



NATIONAL GOVERNMENT ETHICS

# SUMMIT

MARCH 8-10 2016



WALTER M SHAUB, JR  
DIRECTOR  
U.S. OFFICE OF GOVERNMENT ETHICS

# WELCOME TO THE 2016 NATIONAL GOVERNMENT ETHICS SUMMIT

I am privileged to welcome you to the 2016 National Government Ethics Summit on behalf of the U.S. Office of Government Ethics. I would like to thank the Federal Housing Finance Agency for hosting the Summit at its facilities.

Recognizing the important role that the government ethics community will play in supporting our nation's peaceful transition of power, the Summit focuses on preparing ethics officials to address government ethics issues that will arise in connection with the upcoming Presidential transition. A Presidential transition is a critical time when the nation is vulnerable, with the potential for manmade, natural, or economic disasters to strike while the government's top leadership positions are vacant. OGE and agency ethics offices will need to work expeditiously to make sure that prospective nominees are free of conflicts of interest, so that top leadership positions can be filled quickly. In addition, ethics officials will need to advise departing officials on post-employment restrictions, train incoming officials on ethics requirements, and work with new agency and administration leaders to maintain high ethical standards within their agencies and across the executive branch.

This guide is organized chronologically to provide detailed information about the various Summit sessions. I hope you find the Summit helpful to your preparations for the Presidential transition, and I look forward to seeing you at this valuable training and community-building event.

Walter M. Shaub, Jr.  
Director, U.S. Office of Government Ethics

## GENERAL INFORMATION

### REGISTRATION

There is no on-site registration. All participants should have registered online in advance. All substitutions should also have been made in advance. We regret that we will not be able to accommodate substitutions on the day of an event.

Registrants may check in starting at 8:00 a.m.

### PRESENTATION MATERIALS

All Summit materials, including slide presentations, handouts, and reference materials, will be posted online at: <https://extapps2.oge.gov/Summit/QuickInfo.nsf>

### LUNCH

Lunch is on your own. The FHFA cafeteria is open for lunch from 11:30 a.m. to 2:00 p.m. Food is allowed in Rooms A, B, and C, but not in the Auditorium.

### DRESS CODE

Business casual. Attendees are encouraged to wear layered clothing to allow for varying weather and meeting room temperatures.



@OfficeGovEthics  
#EthicsSummit

WWW.OGE.GOV

### VIRTUAL EVENTS

We will be live streaming the sessions in the Auditorium and Room A. After the Summit you can watch these sessions by visiting OGE's YouTube channel. <https://www.youtube.com/user/OGEInstitute>.

### SUMMIT PAGE

<https://www.oge.gov/Web/OGE.nsf/Resources/2016+National+Government+Ethics+Summit>

### LOCATION

Federal Housing Finance Agency  
Constitution Center  
400 7th Street, SW  
Washington, DC 20024

### METRO DIRECTIONS

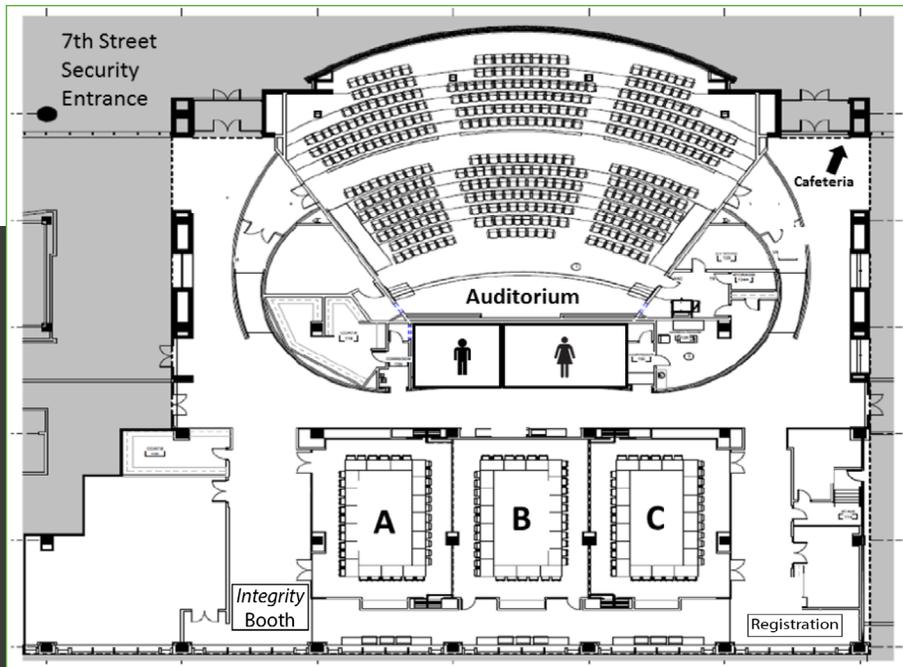
FHFA is located at the L'Enfant Plaza Metro Station (Blue/Yellow/Orange/Green/Silver lines). Once in the station, follow the signs for the 7th & D Street exit. Upon exiting the station, turn left on D Street. At the corner, turn left on 7th Street. The entrance to Constitution Center is halfway down the block on the left.

### PARKING

Public parking garages are located nearby at 480 L'Enfant Plaza, SW (Ace Parking) and Federal Center Plaza, 500 C Street, SW (Colonial Parking). There is no public parking available at Constitution Center.

# MAP

## OF MEETING ROOMS AT FHFA



THIS EVENT IS MADE POSSIBLE THROUGH THE GENEROUS SUPPORT OF THE FEDERAL HOUSING FINANCE AGENCY, WHICH HAS GRACIOUSLY PROVIDED SPACE FOR THE SUMMIT.

