



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

October 1, 2008
DT-08-029

MEMORANDUM

TO: Designated Agency Ethics Officials

FROM: Robert I. Cusick
Director

SUBJECT: Advanced Training: Reviewing PAS Nominee Reports During the Presidential Transition

The U.S. Office of Government Ethics (OGE) will be presenting advanced training on financial disclosure in November and December 2008. The training is specifically designed for headquarters agency ethics officials who will be reviewing the financial disclosure reports of Presidential nominees for appointments requiring Senate confirmation (PAS nominees) during the upcoming Presidential transition. Registration is limited to 25 participants per session. Instructions for registering appear in the "Registration Information" section of this memorandum.

The morning session will be an extended repeat of the two advanced financial disclosure workshops that OGE previously presented at the 16th National Ethics Conference. In the afternoon, presenters will cover new material related to the PAS nominee program and issues that agency reviewers are likely to encounter during the Presidential transition.

Course Dates

Thursday, November 13, 2008
Tuesday, November 18, 2008
Thursday, November 20, 2008
Wednesday, December 10, 2008

Course Location

U.S. Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005

Registration Information

Participants may choose to attend either the full day or only the afternoon session. To register for this course on one of the above dates, please visit the [Training Workshops and Seminars](#) section of OGE's website at www.usoge.gov and complete the online [Registration Form](#). Registration will remain open until October 27, 2008, or until classes are full, whichever occurs first. E-mail confirmations will be sent to registrants prior to the course dates. For additional information regarding the registration process, please contact:

Gwen Cannon-Jenkins, Education Assistant
E-mail: gcannon@oge.gov
Phone: 202-482-9219

Special Note

In order to enhance this training experience, the presenters would like to hear from participants in advance of this training. This is your chance to let the presenters know if you would like them to address specific disclosure, conflicts or procedural issues during the training. After registering, please send your questions, thoughts, concerns or comments about the PAS nominee financial disclosure program to the presenters by October 27, 2008, at the following e-mail address: nominees@oge.gov.

Program Schedule

8:00 – 8:30 FULL-DAY REGISTRATION (for participants who are attending the full day)

8:30 – 12:15 ADVANCED FINANCIAL DISCLOSURE EXERCISE

Part 1 – Disclosure Issues: Presenters will lead an interactive discussion of advanced financial disclosure issues related to PAS nominations. This session will feature a practical exercise on reviewing a complex 278 report. Among other topics, this session will explore how to handle interests held by corporate executives. This session will be an extended repeat of a session that OGE presented at the 16th National Ethics Conference.

Part 2 – Conflicts Issues: Presenters will focus on conflicts issues and drafting ethics agreements. This session will feature an interactive exercise on the process of assessing conflicts. Presenters also will provide guidance on how to address complex executive compensation packages. This session will be an extended repeat of a session that OGE previously presented at the 16th National Ethics Conference.

12:15 – 12:45 AFTERNOON REGISTRATION (for participants who did not attend the morning session)

12:45– 1:15 BROWNBAG LUNCH (HEDGE FUNDS)

This informal discussion will cover issue-spotting related to hedge funds and other private equity funds. Participants also will have opportunities to ask questions regarding OGE’s procedures for disclosing and analyzing such funds. Participants are invited to bring their lunches to this informal session.

1:30 – 4:20 ADVANCED ISSUES IN PAS NOMINEE FINANCIAL DISCLOSURE

Procedures – The Transition and the PAS Nominee Program: Presenters will address procedural issues related to both the Presidential transition and general nominee program matters. The presenters will discuss anticipated arrangements for managing the transition and dealing with the transition team in order to facilitate the goal of clearing a high volume of PAS nominees at the beginning of the new administration.

Professors and Authors – Advanced Disclosure and Conflicts Issues: This session will address disclosure and conflicts issues specific to the nominations of professors and authors for PAS positions. The instructor will discuss continuing arrangements reported on Schedule C; ethics agreement provisions addressing teaching, speaking and writing; and counseling on the applicability of 5 C.F.R. § 2635.807.

Attorneys – Advanced Disclosure and Conflicts Issues: Presenters will address disclosure and conflicts issues specific to the nominations of attorneys for PAS positions. Among other topics, the presenters will discuss bonuses, outstanding payments, partnership shares, contingency fee arrangements, and clients.

Advanced Nominee Exemption Issues: Presenters will focus on the application of certain regulatory exemptions at 5 C.F.R. § 2640 to index-linked notes, employee benefit plans, exchange-traded funds, privately held securities, and university trustees. The presenters will highlight unique issues related to the applicability of the exemptions to certain investments and outside positions.

4:30 – 5:00 QUESTIONS AND ANSWERS

A panel of presenters, including OGE’s General Counsel, will respond to the audience’s questions, including questions that participants submit in advance to the following e-mail address: nominees@oge.gov.