

UNITED STATES OFFICE OF  
**GOVERNMENT ETHICS**



Preventing Conflicts of Interest  
in the Executive Branch

**Open Government Plan**  
*U.S. Office of Government Ethics*  
2014-2015

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## About OGE

The U.S. Office of Government Ethics (OGE), established by the Ethics in Government Act of 1978, provides overall leadership and oversight of the executive branch ethics program designed to prevent and resolve conflicts of interest. OGE’s mission is part of the very foundation of public service. The first principle of the 14 General Principles set forth as part of the Standards of Ethical Conduct for Government for Employees of the Executive Branch is, “[p]ublic service is a public trust, requiring employees to place loyalty to the Constitution, the laws and ethical principles above private gain.” Public servants are expected to make impartial decisions based on the interests of the public when performing their job duties. OGE, in concert with agency ethics practitioners throughout the executive branch, ensures that employees fulfill this great trust.

To carry out its leadership and oversight responsibilities, OGE promulgates and maintains enforceable standards of ethical conduct for approximately 2.7 million employees in over 130 executive branch agencies and the White House; oversees a financial disclosure system that reaches more than 27,000 public and more than 370,000 confidential financial disclosure report filers; ensures that executive branch agency ethics programs are in compliance with applicable ethics laws and regulations; provides education and training to the more than 5,000 ethics officials executive branch-wide; conducts outreach to the general public, the private sector, and civil society; and provides technical assistance to state, local, and foreign governments and international organizations. For more information about OGE’s long-term strategic goals and how OGE meets its mission, click [here](#).

### OGE Mission

Provide overall leadership and oversight of the executive branch ethics program designed to prevent and resolve conflicts of interest

#### Advance a strong **uniform** executive branch ethics program

Interpret and advise on ethics laws, policies, and program management issues

Hold executive branch agencies accountable for carrying out effective ethics programs

Contribute to the professional development of ethics officials

Modernize and implement the ethics rules and regulations

#### Contribute to the **continuity** of senior leadership in the executive branch

Assist in the President’s constitutional duty to nominate and appoint officers to the executive branch

Support succession planning in executive branch ethics programs

Promote leadership support of the executive branch ethics program overall

#### Promote **transparency** of the executive branch ethics program

Raise the visibility of the systems in place to identify and resolve conflicts of interest

Make ethics documents publicly available

### Management Objectives

Promote professional development opportunities aimed at building OGE employees’ knowledge, skills, and abilities  
Transform the way OGE conducts business through process improvement

## Open Government at OGE

Building public confidence in the impartiality of government decision-making is at the core of OGE's mission. In support of the President's commitment to the principle of an open government, OGE directs resources toward raising the visibility of OGE and the systems in place to identify and resolve conflicts of interest. OGE also directs resources toward making ethics documents publicly available. Transparency increases accountability and public confidence by providing information to the public about the work of government and the integrity of its decision-making processes.

This plan details expected actions and a timeline for incorporating the principles of the President's January 21, 2009, Memorandum on Transparency and Open Government into the core mission objectives and operations of OGE. The main components of the plan are:

- Transparency – providing information about OGE and its initiatives
- Participation – allowing the contribution of ideas and expertise to government policy making
- Collaboration – encouraging cooperation within the federal government, across levels of government, and between the government and non-government entities

The plan also addresses OGE's current initiative to make additional high-value information sets publicly available on its website.

## New Initiative

In 2014, OGE began an inventory of all information sets created, collected, or maintained at OGE that are not currently publicly available on its website. Through this inventory process, OGE identified approximately 15 information sets that it does not currently make available online. In 2015, OGE will review the information sets from its inventory to identify high-value information to post on its public website. Moreover, OGE will explore options for using infographics, videos, and other data visualization means to describe the high-value information. For each information set added to its website, OGE will use its website homepage and social media channels to inform the public that the information is now available. For example, OGE identified the Annual Agency Questionnaire (Questionnaire) responses as a high-value information set. The Questionnaire asks agencies to provide information annually about the administration of agency ethics programs, as well as core elements of the agency ethics program that assist in the identification and resolution of potential conflicts of interest. The compiled data provides valuable insights about the executive branch ethics program. In 2015, OGE will post each agency response to its website. OGE will also provide a summary of the combined data from agencies' questionnaire responses on its website in a visual format and will disseminate this information to the public through its social media and other channels.