# INTEGRITY<sup>.gov</sup>

Play your part

**A** year after its launch, *Integrity* is off to a strong start. The system has been widely adopted throughout the executive branch.

A CONFLICTS-PREVENTION  
INSTRUMENT

For individual assistance with the *Integrity* team please visit the *Integrity* booth.

	Auditorium 	Room A 	Room B	Room C	
8:00-8:45	Check In				8:00-8:45
9:00-9:10	Introduction, Overview & Administrative Remarks				9:00-9:10
9:10-9:30	Welcome Remarks				9:10-9:30
9:30-10:30	The Presidential Transition				9:30-10:30
10:45-12:00	Office of Government Ethics: Year in Review				10:45-12:00
12:00-12:30*		Manual Transmission of the Data Required by PA-15-01, & an Introduction to the OGE Extranet	Certificates of Divestiture	Behind the Scenes Look at OGE Certification	12:00-12:30*
12:30-1:00*					12:30-1:00*
1:00-1:30*		Refresher On Mutual Fund Exemptions	What To Expect in a Program Review	Commissions & Boards: Help us Help You	1:00-1:30*
1:45-3:00	Professors, Authors, Book Deals, & Related IP	The Criminal Prohibitions on Representing Private Interests before the Government: 18 U.S.C. 203 & 205	So You Think You Know Financial Disclosure? A Test-Your-Knowledge Challenge for Nominee Reviewers	The Leadership Challenge: Communicating Strategically	1:45-3:00
3:15-4:30	A Practical Look at 5 C.F.R. § 2635.502	Enterprise Risk Management	<i>Integrity</i> Nominee Functionality	The Program Review Branch- So Much More than Ethics Program Reviews	3:15-4:30

\* Lunch is on your own. Attendees have the option to take lunch during any combination of the sessions marked with asterisks. The FHFA cafeteria is open for lunch from 11:30 a.m. to 2:00 p.m. Food is allowed in Rooms A, B, and C, but not in the Auditorium.



= Live Stream

9:00-9:10  
AUDITORIUM



### Introduction, Overview, & Administrative Remarks

9:10-9:30  
AUDITORIUM



### Welcome Remarks

WALTER M. SHAUB, JR.,  
OFFICE OF GOVERNMENT ETHICS

9:30-10:30  
AUDITORIUM



### The Presidential Transition

OGE Director Walter Shaub speaks with a panel of distinguished experts about past experiences with Presidential transitions and preparations for the upcoming Presidential transition following the 2016 election. Panel members include:

LISA BROWN, CO-CHAIR OF AGENCY REVIEW FOR THE  
OBAMA-BIDEN TRANSITION PROJECT

CLAY JOHNSON, EXECUTIVE DIRECTOR,  
BUSH-CHENEY TRANSITION

MAX STIER, PRESIDENT AND CEO, PARTNERSHIP FOR  
PUBLIC SERVICE

10:45-12:00  
AUDITORIUM



### Office of Government Ethics: Year in Review

Representatives of OGE's General Counsel and Legal Policy Division, Program Counsel Division, and Compliance Division will present on recent developments in government ethics.

REPRESENTATIVES OF THE OFFICE OF GOVERNMENT ETHICS

### Manual Transmission of the Data Required by PA-15-01, and an Introduction to the OGE Extranet

This session covers the web application described in APPENDIX 5 of PA-15-01. Agencies who collect public financial disclosure reports in paper format will begin using the application by May 31, 2016. This application is part of the new OGE Extranet suite of applications, and this session will include a brief introduction to the OGE Extranet.

TIMOTHY MALLON, OFFICE OF GOVERNMENT ETHICS

### Certificates of Divestiture

A certificate of divestiture (CD) allows executive branch employees, if they meet certain criteria, to defer paying capital gains taxes that are incurred because the employee is required to sell an asset to comply with the conflict of interest laws. This session will discuss eligibility requirements, the mechanics of requesting a CD, and other recurring issues.

ELAINE NEWTON, OFFICE OF GOVERNMENT ETHICS

### Behind the Scenes Look at OGE Certification

Have you ever wondered what happens after you submit an annual, termination or transaction report for a PAS or DAEO filer to OGE? How does OGE review the report? What makes them ask for clarification or more information? What are the decision points for certifying? Join OGE's Deputy Director for Financial Disclosure for a behind the scenes look at the OGE certification process.

BARBARA MULLEN-ROTH, OFFICE OF GOVERNMENT ETHICS



12:00-12:30  
ROOM A



12:00-12:30  
ROOM B



12:00-12:30  
ROOM C

1:00-1:30  
ROOM A



### Refresher on Mutual Fund Exemptions

This session will provide an overview of the mutual fund exemptions found in 5 C.F.R. § 2640.201 and how you can use the exemptions to remedy conflicts of interest.

JACK MacDONALD, OFFICE OF GOVERNMENT ETHICS

1:00-1:30  
ROOM B

### What to Expect in a Program Review

If you've never been part of an ethics program review or inspection, or simply want to be updated on what you can expect when your agency is selected for review, join members of OGE's Compliance Division in this overview of the review process. In this presentation, we'll walk you through the key elements of both program reviews and inspections; from the initial request for materials to fieldwork, drafting, and publication of the final report. We'll also discuss some of the key differences between an ethics program review and an ethics program inspection.

ROBERT LUBITZ, OFFICE OF GOVERNMENT ETHICS  
JAI MATHAI, OFFICE OF GOVERNMENT ETHICS  
ALICIA ROSADO, OFFICE OF GOVERNMENT ETHICS  
DAN SKALLA, OFFICE OF GOVERNMENT ETHICS

1:00-1:30  
ROOM C

### Commissions and Boards: Help us Help You

Are you the ethics official for a Commission or Board? OGE would like to better understand the ethics issues unique to Boards and Commissions so that we can better support you. OGE will use this session as an informal needs assessment to help us identify where we can provide future training, resources, and improved agency support.

