Spouse and dependent children required to report transactions

LA-13-09 – Lapse of late filing fee waiver – Fees assessed after July 3, 2013.

ETHICS AGREEMENTS



ETHICS AGREEMENTS COMPLIANCE DOCUMENTATION

Upcoming Legal Advisory

- Increased agency flexibility in determining the need for formal screening arrangements
- Clarification of OGE expectations for satisfactory compliance documentation

FINANCIAL DISCLOSURE



2014 PUBLIC FINANCIAL DISCLOSURE SEASON

PA-14-01 - 2014 Public Financial Disclosure Deadlines and Procedures

- April 30, 2014 agency list of expected reports sent via email to agencies
- May 30, 2014 agency updates to the list of expected reports to OGE
- September 30, 2014 status report to DAEOs

New End of Year Status Report for Agency Heads

UNITED STATES OFFICE OF GOVERNMENT ETHICS



Preventing Conflicts of Interest in the Executive Branch

Oversight

Oversight



Ethics Program Reviews Plenary Reviews Program Inspections

ETHICS PROGRAM INSPECTION RESULTS				
Agency:				
Report No:		Date:		
Review Period:			-	

UNITED STATES OFFICE OF GOVERNMENT ETHICS

A

Powering Conflicts of Interest in the Securice Branch

1.0	AGENCY DATA	
	EMPLOYEES	Data
1.1	Number of full-time agency employees, as reported in the most recent Annual Questionnaire	
1.2	Number of agency SGEs, as reported in the most recent Annual Questionnaire	
1.3	Number of PAS public financial disclosure reports required to be filed, as reported in the most recent Annual Questionnaire	
1.4	Number of non-PAS public financial disclosure reports required to be filed, as reported in the most recent Annual Questionnaire	
1.5	Number of confidential financial disclosure reports required to be filed by employees, as reported in the most recent Annual Questionnaire	
	ETHICS PROGRAM	Data
1.6	Name of DAEO	
1.7	Title of DAEO	
1.8	Grade level of DAEO	
1.9	Name of ADAEO	
1.10	Title of ADAEO	
1.11	Grade level of ADAEO	
1.12	Name of the primary, day-to-day ethics program administrator	
1.13	Title of the primary, day-to-day ethics program administrator	
1.14	Grade level of the primary, day-to-day ethics program administrator	
1.15	Current number of full-time ethics officials	
1.16	Current number of part-time ethics officials	
1.17	Average FTE value of a part-time ethics official(s) (For example, if part-time ethics officials at the agency generally devote 10 hours per week to ethics work, the average FTE value is 25%.)	
1.18	Number of reporting levels between the ethics office/program and the agency head	

	2.0	LEADERSHIP		
ĺ		COMPLIANCE REQUIREMENT	Yes	No
ſ	2.1	OGE has received an up-to-date designation from the agency head naming the DAEO. See 5 C.F.R. § 2638.202(c).		
ſ	2.2	OGE has received an up-to-date designation from the agency head naming the ADAEO. See 5 C.F.R. § 2638.202(c).		

3.0	ETHICS AGREEMENTS		
	COMPLIANCE REQUIREMENT	Yes	No
3.1	All officials currently in PAS positions have complied with their ethics agreements. See 5 C.F.R. § 2634.804. (□ Not Applicable: see OGE comment section below)		
3.2	All officials currently in PAS positions complied with their ethics agreements in a timely fashion. See 5 C.F.R. § 2634.804. (Not Applicable: see OGE comment section below)		
3.3	For all officials currently in PAS positions, the agency notified OGE of ethics agreement compliance in a timely fashion. See DO-09-015. (Not Applicable: see OGE comment section below)		

