

RECORDKEEPING

Perspectives on Ethics Records Workflow from
OGE's Compliance Division



Dan Skalla & J. Mathai
Compliance Division, OGE

Why?

(Purely rhetorical)

RECORDKEEPING

Good recordkeeping helps you accomplish ethics program-related goals, promote more efficient ethics program operations, and aids in succession planning.

RECORDKEEPING



You too can be a stock photo model!

RECORDKEEPING



Avoid ending days feeling like this.

Financial Disclosure

Ethics Training

Advice & Counsel

FINANCIAL DISCLOSURE

Significance?

FINANCIAL DISCLOSURE

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In the News | 'Saved by the Bell' | Angelina Jolie wedding | Steven Sotloff

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Ethics officials failed to review financial disclosures for over six months

Greg Miller 1:26 PM ET

After an Inspector General audit uncovered multiple conflicts of interest with Board members' holdings, ethics officials must now explain why the review process took over six months.

Another U.S. doctor infected by Ebola in Liberia

Lenny Bernstein and Brady Dennis 1:06 PM ET

The unnamed doctor was not working with Ebola patients, according to the missionary organization SIM USA. He is the fourth American to be diagnosed with

Marie Templeton retrieves a gun in her home. (Morgan Spiels/News 21)

The town where you must own a gun

Lauren Loftus

STORYLINE | It's the culture — and the law — in Nucla, Colo., where the nearest stop light is two hours away.

• A visual tour through the town of Nucla

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FINANCIAL DISCLOSURE

How?

How can we keep better records?

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Good.

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Not so
good.

FINANCIAL DISCLOSURE



This session won't help.

FINANCIAL DISCLOSURE

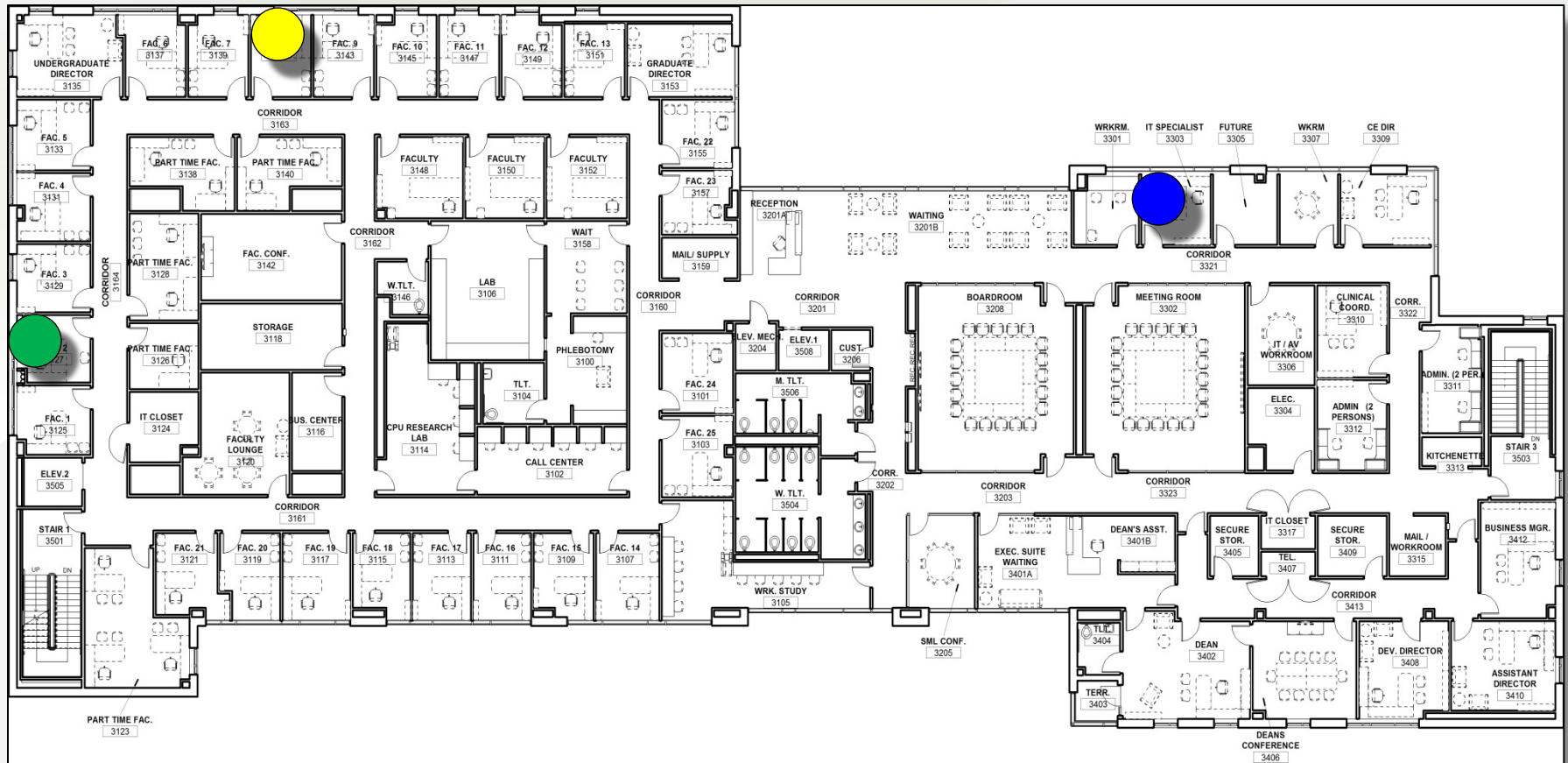
Get everything in one place.