WENDY POND, OFFICE OF GOVERNMENT ETHICS

### Professors, Authors, Book Deals and Related IP

A question that ethics officials are commonly presented with is whether a Government employee may accept compensation for outside teaching, speaking or writing during Government service. Ethics officials will receive a brief review of the purpose of section 2635.807 as well as guidance on how best to evaluate the issues involved when assisting an employee who wants to know whether he or she can get paid for outside teaching, speaking or writing.

SETH JAFFE, OFFICE OF GOVERNMENT ETHICS

### The Criminal Prohibitions on Representing Private Interests before the Government: 18 U.S.C. 203 and 205

This interactive session will review two criminal conflict of interest statutes that restrict the representational activities of current employees: 18 U.S.C. §§ 203 and 205. The session will use case studies involving hypothetical employees to highlight each element.

MONICA ASHAR, OFFICE OF GOVERNMENT ETHICS  
RACHEL DOWELL, OFFICE OF GOVERNMENT ETHICS  
LEIGH FRANCIS, OFFICE OF GOVERNMENT ETHICS

### So You Think You Know Financial Disclosure? A Test-Your-Knowledge Challenge for Nominee Reviewers

An interactive discussion of complex financial disclosure issues related to Presidential nominees whose positions require Senate confirmation.

DEB BORTOT, OFFICE OF GOVERNMENT ETHICS  
HEATHER JONES, OFFICE OF GOVERNMENT ETHICS  
SANDY MABRY, OFFICE OF GOVERNMENT ETHICS

### The Leadership Challenge: Communicating Strategically

Work with a group of your colleagues to create a strategy to maximize the value of limited face-time with senior leadership in your organization. This workshop will challenge you to think strategically, assess risk, and create a plan to secure your program when leadership changes.

CHERYL KANE-PIASECKI, OFFICE OF GOVERNMENT ETHICS  
PATRICK SHEPHERD, OFFICE OF GOVERNMENT ETHICS



1:45-3:00  
AUDITORIUM



1:45-3:00  
ROOM A

1:45-3:00  
ROOM B

1:45-3:00  
ROOM C

3:15-4:30  
AUDITORIUM



## A Practical Look at 5 C.F.R. § 2635.502

In the Standards of Conduct, 5 C.F.R. § 2635.502 is “intended to ensure that an employee takes appropriate steps to avoid an appearance of loss of impartiality.” This interactive session will present an overview of 5 C.F.R. § 2635.502 and other tools used to avoid losing the public’s trust in the integrity of government decision making.

DAVID APOL, OFFICE OF GOVERNMENT ETHICS  
MONICA ASHAR, OFFICE OF GOVERNMENT ETHICS  
TINA HYMER, DEPARTMENT OF ENERGY

3:15-4:30  
ROOM A



## Enterprise Risk Management

What if you could see the places in your organization where ethics problems are likely to occur? Would it change the way you train? Would it change the way you deploy program resources? Could it change the amount of resources that you have to deploy?

While we can’t make you clairvoyant, you can learn to work with stakeholders in your organization to proactively identify, assess, and mitigate ethics risk. By doing so, you can make compliance meaningful while protecting your organization. In this workshop, we will introduce you to a framework for managing risk.

PATRICK SHEPHERD, OFFICE OF GOVERNMENT ETHICS

3:15-4:00  
ROOM B

## Integrity Nominee Functionality

This session demonstrates how to use *Integrity* for PAS Nominee reports. After an overview of the Nominee workflow, participants will follow a sample financial disclosure report within Integrity from the assignment of the initial draft to final certification. Along the way, participants will learn about user roles and features specific to Nominee reports.

KEITH LABEDZ, OFFICE OF GOVERNMENT ETHICS

## The Program Review Branch- So Much More than Ethics Program Reviews

The Program Review Branch (PRB) is well known as the component of OGE which conducts ethics program reviews. However, PRB is also responsible for reviewing and approving agency requests for use of alternative confidential financial disclosure procedures, agency requests to exempt Schedule C employees from Public Financial Disclosure reporting requirements, and for maintaining the required concurrent reports agencies must submit to OGE regarding referrals to the Department of Justice involving potential violations of the criminal conflict of interest statutes.

This session provides an overview of agencies’ responsibilities, OGE’s roles and how to successfully navigate request and submission procedures.

DOUG CHAPMAN, OFFICE OF GOVERNMENT ETHICS  
MICHELLE WALKER, OFFICE OF GOVERNMENT ETHICS

3:15-4:30  
ROOM C

	Auditorium 	Room A 	Room B	Room C	
8:00-8:45					8:00-8:45
9:00-10:15	The 2016 Election Season: What Every Federal Employee Needs to Know about the Hatch Act	OIGS & OGE: Working Together Effectively	Ethics Rules that Impact SGEs	Partnering with other Offices to Create an Organizational Culture of Integrity	9:00-10:15
10:30-11:45	Government Use of Social Media: Opportunities & Challenges	Model Ethics Program Practices	<i>Integrity</i> 101	The Leadership Challenge: Communicating Strategically	10:30-11:45
12:00-12:30*		Leveraging Technology to Better Manage Your Ethics Program	<i>Integrity</i> Q&A	Do I Really Have to Report My Clients' Names?	12:00-12:30*
12:30-1:00*					12:30-1:00*
1:00-1:30*			MSPB Ethics Case Law Update	Seeking & Post-Government Employment: Practical Considerations for Transition	1:00-1:30*
1:45-3:00	Ethics Recommendations for a New Administration				1:45-3:00
3:15-4:30	You Say Hello, & I Say Goodbye: Gifts & Travel Issues at a Time of Transition	Navigating the Post-Government Employment Restrictions: Senior Employees	Identifying Conflicts: Particular Matters of General Applicability	Successful Coordination with Other Offices	3:15-4:30