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ETH	IICS PROG		D STATES OF	
Agency.				Cirteres
Repo	ort No:	Date:	he Secone 8	andr
Revi	ew Period:	·		
3.4	For all officials currently in PAS positions, the agency maintains documentation of actions taken to comply with ethics agreements. See 5 C.F.R. § 2634.804. ([] Not Applicable: see OGE comment section below)			
3.5		ficials' ethics agreements are maintained with their financial disclosure reports. See 5 C.F.R. § 2634.805. plicable: see OGE comment section below)		
	DITT IO	The latest a state of the state		
4.0		FINANCIAL DISCLOSURE (OGE Form 278, OGE Form 278-T)		_
		INCE REQUIREMENT	Yes	No
4.1		has written policies and procedures in place governing: See 5 U.S.C app. IV, § 402(d)(1).		_
4.1.1	• C	ollection of public financial disclosure reports		L
4.1.2	• R	eview/evaluation of public financial disclosure reports		
4.1.3	• P	ublic availability of public financial disclosure reports		
4.2	The agency can demonstrate that late filing fees are collected or, where appropriate, waivers are issued when public filers do not timely file financial disclosure reports.			
4.3	Public finar	ncial disclosure records are securely maintained. See OGE/GOVT-1.		
4.4	Public financial disclosure reports are retained in accordance with the retention requirements. See 5 C.F.R. § 2634.603(g)(1).			
4.5	Agency ethics officials respond promptly to requests by OGE for additional information regarding PAS annual and termination public intancial disclosure reports. See § U.S.C. app. IV. § 402(d)(1). See § C.F.R. § 2638.203(b)(14). (c) Not Applicable: see OGE comment section below)			
	DATA AN	ALYSIS		16
4.6	Percentage of sampled non-PAS new entrant reports filed timely. See 5 C.F.R. § 2634.201(b).			_
4.7	Percentage of sampled non-PAS annual reports filed timely. See 5 C.F.R. § 2634.201(a).			_
4.8	Percentage	of sampled non-PAS termination reports filed timely. See 5 C.F.R. § 2634.201(e).		
4.9		of sampled non-PAS public financial disclosure reports certified within 60 days of receipt (unless additional was being sought or remedial action was being taken). See PA-11-04.		
4.10	Percentage	of sampled PAS annual reports filed timely. See 5 C.F.R. § 2634.201(a).		
4.11	Percentage	of sampled PAS termination reports filed timely. See 5 C.F.R. § 2634.201(e).		
4.12		of sampled PAS annual and termination reports certified within 60 days of receipt (unless additional was being sought or remedial action was being taken). See 5 C.F.R. § 2634.605(a).		
5.0	CONFID	DENTIAL FINANCIAL DISCLOSURE		
	COMPLIA	INCE REQUIREMENT	Yes	No
5.1		has written policies and procedures in place governing: See 5 U.S.C app. IV, § 402(d)(1).		
5.1.1		ollection of confidential financial disclosure reports	ΤП	Г
5.1.2				Ħ
5.2	_	al financial disclosure records financial disclosure records are securely maintained. See OGE/GOVT-2.	+片	┝
5.3	The agency	's OGE-approved alternative confidential financial disclosure system complies with plans approved by OGE	급	F
5.4		L § 2634.905(a). (☐ Not Applicable: see OGE comment section below) If financial disclosure reports are retained in accordance with the retention requirements. See 5 C.F.R.	늄	Ė

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Agen		AM INSPECTION RESULTS				MENTE	THICS
_	Presenting Cardia Date: Date:						
Revie	w Period:	•					
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	DATA ANAL					9	16
5	_	ampled confidential new entrant reports filed t					
.6		ampled confidential annual reports filed timely		•			
.7		ampled confidential financial disclosure report is being sought or remedial action was being ta					
6.0	INITIAL E	THICS ORIENTATION					
	COMPLIAN	E REQUIREMENT				Yes	No
i.i	All initial ethi	s orientation material contains: See 5 C.F.R. §	2638.703(a)	and (b).			
3.1	• Curr	ent contact information of relevant ethics offici	al(s)				
.1.2		of the Standards of Ethical Conduct and any a maries of the Standards, any agency supplemen					
5.2		n demonstrate that it has an effective process to see 5 C.F.R. § 2638.703(c).	ensure that n	ew employees receive initi	al ethics		
	DATA ANAL	YSIS				9	6
.3	Percentage of	new agency employees who received initial eth	ics orientation	within 90 days. See 5 C.I	/.R. § 2638.703.		
7.0	ANNUAL 1	THICS TRAINING					
	COMPLIAN	E REQUIREMENT				Yes	No
.1	All annual eth	cs training material contains: See 5 C.F.R. § 20	638.704(ъ).				
1.1	 Curr 	ent contact information of relevant ethics offici	al(s)				
.1.2	 Revi 	ew of the criminal conflict of interest statutes					
.1.3	• Revi	ew of the Standards of Ethical Conduct					
1.4	Revi	ew of the 14 Principles					
.1.5	Revi	ew of any agency supplemental standards (Not Applicab	le: see OGE comment secti	ion below)	Ħ	后
.2		n demonstrate that it has an effective process to C.F.R. § 2638.704(c) and 705(c).	ensure that o	overed employees receive	annual ethics		
	DATA ANAL	YSIS				9	16
.3	Public financia	l disclosure filers who completed annual ethics	training. See	5 C.F.R. § 2638.704(a).			
.4	Confidential fi	nancial disclosure filers who completed annual	ethics trainin	g. See 5 C.F.R. § 2638.70	o(a)(3).		
8.0	ETHICS A	DVICE AND COUNSEL					
	COMPLIANO	E REQUIREMENT				Yes	No
_		ple collected by OGE, guidance provided by a					

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ETHICS PROGRAM INSPECTION RESULTS				
Agency:				
Report No:	I	Date:		
Review Period:	_			

UNITED STATES OFFICE OF GOVERNMENT ETHICS Presenting Conflicts of Interved in the Security Branch

RECOMMENDATIONS					
#	Element	nent RECOMMENDATION			
1		CONCERN: Restatement of the relevant finding(s) RECOMMENDATION: Directive action to correct a compliance deficiency AGENCY RESPONSE: Agency response to recommendation OGE COMMENT: OGE comment to agency's response, if warranted			
2					
3					
4					
5					

COMMENTS
(Agency and OGE may provide additional comments)

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Oversight



Ethics Program Reviews

- Compliance Based
- Consultative
- Designed to Help

UNITED STATES OFFICE OF GOVERNMENT ETHICS



Preventing Conflicts of Interest in the Executive Branch

Office of Government Ethics: Year In Review