

OGE Program Reviews

Survival Guide

DOT OIG Ethics Program

- For many years, OIG did not have its own counsel, so DOT OGC's ethics program handled OIG employees
- In the late-1990's OIG obtained its own counsel, who provided training, advice, and counseling to OIG employees. DOT OGC continued in review 450s and 278s filed by OIG employees
- In 2008, when staffing in the OIG counsel's office was sufficient, OIG ethics officials began reviews of 450s
- In 2011, OIG began to review 278s of most of its public filers
- As of August 2011, OIG has 469 employees - 298 are 450 filers; 14 are public filers
- Assistant IG for Legal, Legislative, and External Affairs is the Deputy Ethics Official (DEO). Chief Counsel supervises the ethics program. Senior Counsel Seth Kaufman keeps the trains on time with assistance of Fritz Swartzbaugh, both of whom are at this conference.

Immediate Actions Upon Learning of Program Review

- Dispassionate self-assessment of our program
 - What were our strengths and weaknesses?
- Got the word out within agency
 - We informed agency head and front office as well as stakeholders (HR director, CIO, Office of Investigations leaders).
- Began deskbook (book) to aid OGE's review and our preparation

Self-Assessment

- Tried to be dispassionate
 - Examined OGE’s online guidance for preparing for program review
 - Reviewed OGE regulations to identify responsibilities
- Assessed Weaknesses
 - What could result in recommendations/findings?
 - New entrant timeliness, notification of criminal referrals to OGE
 - What can we improve quickly?
- Identified Strengths
 - What are we doing well and how can we document it?
 - Used specific examples
 - Leadership support emails
 - Analysis of covered positions
 - Annual training of all employees

Got The Word Out

- Kept agency head, executives, and stakeholders informed of developments
 - OGE will do site visits
- Explained what OGE will be doing and process
- When in need of assistance or information, reminded leadership and stakeholders of review

Preparation for Site Visits

- Assembled written materials in advance of OGE's survey work in a deskbook to aid OGE's review
 - Documents and examples related to OGE's online guidance
 - Information about the mission, leadership, and structure of the agency
 - Business practices and procedures
 - Written analyses to explain actions
 - Out of scope evidence
 - Employee rosters
 - Annual written training plan
- Ensured proper organization of past financial disclosures

Interviews with Program Reviewers

- Candid dialogue
- Talked about procedures and interactions with agency leadership, HR, and other stakeholders
- Highlighted what we do well
- Took advantage of opportunities to talk to OGE on larger issues about ethics program management, not limited to matters being reviewed
- Identified challenges and progress

Pre-Exit Conference

- Opportunity to make improvements and modifications
- Identified issues for stakeholders
- Discussed immediate and future actions to address issues

Pre- Exit Conference (Cont.)

- Our actions taken before exit conference
 - New Entrant Timeliness and Tracking
 - Improved tracking system for new entrants
 - Biweekly personnel action report from HR
 - Selection notifications from HR
 - New account notifications from IT
 - Criminal referrals
 - Ensured that Office of Investigations filed past due notifications
 - Agreement in principle on revised policy chapter and coordination on referral
 - Discussions with Investigations management about incorporation into case management system
 - Date stamping of reports
 - Ethics officials received a date stamp and used it
 - HR specialists who receive annual reports were trained to stamp

Exit Conference

- Gave evidence of improvements since site visit
- Received positive feedback on strengths and potential model practices
 - Documentation of 450 reviews and conflict analysis
 - Timely 450 reviews
 - Prior assessment of covered positions
 - OIG ownership of ethics program
- Received notice of potential recommendations
 - OIG-specific written procedures lacked certain requirements
 - Criminal referrals
 - New entrant timeliness
 - Date stamping of report as they are received
- OGE shared model procedures for financial disclosure systems

Commenting on draft report

- Three of four potential recommendations were characterized as technical issues based on progress and assurances by ethics officials
- Comments focused on the recommendations/findings
 - Highlighted improvements since survey work
 - Pointed to future plans – made sure they were achievable
 - Corrected factual errors about the organization of the agency and ethics program
 - Provided additional evidence not cited in the report
- OIG provided comments separately from DOT
- Written as if comments would be for public consumption

Final Report

- Fair incorporation of our comments on draft report
- One recommendation and three technical issues
- Communicated with leadership and stakeholders
 - Update on actions to resolve all findings
 - Gave credit
- We communicated with rest of the OIG through the OIG newsletter

Follow Up Actions

- Took concrete actions to completely resolve all of OGE's findings
- Increased attention to new entrant filings
 - Persistent reminders about deadlines
- If cooperation from other offices had been lacking, we would have escalated the issue
- Gave credit to stakeholders for their cooperation

Follow Up Report

- Assembled materials in advance of OGE's site visit to show remedies of recommendation and technical issue
 - Copy of written procedures for financial disclosure system
 - Ensured that criminal referrals were reported to OGE
 - Supplied all new entrants from that year to show evidence of timeliness and date-stamping
- Office of Investigations plans to incorporate referral requirements into case management system

Benefits of Program Review

- Resolved long-standing coordination issues with stakeholders
- Improved reporting practices benefitting ethics program and other management functions
- Improved organization of records
- Positive reinforcement of our efforts