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 = Live Stream

9:00-10:15  
AUDITORIUM



## The 2016 Election Season: What Every Federal Employee Needs to Know about the Hatch Act

The Election season is in full swing and federal employees continue to become more politically active, in part, because most employees now have access to the internet at home and at work. Do you know whether it is a Hatch Act violation to forward an email you received from a political party? Are you permitted to tweet your views about a candidate during your lunch break? How about inviting friends to a fundraiser? This course discusses in detail the prohibited and permitted activities under the Hatch Act, which governs the political activity of federal employees. Special attention will be placed on novel issues and emerging trends the Office of Special Counsel observed during and since the last election cycle. For example, the session will wrestle with Hatch Act issues surrounding agency and employee participation on Facebook, Twitter and the like.

ANA GALINDO-MARRONE, U.S. OFFICE OF SPECIAL COUNSEL

9:00-10:15  
ROOM A



## OIGS and OGE: Working Together Effectively

Learn more about the working relationship between the ethics office and the Office of Inspector General and the sometimes overlapping responsibilities of IGs and ethics officials.

MARK BIALEK, FEDERAL RESERVE SYSTEM BOARD OF GOVERNORS  
JUSTINA FUGH, ENVIRONMENTAL PROTECTION AGENCY  
SETH JAFFE, OFFICE OF GOVERNMENT ETHICS

## Ethics Rules that Impact SGEs

Special Government Employees (SGEs) play a vital role in helping to develop public policy, providing advice on government rules, as well as assisting in executing agency programs. During a Presidential transition, many of the individuals who provide such valuable advice and service to Government policymakers and managers are SGEs. As Government employees, SGEs are subject to a myriad of Federal ethics rules. This session will take a look at some of the more important laws and rules that impact SGE service. It will also discuss such matters as properly appointing SGEs, effective conflict of interest review, and managing financial disclosure. The panel's aim is for ethics practitioners to take away knowledge and strategies that will help sharpen their skill set in managing SGE service.

DAN FORT, ENVIRONMENTAL PROTECTION AGENCY  
VINCE SALAMONE, OFFICE OF GOVERNMENT ETHICS  
KAREN SANTORO, NATIONAL SCIENCE FOUNDATION

9:00-10:15  
ROOM B

9:00-10:15  
ROOM A



## OIGS and OGE: Working Together Effectively

Learn more about the working relationship between the ethics office and the Office of Inspector General and the sometimes overlapping responsibilities of IGs and ethics officials.

MARK BIALEK, FEDERAL RESERVE SYSTEM BOARD OF GOVERNORS  
JUSTINA FUGH, ENVIRONMENTAL PROTECTION AGENCY  
SETH JAFFE, OFFICE OF GOVERNMENT ETHICS

## Partnering with other Offices to Create an Organizational Culture of Integrity

To create an organizational culture of integrity, employees need more than awareness of the ethics rules. Employees also need to carry their awareness of an issue through to effective action, in support of broader public service values. Join panelists representing federal Ombuds and Alternative Dispute Resolution (ADR) offices in this interactive session where we'll consider and discuss the individual skills and organizational factors that make it easier for employees to speak up and act. Don't know what an Ombuds is? Thought that ADR was only for workplace discrimination cases? This is an opportunity to learn about the work of these offices – including conflict coaching, organizational climate assessment, and informal resolution of workplace concerns – to better leverage each other's strengths.

MATILDA BRODNAX, DEPARTMENT OF HOMELAND SECURITY  
SCOTT DEYO, DEPARTMENT OF DEFENSE  
RITA FRANKLIN, DEPARTMENT OF ENERGY  
KIM KAPLAN, OFFICE OF GOVERNMENT ETHICS



9:00-10:15  
ROOM C

10:30-11:45  
AUDITORIUM

## Government Use of Social Media: Opportunities & Challenges

In the past few years, online tools enabling social interaction have become more complex, more interactive, and more prevalent. Today, social media networks offer individuals and organizations, including the Federal government, the ability to share stories, pictures, videos, and other information to a wide audience for little or no cost. Federal agencies have turned to social media for a variety of tasks, from presenting up-to-date emergency weather and crisis data to advertising vacancies in the work-force, and it can only be assumed that this trend will continue for some time. To assist agencies in understanding this relatively new field, representatives from the General Services Administration and the U.S. Office of Government Ethics will be discussing some of the tools available to them through GSA and some of the potential compliance and ethics issues that may arise.

JUSTIN HERMAN, GENERAL SCIENCES ADMINISTRATION  
SETH JAFFE, OFFICE OF GOVERNMENT ETHICS  
CHRIS SWARTZ, OFFICE OF GOVERNMENT ETHICS

10:30-11:45  
ROOM A

## Model Ethics Program Practices

While we can't make you clairvoyant, you can learn to work with stakeholders in your organization to proactively identify, assess, and mitigate ethics risk. By doing so, you can make compliance meaningful while protecting your organization. In this workshop, we will introduce you to a framework for managing risk.

ROBERT LUBITZ, OFFICE OF GOVERNMENT ETHICS  
JAI MATHAI, OFFICE OF GOVERNMENT ETHICS  
ALICIA ROSADO, OFFICE OF GOVERNMENT ETHICS  
DAN SKALLA, OFFICE OF GOVERNMENT ETHICS

10:30-11:45  
ROOM B

## Integrity 101

Integrity team members will present an introduction to Integrity resources, filer, reviewer and administration features.