To measure whether transparency has improved through this initiative, OGE will collect webpage analytics on the newly posted information and measure public interaction with the information over time. In addition, OGE will use these metrics to refine how OGE provides the information to make it more usable by the public and to inform decisions on how best to publish

information in the future. To ensure sustainability of the initiative, OGE will set a process in place for how to review information sets and post the information on its public website.

By making additional ethics-related documents and information about OGE's oversight available to the public, OGE promotes accountability. In addition, public availability of this information promotes public confidence in the integrity of government decision-making by showing the systems in place to detect and resolve potential conflicts of interest.

## Transparency

### High-Value Data and Information

OGE recognizes the value of providing data and information to its external stakeholders, including the general public. By increasing data transparency, we increase public understanding about what OGE's programs accomplish and strengthen accountability for results. In addition, raising the visibility of OGE and the executive branch ethics program is critical to building public confidence in the integrity of government operations and programs.

The following high-value information is currently available for download (generally in TXT, HTML, and PDF formats) on OGE's website:

- OGE Advisories: OGE posts all [written guidance](#) to executive branch ethics officials and employees, including legal, education, and program advisories.
- Ethics Program Review Reports: OGE conducts reviews of agency ethics programs and issues recommendations to improve the ethics program if deficiencies are found. To confirm that the agency has acted on OGE's recommendations, OGE also conducts a follow-up review six months from the date of the initial report. OGE posts all [program review and follow-up reports](#) to its website.
- Ethics Pledge Report and Related Waivers: On January 21, 2009, President Obama signed [Executive Order 13490](#), which created new commitments for [political appointees](#) entering government service. This Executive Order requires every full-time, political appointee appointed on or after January 20, 2009, to sign an Ethics Pledge. The Executive Order also requires OGE to publish an [annual report](#) on the administration of the pledge. In addition to posting this annual report, all waivers are made publicly available on either [OGE's website](#) or the [White House website](#) when issued.
- Public Financial Disclosures and Ethics Agreements: OGE has an automated online process for providing public access to [public financial disclosure reports](#) (OGE Forms 278, 278e, and 278-T) for Presidential appointees confirmed by the Senate (PAS). OGE also posts [ethics agreements](#) of PAS employees, which describe the steps an appointee will take to avoid any actual or apparent conflicts of interest.
- Travel Reports: Agencies are required to submit to OGE semiannual reports of payments for travel, subsistence, and related expenses received from non-federal sources in

connection with the attendance of employees at certain meetings or similar functions. OGE posts these [travel reports](#) on its website.

OGE is committed to making information resources accessible, discoverable, and usable by the public. However, OGE generally does not create or collect raw data sets from which the public could derive the benefits of an Open Data format for manipulation to “fuel entrepreneurship, innovation, and scientific discovery.”<sup>1</sup> Rather, OGE performs its mission on a much lower data level (e.g., document level of PDF and basic tracking spreadsheets). In addition, when providing the public financial disclosure information of executive branch employees, OGE is bound by 5 U.S.C. app. § 105(b), which provides the mechanism through which OGE can release financial disclosure reports to the public. Thus, OGE does not provide this information in an open data format.

Currently, releasable data from which the public could derive benefit is provided at the document level, available on OGE’s website. As discussed in the previous section, OGE is conducting an inventory of all of its information sets to identify high-value information not yet publicly available to post on its public website.

## **Informing the Public**

OGE is committed to proactively disclosing information to advance transparency, accountability, and openness. OGE’s website, [www.oge.gov](http://www.oge.gov), is its primary tool for communicating with its external stakeholders, including the public. In the past two years, OGE implemented a new strategy for providing information to the public through Director’s Notes posted on the homepage of OGE’s website. Director’s Notes provide a public-friendly explanation of OGE’s role in the executive branch ethics program, ethics rules and regulations, OGE’s programs and initiatives, and current ethics issues. In 2014, OGE published 19 Director’s Notes on important topics, such as the purpose of financial disclosure, OGE’s oversight role, and the value of OGE’s Conflict of Interest Prosecution Survey. OGE also created a space on its homepage, called OGE News, to provide current news and information about OGE and the executive branch ethics program in a public-friendly manner.