Master List ◀

Hard Copies

Important Dates

FINANCIAL DISCLOSURE



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This could be...problematic.

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Get everything in one place:

Master List

Hard Copies ◀

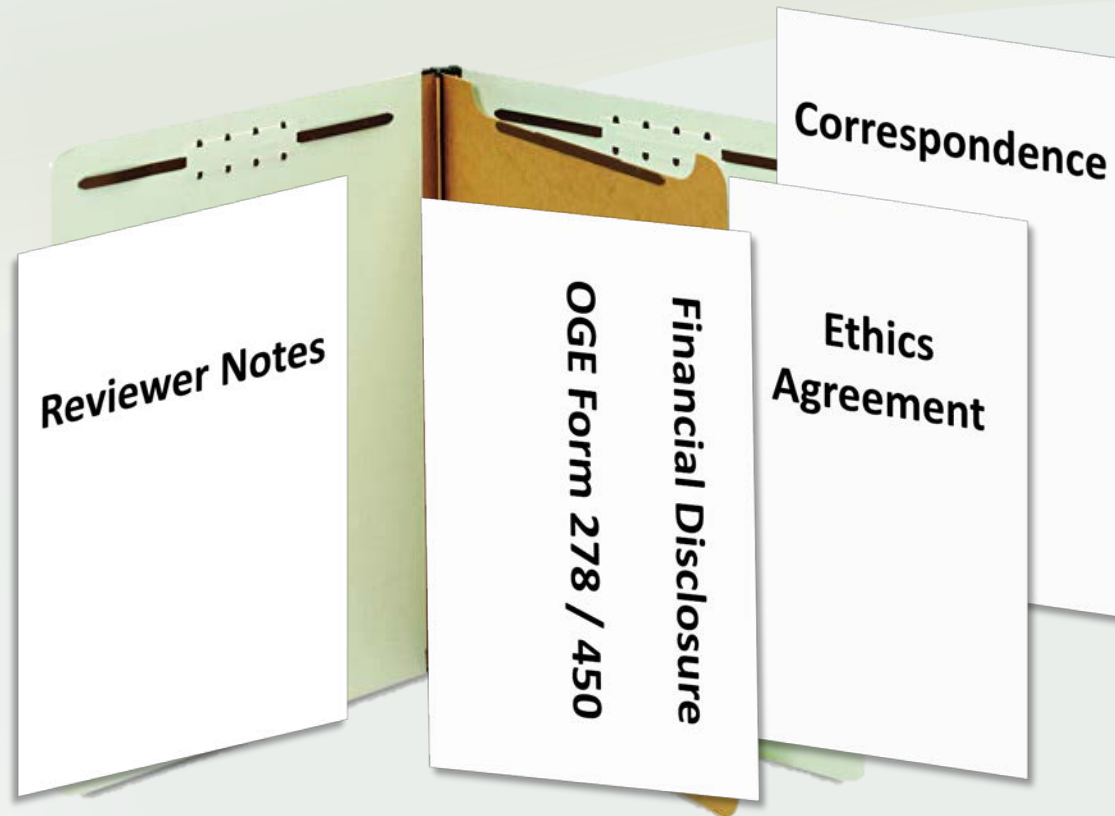
Important Dates

FINANCIAL DISCLOSURE



Not so
good.

FINANCIAL DISCLOSURE



FINANCIAL DISCLOSURE

Get everything in one place:

Master List

Hard Copies

Important Dates ◀

[illegible]

FINANCIAL DISCLOSURE

Get everything in one place...

Consistently.

Have a process:



FINANCIAL DISCLOSURE

Have a (better) process:



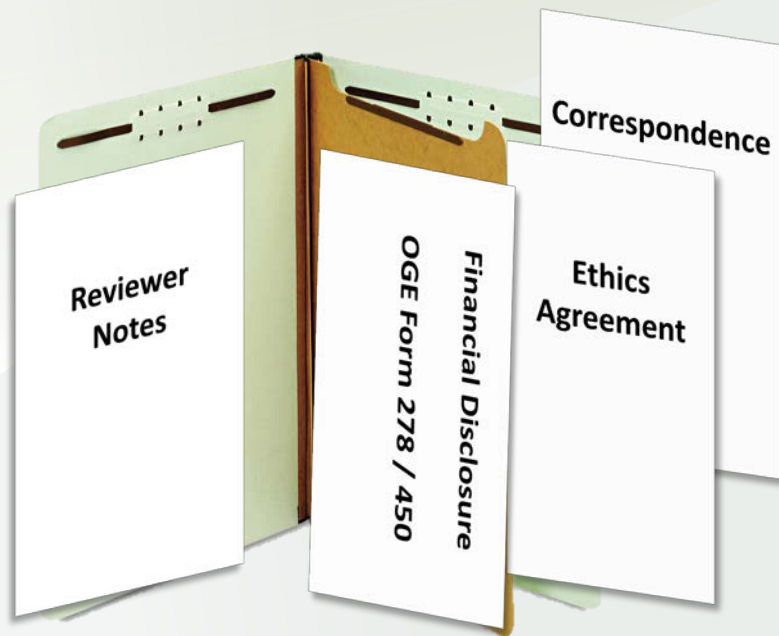
- Electronic
- Hard Copy
- Reminders
- Supervisor Check

- Compare to Previous
- Check Position Description
- Check Ethics Agreement
- Use Reference Material
- Complete within 60 Days

- Put it where it belongs
- Not the corner of your desk
- Update electronic files too.

FINANCIAL DISCLOSURE

Use that process. Consistently.



-- ADDED BY (initials) ON XX/XX/2014 --

Annual Covering CY20XX
Transaction Report Signed XX/XX/XX
POSITION
AGENCY

BACKGROUND

-

ETHICS AGREEMENT

-

- No conflicts identified based on ethics agreement.
- Routing slip section on ethics agreements initialed and dated.