BRANDON BUNDERSON, OFFICE OF GOVERNMENT ETHICS  
STEVE CORBALLY, OFFICE OF GOVERNMENT ETHICS  
GEORGE HANCOCK, OFFICE OF GOVERNMENT ETHICS  
AUSTIN KING, OFFICE OF GOVERNMENT ETHICS

## The Leadership Challenge: Communicating Strategically

Work with a group of your colleagues to create a strategy to maximize the value of limited face-time with senior leadership in your organization. This workshop will challenge you to think strategically, assess risk, and create a plan to secure your program when leadership changes.

CHERYL KANE-PIASECKI, OFFICE OF GOVERNMENT ETHICS  
PATRICK SHEPHERD, OFFICE OF GOVERNMENT ETHICS

## Leveraging Technology to Better Manage Your Ethics Program

This session will describe how Treasury's ethics office maintains electronic records of all advice and guidance provided to employees, preserves precedent on general and atypical ethics issues, keeps employees apprised of ethics requirements, and tracks all training and filing. Find out how technology can be used to better manage your ethics program with the stroke of a key.

ELIZABETH HORTON, DEPARTMENT OF TREASURY

## Integrity Q&A

Integrity team members will answer questions about using Integrity.

BRANDON BUNDERSON, OFFICE OF GOVERNMENT ETHICS  
STEVE CORBALLY, OFFICE OF GOVERNMENT ETHICS  
GEORGE HANCOCK, OFFICE OF GOVERNMENT ETHICS  
AUSTIN KING, OFFICE OF GOVERNMENT ETHICS

## Do I Really Have to Report My Clients' Names?

We will discuss the rules around reporting of clients on Part 4 of Form 278e, including a discussion regarding when names may be withheld because the name is considered confidential information resulting from privileged relationship.

HEATHER JONES, OFFICE OF GOVERNMENT ETHICS

10:30-11:45  
ROOM C12:00-12:30  
ROOM A12:00-12:30  
ROOM B12:00-12:30  
ROOM C

1:00-1:30  
ROOM B

### MSPB Ethics Case Law Update

In this lunchtime session, participants will get a brief update on recent cases at the Merit Systems Protection Board involving violations of the Standards of Ethical Conduct and conflict of interest laws.

DIANA VEILLEUX, OFFICE OF GOVERNMENT ETHICS

1:00-1:30  
ROOM C

### Seeking and Post-Government Employment: Practical Considerations for Transition

Go beyond the law and learn practical considerations and best practices for providing seeking employment and post-government employment advice to appointees and other employees, especially as we move toward transition. We will talk about building awareness of the rules and processes through training, specific Ethics Program management processes that help to manage the expected influx and how Integrity figures in, and we will also examine special considerations in light of the Obama Ethics Pledge and the STOCK Act.

TROY BYERS, DEPARTMENT OF HOMELAND SECURITY  
YASI SUTTON, OFFICE OF MANAGEMENT AND BUDGET

### Ethics Recommendations for a New Administration

OGE Director Walter M. Shaub, Jr. speaks with a panel of distinguished experts about their diverging recommendations to the next Presidential administration regarding government ethics. Panel members include:

NORMAN L. EISEN, AMBASSADOR (RET.), BROOKINGS  
INSTITUTION, FORMER SPECIAL COUNSEL TO PRESIDENT BARACK  
OBAMA

CRAIG HOLMAN, PH.D, GOVERNMENT AFFAIRS LOBBYIST, PUBLIC  
CITIZEN

SEAN MOULTON, OPEN GOVERNMENT PROGRAM MANAGER,  
PROJECT ON GOVERNMENT OVERSIGHT

RICHARD W. PAINTER, PROFESSOR, UNIVERSITY OF MINNESOTA  
SCHOOL OF LAW, REPORTER FOR THE ALI PROJECT ON  
GOVERNMENT ETHICS, FORMER ASSOCIATE COUNSEL TO  
PRESIDENT GEORGE W. BUSH

GREGORY S. WALDEN, SENIOR COUNSEL, AKIN GUMP STRAUSS  
HAUER & FELD LLP, FORMER ASSOCIATE COUNSEL TO PRESIDENT  
GEORGE H. W. BUSH

 1:45-3:00  
AUDITORIUM

3:15-4:30  
AUDITORIUM

### You Say Hello, and I Say Goodbye: Gifts and Travel Issues at a Time of Transition

Lenny Loewentritt of the General Services Administration and Dave Apol of OGE will discuss travel and gift issues that are more likely to arise during Presidential Campaigns and at the end and the beginning of Administrations. Topics will include: political travel, travel by employees who have not yet moved to Washington, Gifts at Political Convention, and swearing in and good bye parties. There will also be a Question and Answer period.

DAVID APOL, OFFICE OF GOVERNMENT ETHICS  
LENNY LOEWENTRITT, GENERAL SERVICES ADMINISTRATION

### Identifying Conflicts: Particular Matters of General Applicability

A critical threshold issue for applying criminal conflict of interest statutes and ethics rules is determining the type of "matter" that is involved. This inquiry is not always an easy one, and it can sometimes be challenging for ethics officials to analyze and draw lines between different types of matters. This session will discuss the "particular matter" concept, with an emphasis on identifying and analyzing particular matters of general applicability. In addition to discussing the meaning of the relevant concepts, panelists will share their experiences and challenges in analyzing particular matters, and offer strategies to effectively communicate the relevant concepts to employees.