In addition, OGE uses social media to broaden its reach to key external stakeholders. Specifically, OGE uses [Twitter](#) to direct the public to detailed information on its website and to provide an additional way to access OGE’s latest publications. OGE also uses its Twitter account to reach a broader audience and to provide public-friendly explanations of executive branch ethics laws, regulations, and programs. In addition, OGE has expanded its use of social media by creating new [Google+](#) and [YouTube](#) pages. OGE uses these accounts to live-stream ethics education offerings and events such as the [National Government Ethics Summit](#) (see description below).

Lastly, in September 2014, OGE held the first [National Government Ethics Summit](#), which brought together executive branch ethics officials and other external stakeholders, including ethics officials from the other branches of the federal government, ethics officials from

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<sup>1</sup> Executive Order 13642, Making Open and Machine Readable the New Default for Government Information (May 9, 2013), <http://www.gpo.gov/fdsys/pkg/FR-2013-05-14/pdf/2013-11533.pdf>.

state and local governments, staff from various offices of Inspectors General, members of the press, advocates from good government groups, and noted thinkers from academia. OGE designed the Summit to strengthen the executive branch ethics program by providing attendees with opportunities to deepen their knowledge of the ethics rules, share lessons learned through extensive practical experience, listen to viewpoints from outside government, and build connections with ethics officials who can assist in resolving even the most complex ethics issues. As a means of both expanding the reach of the Summit and increasing the transparency of the executive branch ethics program, OGE live-streamed many of the sessions and presented a number of virtual-only events. This afforded additional stakeholders and interested members of the public significant access to the Summit. OGE also posted recordings of these events on its [YouTube](#) and [Google+](#) pages, so that they will remain available for future viewing. OGE plans to build upon this open format for future Summits and events.

## **Freedom of Information Act**

OGE provides the public with a description of its Freedom of Information Act (FOIA) [program](#), [organizational structure](#), and process for [analyzing](#) and [responding](#) to FOIA requests on its official website. OGE's FOIA Annual Reports and Chief FOIA Officer Report are publicly available at <http://www.oge.gov/FOIA/Quarterly-2-2014/>. OGE's FOIA Office is also uniquely situated to gain a sense of the types of materials the public is seeking. As a result, OGE includes distinct steps in OGE's FOIA processes for identifying records for proactive disclosure on OGE's website. OGE will continue to implement these steps when processing FOIA requests.

OGE is currently in the process of revising its FOIA regulations to better reflect the agency's current FOIA practices and current organizational structure, as well as to incorporate best practices. OGE is concurrently participating in an interagency process, led by DOJ's Office of Information Policy, to develop a common set of FOIA regulations for executive branch agencies.

OGE's FOIA Office also plans to further utilize technology to strengthen the response processes and improve customer service. In particular, OGE's FOIA Office plans to build a database to track FOIA requests. Using that data, OGE's FOIA Office plans to explore options for creating an online portal that will provide requesters electronic tracking of FOIA requests.

## **Congressional Requests**

The majority of congressional requests for information are made by phone. OGE generally responds to these requests within one or two business days. In addition, when OGE receives a letter from a Member of Congress requesting information on his or her own behalf or on behalf of a constituent, OGE has a process in place to timely respond in writing. Written correspondence from OGE to Congress is posted to OGE's website at <http://www.oge.gov/About/Legislative-Affairs-and-Budget/Congressional-Correspondence/>.