COVER PAGE

- Filed within 30 days of assuming position.
- Filed by the annual filing deadline.
- Filed within 30 days after leaving position.
- Extension requests?
- Reviewed and certified by agency within 60 days.

SCHEDULE A

-

- Supplemental Regulation?

SCHEDULE B

Part I

- (Do transactions after July 4, 2012 have a 278-T?)
- (Are there outstanding 278-Ts, assessed late fees, or late fees waived for transactions not reported on a 278-T occurring after July 4, 2013?)

Part II

- Nothing reported. Same as previous report. "None" box checked.

SCHEDULE C

Part I

- Personal mortgage has/has not been reported.

Part II

- Nothing reported. Same as previous report. "None" box checked.

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Improve the process.



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Get everything together

Be consistent

Significance?

(Still rhetorical)

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In the News 'Saved by the Bell' Angelina Jolie wedding Steven Sotloff

Ethics officials' training records incomplete in wake of Board scandal

Greg Miller 2:05 PM ET

Board members claim they never received required ethics training that would have helped them avoid numerous conflicts of interests identified by the Inspector General. Ethics officials could not provide investigators with any evidence that training ever took place.

Another U.S. doctor infected by Ebola in Liberia

Lenny Bernstein, Brady Dennis and Lena H. Sun 1:06 PM ET

The unnamed doctor was not working with Ebola patients, according to the missionary organization SIM USA. He is

The town where you must own a gun

Lauren Loftus

STORYLINE | It's the culture — and the law — in Nucla, Colo., where the nearest stop light is two hours away.

- 📷 A visual tour through the town of Nucla

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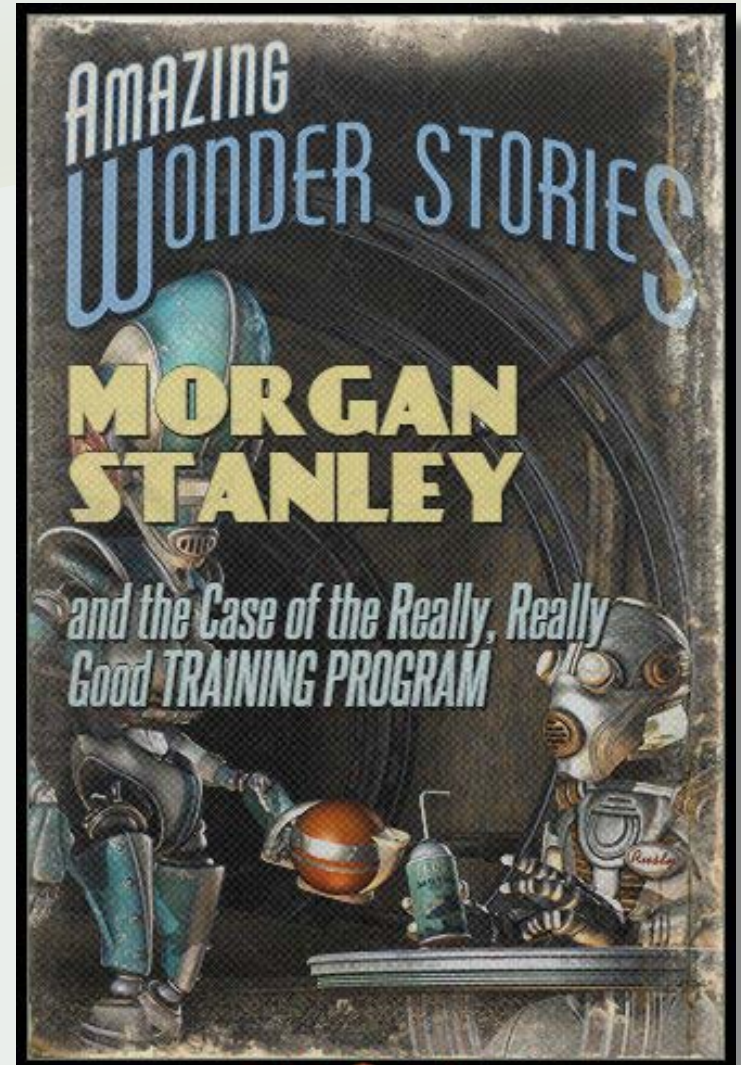
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12:45 PM

Morgan Stanley and the Case of the Really, Really Good Training Program



How?