DAVID MAGGI, DEPARTMENT OF COMMERCE  
KIM SIKORA PANZA, OFFICE OF GOVERNMENT ETHICS  
FRANCISCO RUBEN, NATIONAL SCIENCE FOUNDATION

3:15-4:30  
ROOM B3:15-4:30  
ROOM A

### Navigating the Post-Government Employment Restrictions: Senior Employees

This interactive session will review the post-government employment restrictions applicable to former senior employees, focusing on 18 U.S.C. § 207(c) and various exceptions to the statute. The session will provide valuable insight into how to analyze these restrictions and exceptions by using case studies involving a hypothetical former employee.

RACHEL DOWELL, OFFICE OF GOVERNMENT ETHICS  
FUNMI OLORUNNIPA, WHITE HOUSE

### Successful Coordination with Other Offices

This session will explore how the Ethics Office interacts and coordinates with other important offices inside your agency. Whether you work for a large department or a small agency, it is vital to cultivate good working relationships with the Office of the Inspector General, General Counsel's Office, Office of Human Resources, Procurement Office and Office of the Chief Information Officer. We will discuss best practices in coordinating with these offices as well as tips that you can use to create and enhance good working relationships.

STUART BENDER, DEPARTMENT OF AGRICULTURE  
CIARA GUZMAN, OFFICE OF GOVERNMENT ETHICS  
SHIRA PAVIS MINTON, SECURITIES AND EXCHANGE COMMISSION

3:15-4:30  
ROOM C

	Auditorium 	Room A 	Room B	Room C	
8:00-8:45					8:00-8:45
9:00-10:15	Receipt of Payments Prior to- & During-Government Service: 5 C.F.R. § 2635.503 & 18 U.S.C. § 209	Succession Planning: Is your ethics program prepared if The "What If" happens?	Seeking Other Employment	Ethical Interactions with Former Employees	9:00-10:15
10:30-11:45	Transition is Coming: Preparing for Success			The Release of Ethics Documents under the FOIA, the Privacy Act, & the EIGA	10:30-11:45
12:00-12:30*		The Value of Supervisory Reviews on Financial Disclosure Reports	How OGE's Website Can Help You Conduct Research	Nominees: Reporting Professor's Benefits	12:00-12:30*
12:30-1:00*					12:30-1:00*
1:00-1:30*		A Brief Look at Qualified Trusts	Managing 278-T Reports	Reporting Tracking Interests	1:00-1:30*
1:45-3:00	Proposed Gift Amendments & Gift Related Issues for the Transition	Establishing Effective Ethics Program Processes	Historical Perspectives on Working with Transitions	Whistleblowing & the U.S. Office of Special Counsel	1:45-3:00
3:15-4:30	Welcome to Annual Training (will not be streamed)	Understanding Core Elements of the Post-Employment Restrictions -- 18 U.S.C. 207(a)(1) & (a)(2)	"Not a PASer? Not a problem. Tips for Vetting High Level Officials	Vacancies in High-Level Positions at the End of an Administration & the Beginning of the Next	3:15-4:30

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9:00-10:15  
AUDITORIUM

### Receipt of Payments Prior to—and During— Government Service: 5 C.F.R. § 2635.503 and 18 U.S.C. § 209

In this session, presenters will discuss 18 U.S.C. § 209's prohibition on salary supplementation and 5 C.F.R. § 2635.503's disqualification requirement, should an employee receive an extraordinary payment before entering Government service. Presenters will examine both provisions' underlying purposes, legislative or regulatory histories, and will review both provisions' requisite elements. This session will also feature several hypothetical scenarios to provide attendees with an understanding of how both provisions operate in practice.

LEIGH FRANCIS, OFFICE OF GOVERNMENT ETHICS  
PATRICK LIGHTFOOT, OFFICE OF GOVERNMENT ETHICS

9:00-10:15  
ROOM A

### Succession Planning: Is your ethics program prepared if the “What If” happens?

Succession planning is not an issue that many ethics programs address in any systematic way. Thinking about and planning for the “What If” is often buried under the crush of the day-to-day workload. For example, does your office have a plan for continuity of services if a key ethics official suddenly moves to another job, resigns, falls ill or retires? Because many ethics programs, small and large, may be facing other pressures and organizational challenges, it is important to pause and prepare for the “what if” by taking action now. This session offers ideas and best practices that can help your ethics program address the changing realities of the workplace.

JUDY KEEGAN, DEPARTMENT OF HEALTH AND HUMAN SERVICES  
ELIZABETH FISCHMANN, DEPARTMENT OF HEALTH AND HUMAN SERVICES  
DAVID MEYERS, OFFICE OF GOVERNMENT ETHICS  
ROBERT SCHAFER, DEPARTMENT OF HEALTH AND HUMAN SERVICES  
MICHELLE WALKER, OFFICE OF GOVERNMENT ETHICS

### Seeking Other Employment

This session will discuss the seeking and negotiating for employment provisions in subpart F of the Standards of Ethical Conduct, section 17 of the Stop Trading on Congressional Knowledge Act of 2012 (STOCK Act), and OGE's proposed amendments.

KERRI COX, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE  
ELAINE NEWTON, OFFICE OF GOVERNMENT ETHICS  
GAYE WILLIAMS, DEPARTMENT OF COMMERCE

9:00-10:15  
ROOM B

### Post-Employment Guidance for the Rest of Us

When agency employees depart due to a transition or to seek other opportunities, they need advice on 18 U.S.C. 207 – but the employees who remain at the agency face a different challenge. How can current employees interact with former employees and political appointees – who may have been valued colleagues, friends, and mentors – without putting the integrity of the agency's programs at risk? This session is a facilitated discussion in which you will work together with other attendees to explore a case study illustrating some of the ethics issues that employees who remain at an agency face during staff transitions. What can we do, as ethics officials, before a transition to help employees anticipate and prepare for at-risk situations? What interventions can help protect the integrity of an agency's programs? At the end of the session, you will have developed an action plan to implement one of the brainstormed ideas. We encourage you to share your own experiences and learn from other ethics officials who have faced similar challenges.