## **Records Management**

OGE has a Records Officer who also serves as OGE's designated Senior Agency Official (SAO) responsible for ensuring the agency's compliance with records management statutes and the implementing regulations of the National Archives and Records Administration (NARA). OGE has established and disseminated records management policies and procedures to ensure that all records, including email, are maintained and disposed of according to NARA-approved records disposition schedules. OGE is currently implementing plans to achieve compliance with the requirements set forth in the Managing Government Records Directive of August 24, 2012, M-12-18. OGE's SAO has submitted a 2014 Annual Status Report of its progress toward this goal. The Annual Status Report highlights OGE's project to digitize all temporary and permanent paper records in 2014 and its intention to implement new standard operating procedures to manage all electronic records, including email, within its new electronic recordkeeping system. In fiscal year 2015, OGE plans to complete that project. OGE also intends to update its website with information about its records management program in calendar year 2015.

## **Privacy**

Protecting the privacy of both federal employees and the public is a high priority for OGE. OGE maintains Privacy Impact Assessments for its information technology systems in keeping with Office of Management and Budget guidance, and has also recently updated its Privacy Act System of Records Notice for its system of records containing public financial disclosure reports and other name-retrieved ethics program records. In addition, in 2014 OGE updated and redesigned portions of its website. The information found on OGE's new [Privacy Act page](#) includes everything from how to file a Privacy Act request, to OGE's Privacy Act System of Records Notices, and OGE's breach policy. The page provides links to all the relevant documents in one, easy-to-navigate place.

OGE has no computer matching agreements and does not engage in data mining as defined by the Federal Agency Data Mining Act. Moreover, as a micro agency, OGE is not required to answer the Senior Agency Official for Privacy (SAOP) questions in the annual Federal Information Security Management Act (FISMA) report.

## **Digital Strategy**

OGE is in the process of creating a Digital Strategy page on its website and expects to have this page completed by the end of calendar year 2015. OGE uses Google Analytics to assess the usability and ease of navigation of OGE's website. In addition, OGE creates a bi-annual communications report that highlights website metrics for [www.oge.gov](http://www.oge.gov), such as top search terms and most viewed pages. OGE also tracks inquiries from its stakeholders, including inquiries related to finding content on OGE's website, through its Agency Information Management System (AIMS). This information allows OGE to improve user navigation to OGE's most popular webpages. For example, through AIMS, OGE found that the majority of press inquiries were for access to public financial disclosure reports. In response, OGE added an additional link in a prominent location on its homepage to where the public can access

Presidential Appointee and Nominee reports and related records on its website. In another example, through Google Analytics, OGE found that many visitors were searching OGE's website for ethics-related topics such as procurement, Hatch Act, conferences, contractors, and nepotism. OGE is currently in the process of creating an easy to access page on its website that will provide links to information on ethics-related laws under the jurisdiction of other agencies on the appropriate agencies' websites. OGE will continue to use Google Analytics and AIMS to help make OGE's website easier to use and more informative.

In 2015, OGE plans to submit a General Information Collection Request to meet the obligations of the Paperwork Reduction Act and allow OGE to conduct website satisfaction surveys. This will allow OGE to receive feedback from the public on the usability of its website and to make changes accordingly. In addition, OGE is in the process of creating a website governance policy that designates various individuals to be responsible for assigned pages and sections of the website and requires the designees to review the content of the pages bi-annually. The governance policy also establishes a website manager to coordinate and approve changes to the website and to ensure that all pages are reviewed bi-annually. OGE expects to formalize and implement this policy by the end of calendar year 2015.

## **Whistleblower Protection**

OGE has registered to obtain 2302(c) certification from U.S. Office of Special Counsel and expects to satisfy all certification requirements by July 1, 2015.

## **Other Government-Wide Transparency Initiatives**

OGE is not currently using eRulemaking. However, OGE posts all of its [Federal Register issuances](#) on its website. OGE also posts pending rules and notices with associated comments for major rule-making and policy initiatives on its website.

OGE does not administer grant programs as tracked by Recovery.gov or listed on Grants.gov; nor does OGE administer any federal assistance programs as tracked and reported on CFDA.gov. OGE is also not required to report on the IT Dashboard or to have a declassification program. With regard to USASpending.gov, SAM.gov, and FSRS.gov, OGE relies on the U.S. Department of Treasury, Bureau of Fiscal Service (BFS), a shared service provider, for its accounting and financial systems and reporting requirements. Through BFS, OGE reports as required on USASpending.gov and SAM.gov. In addition, BFS includes a clause in all applicable contracts stating that the contractor must report in FSRS.gov for all contracts of \$25,000 or more.

