

U.S. OFFICE OF
GOVERNMENT
ETHICS

RESULTS FROM THE
ANNUAL
AGENCY ETHICS
PROGRAM
QUESTIONNAIRE
CY22

A
SNAPSHOT
OF THE EXECUTIVE
BRANCH ETHICS
PROGRAM

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Section 1 – Introduction

The United States Office of Government Ethics (OGE) leads and oversees the executive branch ethics program designed to prevent financial conflicts of interest.

Every year, each agency within the executive branch is required to submit to OGE a response to the Annual Agency Ethics Program Questionnaire (questionnaire). Each questionnaire response provides a snapshot of that agency’s ethics program. In the aggregate, the responses also provide a picture of the executive branch ethics program as a whole.

OGE uses the questionnaire to conduct oversight of each agency’s ethics program and uses the resulting data to report on the executive branch ethics program to stakeholders, including the public, Congress, and the ethics community. OGE also uses the data to make informed decisions about its priorities and allocation of resources.

This report combines and summarizes the 141 agency responses for calendar year 2022. Individual agency responses are available on OGE’s website in the [Agency Ethics Documents Search Collection](#).

Legal Requirement

Executive branch agencies are required to submit an annual report to OGE pursuant to the Ethics in Government Act of 1978, as amended.¹ OGE collects the required report via the questionnaire.²

Section 4 of Executive Order 13989 requires OGE to provide an annual public report on the administration of the Ethics Pledge and the Order. This document serves as the public report.

Topics Covered

OGE uses the questionnaire to collect information about the following aspects of each agency’s ethics program:

- Ethics Program Resources and Administration
- Ethics Education and Training
- Advice, Counseling, and Remedies
- Financial Disclosure Program Management and Electronic Filing Systems
- Public and Confidential Financial Disclosure
- Enforcement
- Ethics Pledge (contained in Executive Order 13989)
- Special Government Employees

¹ See 5 U.S.C. § 13122(e)(1).

² See 5 C.F.R. § 2638.207.

Changes to the Questionnaire

In 2022, OGE substantively modified 4 questions and added 1 new question. Noteworthy changes include the following:

1. Q12 – includes a response option of “Recommendations still being considered” to provide a wider range of answer choices.
2. Q17 – includes an additional response option.
3. Q39 – asks a new question about the number of separate documents requested under the Ethics in Government Act.
4. Q49 – combines three previously separate questions pertaining to the current Administration’s Ethics Pledge, contained in Executive Order 13989.
5. Q52 – contains a clarifying statement regarding the scope of potential enforcement actions under the current Administration’s Ethics Pledge, contained in Executive Order 13989.

OGE also made a variety of non-substantive changes. These changes improved clarity, eliminated ambiguities, and removed outdated response options. In addition, OGE added a verification statement at the end of the questionnaire. OGE gave advance notice of these changes through its [Program Advisory 22-04](#), which includes a red-line version of the edits.

Methodology

The questionnaire covered agency ethics program activities that occurred in calendar year 2022. OGE provided an [advance copy of the questionnaire](#) to every Designated Agency Ethics Official in September 2022. OGE opened the survey on January 3, 2023, and agency responses were due on February 1, 2023.³

OGE allowed only one response per agency; accordingly, each agency’s response reflects the data for the entire agency, including agency components.

OGE used a custom application to collect each agency response. OGE followed up with individual agencies based on a pre-determined set of selection criteria, including large changes from the previous year’s response, internal inconsistencies with an agency’s response, and narrative responses that were unclear or incomplete.

Agency Response Rate

For purposes of the questionnaire, the term “agency” refers to every entity that has a Designated Agency Ethics Official (DAEO). Each agency within the executive branch must have a DAEO.⁴ In addition, some entities, such as the Department of Defense (DoD) and the

³ See 5 C.F.R. § 2638.207(a).

⁴ See 5 C.F.R. § 2638.104(a).

White House, appoint a DAEO to run the ethics program at the individual office or component level. Thus, several offices within the White House and many components within DoD each have separate DAEOs who manage the ethics program for their respective office or component. OGE treats each of these White House offices and DoD components as distinct ethics programs and requires a separate response to the questionnaire from each.

For the 2022 Calendar year there were 141 agencies. All 141 agencies responded.

Response rate: 100%

Data Limitations

When reviewing this report, it is important to keep in mind the following data limitations:

- OGE does not independently verify the information submitted by each agency. However, based on a set of criteria, OGE reviews agency responses for anomalies and, when necessary, requests clarifications from the agencies. In addition, as part of its oversight function, OGE conducts agency ethics [program reviews](#) as a key part of its strategy to maintain high standards of accountability and compliance with applicable ethics requirements throughout the executive branch. This process includes validation of individual agency ethics program processes and data. Reports summarizing the results of these program reviews are available on OGE's website.
- Agency ethics officials may interpret the questions differently.
- The aggregate number for certain questions may actually be higher than reported, due to the exclusion of classified information.⁵

⁵ Questions 2, 20, 32-35, 40, 41, 44.