KIM KAPLAN, OFFICE OF GOVERNMENT ETHICS  
JEN MATIS, OFFICE OF GOVERNMENT ETHICS

9:00-10:15  
ROOM C

10:30-11:45  
AUDITORIUM**Transition is Coming: Preparing for Success.**

The peaceful transfer of power from one Administration to the next is one of the remarkable aspects of our democracy. Join us for an informative panel discussion about the work underway to prepare for a successful Presidential transition from the unique perspective of each of our expert panelists. OGE Chief of Staff Shelley Finlayson will moderate the panel.

SHELLEY FINLAYSON, OFFICE OF GOVERNMENT ETHICS  
MARY GIBERT, DIRECTOR OF PRESIDENTIAL TRANSITION,  
GENERAL SERVICES ADMINISTRATION  
MARTHA KUMAR, DIRECTOR OF THE WHITE HOUSE TRANSITION  
PROJECT  
PATRICK LIGHTFOOT, OFFICE OF GOVERNMENT ETHICS  
LEE LOFTHUS, ASSISTANT ATTORNEY GENERAL FOR  
ADMINISTRATION, DEPARTMENT OF JUSTICE  
KRISTINE SIMMONS, VICE PRESIDENT OF GOVERNMENT AFFAIRS,  
PARTNERSHIP FOR PUBLIC SERVICE (CENTER FOR PRESIDENTIAL  
TRANSITION)  
GARY STERN, GENERAL COUNSEL, NATIONAL ARCHIVES AND  
RECORDS ADMINISTRATION

10:30-11:45  
ROOM C**The Release of Ethics Documents under the FOIA, the Privacy Act, and the EIGA**

In this session, we will give an overview of the intersection of the three laws, the Freedom of Information Act (FOIA), the Ethics in Government Act (EIGA), and the Privacy Act, that govern the release of ethics documents and discuss what agency ethics officials need to know about complying with them.

JEN MATIS, OFFICE OF GOVERNMENT ETHICS  
LINDSAY ROBERTS, DEPARTMENT OF JUSTICE  
BOBAK TALEBIAN, DEPARTMENT OF JUSTICE

12:00-12:30  
ROOM A**The Value of Supervisory Reviews on Financial Disclosure Reports**

DoD Ethics Officials will discuss the importance of involving supervisors in reviews of financial disclosure reports, not only to assist in identifying potential conflicts of interest, but also to further integrate them into the ethics program. The presenters will also offer ideas and suggestions on training tools for supervisors to ensure quality reviews. This session will be helpful for Ethics Officials from agencies of all sizes.

RUTH VETTER, DEPARTMENT OF DEFENSE  
DANI IRVINE, DEPARTMENT OF DEFENSE

**How OGE's Website Can Help You Conduct Research**

Attendees will be introduced to OGE's newly redesigned website. The presenter will demonstrate the new website's functionality and will review the numerous resources available to assist attendees in conducting research on a variety of topics.

PATRICK LIGHTFOOT, OFFICE OF GOVERNMENT ETHICS

**Nominees: Reporting Professor's Benefits**

The session will cover how to report a professor's employment benefits (e.g., housing, housing allowance, mortgage subsidy, reduced tuition, loans, health/life insurance, etc.).

STEPHANIE NONLUECHA, OFFICE OF GOVERNMENT ETHICS

**A Brief Look at Qualified Trusts**

The use of a qualified trust is one way to reduce real or apparent conflicts of interest, particularly for employees who have a large number of assets and who serve in positions with wide-ranging responsibilities. This lunchtime session will provide an overview of OGE's qualified trust program, examine the differences between the two types of qualified trusts, and explain how qualified trusts are created.

MONICA ASHAR, OFFICE OF GOVERNMENT ETHICS

**Managing 278-T Reports**

Sharing ideas and experience on how to help your filers timely report their monthly transactions on 278-T reports and what reviewers need to know to certify reports.

LUCY HURLEY, DEPARTMENT OF JUSTICE  
ROBERT MARCOVICI, DEPARTMENT OF JUSTICE

**Reporting Tracking Interests**

Financial Instruments that track the performance of other investments such as mutual funds, company stock and market indexes, have become more and more prevalent. This 30 minute session will provide an introduction to these tracking instruments. We will discuss financial disclosure reporting, common misconceptions regarding these tracking instruments, and the conflicts analysis.

LORNA SYME, OFFICE OF GOVERNMENT ETHICS

12:00-12:30  
ROOM B12:00-12:30  
ROOM C1:00-1:30  
ROOM A1:00-1:30  
ROOM B1:00-1:30  
ROOM C

1:45-3:00  
AUDITORIUM



### Proposed Regulatory Amendments and Issues for the Transition

In this session, OGE's General Counsel Dave Apol and Assistant Counsel Chris Swartz will discuss OGE's proposed amendments to Subpart B of the Standards of Conduct and will consider various gift issues related to the transition. This session will focus on the proposed regulations, published at 80 FR 74004 (Nov. 27, 2015), and update the ethics community on the status of the regulations going forward. Dave and Chris will also discuss gifts issues that are unique to Presidential Transitions, such as: the extent to which employees may accept gifts given during the inauguration; how to analyze gifts given by members of the transition team; and, when the exemption at 5 C.F.R. 2635.204(f), for gifts permitted by the Hatch Act, is available.

DAVID APOL, OFFICE OF GOVERNMENT ETHICS  
CHRIS SWARTZ, OFFICE OF GOVERNMENT ETHICS

1:45-3:00  
ROOM A



### Establishing Effective Ethics Program Processes

This session highlights some of the effective ethics program practices that have been instituted at the Department of Education and the U.S. Postal Service. These include triaging financial disclosure reports and providing ethics training to a diverse and widely dispersed workforce. Senior ethics officials from those agencies will describe how they implemented these procedures and how the procedures have strengthened their respective ethics programs. This is an opportunity for ethics officials to learn from their peers and apply what they learn to their own ethics programs.