## **Participation**

Participation allows the public to contribute ideas and expertise so that OGE can make decisions and create policies with the benefit of information that is widely dispersed in society.

OGE maintains [Twitter](#), [Google+](#), and [YouTube](#) accounts through which the public can interact with OGE. In addition, OGE contact information is available on the OGE website at

[www.oge.gov](http://www.oge.gov). This contact information includes both email addresses and phone numbers. Members of the public regularly contact OGE using these methods to ask questions, raise issues, and make suggestions. To ensure a timely response to general questions from the public, OGE maintains a rotating assignment for responding to requests for information from the public through [ContactOGE@oge.gov](mailto:ContactOGE@oge.gov) or by phone (202-482-9300). OGE ensures that a person is available to respond to these requests daily. OGE also posts the above email and phone number and specifically solicits feedback on various pages of its website, such as the Open Government and Plain Language pages. Lastly, OGE publishes all of its Federal Register issuances on its website and posts tweets notifying the public when new Federal Register notices are published and open for public comment.

To improve public participation and to refine its outreach to the public, in 2015, OGE plans to submit a General Information Collection Request to meet the obligations of the Paperwork Reduction Act and allow OGE to conduct customer satisfaction and website satisfaction surveys. This will enable OGE to receive feedback from the public on its various programs and the usability of its website. For example, OGE plans to use surveys to engage in outreach with the requester community regarding OGE's administration of the FOIA.

## **Collaboration**

OGE also collaborates with stakeholders both inside and outside the federal government to achieve its mission to prevent and resolve conflicts of interest and its vision of achieving a high level of public confidence in the integrity of executive branch programs and operations. These external stakeholders include executive branch ethics officials, members of the general public, state and local governments, private sector organizations, professional associations, government watchdog groups, the media, and international anti-corruption organizations.

OGE has a number of initiatives designed to promote collaboration with its external stakeholders. OGE's Director holds quarterly meetings with senior agency ethics officials to share information critical to managing an effective ethics program, encourage discussion of current ethics issues facing the executive branch, and consult with agency ethics officials regarding contemplated changes in OGE's policies. OGE also convenes focus groups to discuss ethics topics on which OGE plans to issue written guidance. In addition to convening focus groups, OGE circulates drafts of its advisories to ethics officials across the executive branch with the greatest experience in the matters addressed in the advisories. In 2015, OGE plans to leverage technology to begin soliciting feedback on draft regulations and legal advisories from agency ethics officials through MAX.gov and other digital collaboration platforms.

Further, OGE organizes quarterly "three branch meetings," with the most senior ethics practitioners from each branch of government to exchange information and discuss experiences related to key topics of common interest. OGE also participates in professional, good government, and interagency groups to discuss emerging ethics issues and trends, share model practices, develop sound ethics policies, and combine resources to more effectively ensure that government decisions are made for the benefit of the public and not private gain. For example, OGE is a member of the Ethics and Compliance Officer Association (ECO), the Council on

Governmental Ethics Laws (COGEL), and the Council of the Inspectors General on Integrity and Efficiency (CIGIE).

As mentioned above, in September 2014, OGE held the first National Government Ethics Summit. The Summit exposed participants to the insights of speakers from both inside and outside the government related to the broader purpose and effect of organizations' ethics programs. Participants attended sessions on such diverse topics as the similarities, challenges, and solutions faced by private and public sector organizations in dealing with ethics; perspectives on the so called "revolving door;" the importance of government ethics; and ways in which the press, good government groups, and others work toward common goals in supporting the integrity of public institutions. These sessions fostered increased understanding among OGE's internal and external stakeholders about the executive branch ethics program and how it protects the public trust. The Summit also laid the groundwork for future collaboration between OGE, agency ethics officials, and other external stakeholders. OGE plans to build upon this success to promote future collaboration amongst its stakeholders.