Section 2 – Key Highlights

This section provides key highlights from the aggregated responses of the 141 agencies that responded for calendar year 2022.⁶ The highlights focus on key aspects of the ethics program, including: ethics officials and resourcing; financial disclosure; education and training; advice and counsel; Ethics Pledge (Executive Order 13989); and enforcement.

Ethics Officials & Resourcing

The executive branch ethics program is decentralized and relies on officials in each of the 141 agencies to carry out a compliant program for the employees of their agency.⁷ According to the 2022 questionnaire responses, more than 8,200 employees across the country supported the ethics program either through substantive work, such as reviewing financial disclosures, or through administrative support, such as providing human resources or information technology services.

The Designated Agency Ethics Official (DAEO) is the employee with primary responsibility for directing the daily activities of an agency's ethics program and coordinating with OGE.⁸ The questionnaire responses show that in 2022 **most DAEOs (84%) were career employees**. Although (59%) of DAEOs had spent less than 5 years in their current positions, 66% had 5 or more years of ethics experience. **Seventy-six percent (76%) of DAEOs spent less than 25% of their time on ethics.** ([See Q3](#))

Of the other employees supporting the ethics program, **911 (11%) individuals, performed ethics duties close to full time (31 to 40 hours a week)**. The remaining 89% of employees supporting the ethics program worked on ethics anywhere from 1 to 30 hours per week, as part of other responsibilities. Therefore, when accounting for the reported number of hours worked per week by each individual, **2,418 full-time equivalent positions supported the ethics program across the executive branch in 2022.** ([See Q5](#))

Of the 141 reporting agencies, **61 (43%) reported needing more resources**. Agencies most frequently indicated needing additional resources in the area of human capital (48 agencies), followed by technology (40 agencies). ([See Q9](#))

⁶ Percentages represent the aggregate response. Percentages are not calculated for questions that allowed agencies to select more than one response. Percentages are rounded to the nearest whole number, except when the rounding would have resulted in a 100% for an individual response or 101% when adding separate percentages. When calculating percentages, responses of "not applicable" were not included in the denominator.

⁷ See 5 C.F.R. § 2638.104.

⁸ Each agency is required to have a minimum of two ethics officials, the Designated Agency Ethics Official (DAEO) and the Alternate (ADAEO). See 5 C.F.R. § 2638.104(a), (d). Larger agencies may dedicate additional staff to ethics.

Financial Disclosure

Disclosure of personal financial interests – such as assets, liabilities, and outside positions – allows ethics officials to help employees assess when personal interests might conflict with government responsibilities. The timely collection, review, and certification of public and confidential financial disclosures helps to ensure that the government’s business is conducted free from conflicts of interest.

Notification of Filing Status

OGE regulations require coordination between agencies’ human resources (HR) officials and ethics officials.⁹ Specifically, HR officials must notify ethics officials within specified time frames if an employee is required to file financial disclosure. Prompt notification is necessary for timely disclosure and screening for potential conflicts of interest. Most agencies met the time frames ([See Q27](#) and [Q28](#)):

- **95% of agencies** reported that in all or most cases the human resources office(s) **notified the DAEO of appointments to public financial disclosure positions** within the 15-day deadline (111 of 117 agencies to which the requirement applied).
- **86% of agencies** reported that in all or most cases the human resources office(s) **notified the DAEO of appointments to confidential financial disclosure positions** within the 15-day deadline (97 of 113 agencies to which the requirement applied).
- **91% of agencies** reported that in all or most cases the human resources office(s) **notified the DAEO of terminations from public financial disclosure positions** within the 15-day deadline (99 of 108 agencies to which the requirement applied).¹⁰

Filing Compliance

The 2022 questionnaire results demonstrate a high rate of employee compliance with the filing requirements:¹¹

- **More than 99% of those required to file public financial disclosures did so:** 28,218 reports filed out of 28,328 required. ([See Q33](#) and [Q57](#))
- **More than 99% of those required to file confidential financial disclosures did so:** 412,340 reports filed out of 413,777 required. ([See Q39](#) and [Q57](#))

In addition to new entrant, annual, and termination reports, public filers must also report transactions of certain securities as they occur so that ethics officials can evaluate potential conflicts of interest in close to real time.¹² In 2022, public filers submitted a reported **21,018 periodic transaction reports**. ([See Q35](#))

⁹ See 5 C.F.R. § 2638.105.

¹⁰ Confidential financial disclosure filers do not file a termination report. See 5 C.F.R. § 2634.903(e).

¹¹ For filing requirements, see 5 C.F.R. §§ 2634.201, .903.

¹² See 5 C.F.R. §§ 2634.201(f), .309.

Timeliness of Review and Certification

Agencies should review reports promptly and must perform a technical review and conflict of interest analysis within 60 days of receiving a report.

- In 2022, agencies reported that they conducted **timely reviews for 94% of the reports certified.** ([See Q34 Q40](#), and [Q58](#))

If no additional information or remedy is required, agencies must also certify the report before the 60-day period expires. However, final certification may necessarily occur later, if the agency needs to seek additional information or to take remedial action.