(Revisited)

Get everything together

Be consistent

Initial Ethics Orientation



Initial Ethics Orientation

- ▶ Checklists
- ▶ Handouts
- ▶ Email

Annual Ethics Training



Annual Ethics Training



[illegible]

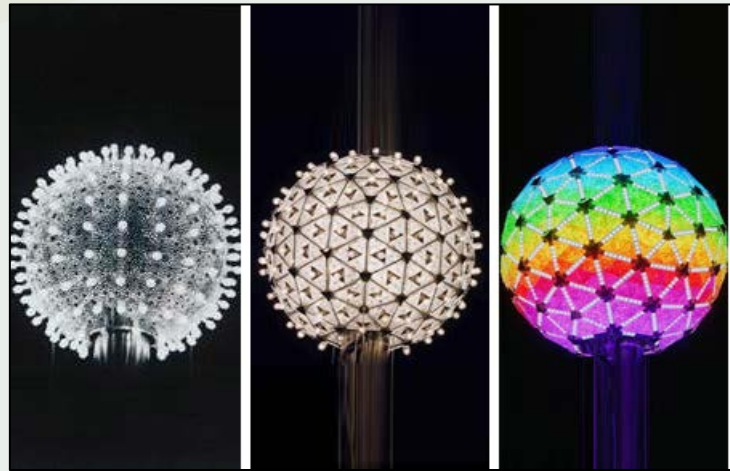
Got everything. Be consistent

- ▶ Save your training
- ▶ Save your tracking
- ▶ Update tracking!

When not to update:



When not to update:



Get everything together

Be consistent

Significance?

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Ethics officials' legal advice incomplete and inconsistent; Board acted based on faulty counsel


Greg Miller 2:05 PM ET

Further investigation by the Department of Justice found ethics counsel received by Board members regarding their financial conflicts of interest was vague, inconsistent, and incomplete..

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ADVICE & COUNSEL



ADVICE & COUNSEL

How?

Get everything together



This actually worked.

Your email won't work.

Unless you never retire.

What will work?

- ▶ Email, if you copy everyone
- ▶ An ethics email inbox
- ▶ A network folder
- ▶ Tracking software

Be consistent

- ▶ Check your archived advice
- ▶ Update your archived advice



Get everything together

Be consistent

CONCLUSION

FINANCIAL DISCLOSURE

ETHICS AGREEMENTS

ETHICS TRAINING

SGEs

DOJ REFERRALS

ADVICE & COUNSEL

1353 TRAVEL PAYMENTS

The things you need to track...

UNITED STATES OFFICE OF
GOVERNMENT ETHICS
★
Preventing Conflicts of Interest
in the Executive Branch

United States Office of Government Ethics
Compliance Division

Ethics Program Review

Agency

Report No. XX-XX
Month 201X

UNITED STATES OFFICE OF
GOVERNMENT ETHICS
★
Preventing Conflicts of Interest
in the Executive Branch

ETHICS PROGRAM INSPECTION RESULTS

Agency: _____ Date: _____
Report No: _____ Review Period: _____

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 GLEs, 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 presently 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			
COMPLIANCE REQUIREMENT			
	Yes	No	
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).	<input type="checkbox"/>	<input type="checkbox"/>
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).	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
3.3	For all officials currently in PAS positions, the agency notified OGE of ethics agreement compliance in a timely fashion. See DO-08-015. (□) Not Applicable: see OGE comment section below	<input type="checkbox"/>	<input type="checkbox"/>

...are the things we review

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