DOUG CHAPMAN, OFFICE OF GOVERNMENT ETHICS  
MIKE ELSTON, UNITED STATES POSTAL SERVICE  
MARCELLA GOODRIDGE, DEPARTMENT OF EDUCATION  
KRISTINA SPENCER, DEPARTMENT OF EDUCATION

### Working with Leading Transition Teams

Helen R. Kanovsky is the longest-serving General Counsel of the Department of Housing and Urban Development. As a Presidential Appointee in a Position Requiring Senate Confirmation (PAS), she will share her experiences with her nomination, confirmation and transition processes in 2009. She is HUD's Designated Agency Ethics Official. She worked for Secretary Patricia Harris at the Department of Health, Education and Welfare where she was part of the Carter Administration transition team out to Secretary Richard Schweiker of the Reagan Administration. She worked on the Commerce Department transition team for the incoming Clinton Administration and was among the first to be confirmed at HUD in the Obama Administration. Linda M. Cruciani has been the Deputy General Counsel for Operations at HUD since 2007. In 2009, she served as the acting General Counsel of HUD and worked with the transition teams and nominees. She is HUD's Alternate Designated Agency Ethics Official. They will share their unique perspectives on the transition process and provide thoughts on the expectations and knowledge of nominees and new White House Liaisons; sharing information with nominees prior to confirmation; participating in preparation of nominees for hearings, including possible questions related to the ethics disclosures and necessary research not related to ethics; working with the two transition teams (the early volunteers and then the team that comes with the cabinet level appointee, including the new White House Liaisons, special assistants, Special Governmental Employees and contractors); staffing considerations and team-building prior to a transition; and emotional intelligence when dealing with federal colleagues, nominees, transition teams and new superiors.

HELEN R. KANOVSKY, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
LINDA CRUCIANI, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

1:45-3:00  
ROOM B

1:45-3:00  
ROOM C

### Whistleblowing and the U.S. Office of Special Counsel (OSC)—An Overview of the Elements of a Retaliation Claim and the Whistleblower Disclosure Procedures

The trainer will highlight case examples, recent case developments, and OSC's internal processes, including assessment and investigation of complaints. The presentation will answer this common question-what type of evidence is found in retaliation cases? The presentation also covers OSC's Disclosure Unit procedures for accepting complaints of government wrongdoing and referral of those complaints to the head of the involved agency.

SHIRINE MOAZED, OFFICE OF SPECIAL COUNSEL

3:15-4:30  
AUDITORIUM

### Welcome to Annual Training

The regulations at 5 CFR part 2638 require you to deliver annual ethics training. Come see how it's done!

CHERYL KANE-PIASECKI, OFFICE OF GOVERNMENT ETHICS  
PATRICK SHEPHERD, OFFICE OF GOVERNMENT ETHICS

3:15-4:30  
ROOM A

### Understanding Core Elements of the Post-Employment Restrictions -- 18 U.S.C. 207(a)(1) and (a)(2)

Presidential Transition always brings with it a period of transformation. A new Administration will result in an increased number of Government workers leaving the Federal Government both before and after the Presidential election. Some of these workers, whether they be former career employees, political appointees or intermittent employees, will continue to play an important part in getting the Government's work done through jobs they obtain with new outside employers. This session will help sharpen your skills by reviewing the key elements that ethics officials must analyze in applying the post-employment provisions in 18 U.S.C. 207(a)(1) and (a)(2) to former Federal employees. After reviewing the elements of these criminal statutes, the session will also offer attendees an opportunity to apply core elements of the post-employment restrictions to a hypothetical case study involving a former Federal employee.

JEFF GREEN, DEPARTMENT OF DEFENSE  
VINCE SALAMONE, OFFICE OF GOVERNMENT ETHICS  
KIM SIKORA-PANZA, OFFICE OF GOVERNMENT ETHICS

### Not a PAser? Not a problem. Tips for Vetting High-Level Officials

As we know, identifying and remedying potential conflicts of interest for PAS nominees is a highly regimented process, much of which occurs before these individuals enter office. But what about high-level officials who are not PAS? How can your ethics program identify real and potential ethics concerns before these employees even walk through the door? This panel will discuss the processes and procedures utilized by three different agencies to screen, review, and scrutinize candidates for high-level executive positions before an employment offer is made. During this session you will hear about model practices for coordinating with your human capital staff and hiring officials, eliciting the necessary information from potential candidates, discussing ethics concerns with individuals who are often new to the federal government, and documenting any potential ethics issues.

SUSAN BEARD, DEPARTMENT OF ENERGY  
WAYNE GORDON, DEPARTMENT OF ENERGY  
ELIZABETH HORTON, DEPARTMENT OF TREASURY  
AMBER VAIL, CONSUMER FINANCE PROTECTION BUREAU

### Vacancies in High-Level Positions at the End of an Administration and the Beginning of the Next

This session will focus on legal issues related to vacancies in Senate-confirmed positions at Executive agencies. The discussion will provide an overview of the Vacancies Reform Act and related areas of law, including delegation of authorities, reassignment of duties, and agency orders of succession, and will highlight vacancies issues that may be particularly relevant during a presidential transition.

LAURA HEIM, DEPARTMENT OF JUSTICE

3:15-4:30  
ROOM B3:15-4:30  
ROOM C







UNITED STATES OFFICE OF  
**GOVERNMENT ETHICS**



Preventing Conflicts of Interest  
in the Executive Branch

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