Building public confidence in the impartiality of government decision-making is at the core of OGE's mission. To support its mission and the principle of an open government, OGE will continue to direct resources toward raising the visibility of OGE and the systems in place to identify and resolve conflicts of interest and making ethics documents publicly available. For additional information please see the list of webpages on the following page.

## Useful Webpages

General Information	
<b>About OGE</b>	<a href="http://www.oge.gov/About/About/">http://www.oge.gov/About/About/</a>
<b>Organizational Chart</b>	<a href="http://www.oge.gov/About/Organization/OGE-Organizational-Chart/">http://www.oge.gov/About/Organization/OGE-Organizational-Chart/</a>
<b>Performance and Strategic Documents</b>	<a href="http://www.oge.gov/About/ManagementReports-and-Policies/Performance-and-Strategic-Docs/Performance---Strategic-Documents/">http://www.oge.gov/About/ManagementReports-and-Policies/Performance-and-Strategic-Docs/Performance---Strategic-Documents/</a>
<b>Important Dates and Deadlines</b>	<a href="http://www.oge.gov/Program-Management/Dates-and-Deadlines/Dates-and-Deadlines/">http://www.oge.gov/Program-Management/Dates-and-Deadlines/Dates-and-Deadlines/</a>
<b>Director's Notes</b>	<a href="http://www.oge.gov/Blog/Director_s_Notes/">http://www.oge.gov/Blog/Director_s_Notes/</a>
<b>International Activities</b>	<a href="http://www.oge.gov/About/International-Activities/International-Activities/">http://www.oge.gov/About/International-Activities/International-Activities/</a>
Access to Records	
<b>Forms Library</b>	<a href="http://www.oge.gov/Forms-Library/Forms-Library/">http://www.oge.gov/Forms-Library/Forms-Library/</a>
<b>Presidential Appointee and Nominee Records</b>	<a href="http://www.oge.gov/Open-Government/Presidential-Appointee--Nominee-Records/">http://www.oge.gov/Open-Government/Presidential-Appointee--Nominee-Records/</a>
<b>Program Review Reports</b>	<a href="http://www.oge.gov/Program-Management/Program-Review/Program-Review-Reports/Program-Review-Reports/">http://www.oge.gov/Program-Management/Program-Review/Program-Review-Reports/Program-Review-Reports/</a>
<b>Travel Reports</b>	<a href="http://www.oge.gov/Open-Government/Travel-Reports/Travel-Reports/">http://www.oge.gov/Open-Government/Travel-Reports/Travel-Reports/</a>
Information Regarding the Ethics Laws and Regulations	
<b>Ethics Laws and Regulations</b>	<a href="http://www.oge.gov/Laws-and-Regulations/">http://www.oge.gov/Laws-and-Regulations/</a>
<b>Standards of Conduct</b>	<a href="http://www.oge.gov/Laws-and-Regulations/Employee-Standards-of-Conduct/Employee-Standards-of-Conduct/">http://www.oge.gov/Laws-and-Regulations/Employee-Standards-of-Conduct/Employee-Standards-of-Conduct/</a>
<b>Legal Advisories</b>	<a href="http://www.oge.gov/OGE-Advisories/Legal-Advisories/Legal-Advisories/">http://www.oge.gov/OGE-Advisories/Legal-Advisories/Legal-Advisories/</a>
Ethics Training	
<b>You Tube</b>	<a href="https://www.youtube.com/user/OGEInstitute">https://www.youtube.com/user/OGEInstitute</a>
<b>Google+</b>	<a href="https://plus.google.com/112724308837600656840/posts">https://plus.google.com/112724308837600656840/posts</a>
OGE News	
<b>News Media</b>	<a href="http://www.oge.gov/Media-Resources/News-Releases/News-Releases/">http://www.oge.gov/Media-Resources/News-Releases/News-Releases/</a>
<b>RSS Feed</b>	<a href="http://www.oge.gov/Program-Management/Dates-and-Deadlines/RSS-Feeds/">http://www.oge.gov/Program-Management/Dates-and-Deadlines/RSS-Feeds/</a>
<b>Twitter</b>	<a href="https://twitter.com/officegovethics">https://twitter.com/officegovethics</a>