- In 2022, agencies reported that they **certified 91% of reports within 60 days** ([See Q34 Q40](#), and [Q58](#))

Public Availability

Transparency plays an essential role in strengthening trust in government. Agencies must make the financial interests of certain high-level officials publicly available.¹³ Without this transparency, the public could not as meaningfully oversee the integrity of its government.

In 2022, agencies reported receiving a total of 2,756 requests for 50,002 documents under the Ethics in Government Act. ([See Q38](#)) In 2022, **OGE processed additional requests** from the public and the news media to inspect **nearly 24,000 documents under the Ethics in Government Act**, including public financial disclosure reports, periodic transaction reports, certificates of divestiture, Ethics Pledge waivers, and other covered records.

Technology

Agencies continue to use technology to support their financial disclosure programs. As required by regulation, **all 141 agencies utilized *Integrity*, OGE's executive branch-wide electronic filing system**, for at least some of their public disclosure reports. In addition, 74 agencies reported using other electronic filing systems for other public and/or confidential reports. ([See Q29](#))

Education & Training

An agency's ethics education program increases employees' awareness of their ethical obligations, helps them identify ethics issues that may arise in the work they perform, and provides employees with guidance and support for making ethical decisions.

¹³ See 5 C.F.R. § 2634.603.

Overall, the results from the questionnaire demonstrate a high rate of employee compliance with the core training requirements ([See Q16, Q17, Q20, and Q54](#)):¹⁴

- **95%** of new Presidentially appointed, Senate-confirmed appointees **timely received their required initial ethics briefing**.¹⁵
- **94%** of new employees **timely received their required initial ethics training**.¹⁶
- **98%** of public and confidential financial disclosure **filers received their required annual ethics training**.¹⁷
- **98%** of **Special Government Employees** who were expected to serve on a board, commission, or committee **received their required initial ethics training** before or at their first meeting.

Thirty-eight percent (38%) of agencies established additional ethics education requirements, beyond the minimum required by regulation. ([See Q21](#))

In addition, **85%** of agencies **reported assessing risk** to determine the content, format, and/or timing of their ethics education, and **83%** of agencies **reported assessing the effectiveness of their education programs**. ([See Q22 and Q23](#))

Advice & Counsel

The analysis and resolution of conflicts of interests are key to agencies and employees managing and minimizing the risk of ethical failure. A thorough analysis is the first step in ensuring that agencies and employees take appropriate steps to remedy a potential conflict of interest. By resolving potential conflicts before they happen, ethics officials help ensure that their agencies' decisions are made in the public's interest and are not unfairly influenced by personal financial interests. In 2022, **employees most frequently sought ethics guidance on: (1) outside employment/activities; (2) financial disclosure reporting; and (3) gift acceptance**. ([See Q24](#))

All employees must recuse from government matters that affect the financial interest of someone with whom they are seeking employment.¹⁸ Certain senior employees are also required to notify their ethics official in writing when they begin negotiating for employment with a non-government entity to help ensure that they receive timely advice.¹⁹ In 2022, these **senior officials filed 1,507 notifications regarding negotiations for employment**. ([See Q25](#))

¹⁴ For training requirements, see 5 C.F.R. pt. 2638, subpt. C.

¹⁵ This excludes Special Government Employees expected to serve less than 60 days on a board, commission, or committee.

¹⁶ This excludes Special Government Employees expected to serve less than 60 days on a board, commission, or committee.

¹⁷ This excludes Special Government Employees expected to serve less than 60 days on a board, commission, or committee.

¹⁸ See 18 U.S.C. § 208; 5 C.F.R. § 2635.604.

¹⁹ See Representative Louise McIntosh Slaughter Stop Trading on Congressional Knowledge Act, Pub. L. No. 112-105, § 17, 126 Stat. 291, 303-04 (2012); 5 C.F.R. § 2635.607.

The criminal conflict of interest law at 18 U.S.C. § 208 prohibits an employee from participating in an official capacity in a particular matter in which the employee has a financial interest; however, an agency can issue a waiver of the prohibition in individual cases. In 2022, **agencies issued 75 such 18 U.S.C. § 208 (b)(1) waivers to employees and 305 18 U.S.C. § 208 (b)(3) waivers to Special Government Employees serving on federal advisory (FACA) committees.** ([See Q26](#))

Ethics Pledge (Executive Order 13989)

Executive Order 13989 requires certain individuals appointed to an executive branch agency on or after January 20, 2021, to sign an Ethics Pledge (“Pledge”). By signing the Pledge, these appointees commit to additional recusal obligations, post-employment restrictions, and a ban on accepting gifts from lobbyists or lobbying organizations.

Compliance with the Ethics Pledge Signature Requirement

Agencies reported that **1,527 full-time, non-career appointees were appointed between January 1, 2022 and December 31, 2022.**²⁰ Of those appointed, 1,458 were required to sign the Ethics Pledge and 1,458 (100%) have done so. This number includes sixty-six (66) appointees who should have signed the Ethics Pledge in 2022, but who instead signed in 2023. ([See Q48](#))

Sixty-nine (**69**) **appointees were not required to sign** for the following reasons ([See Q48](#)):

- 10 were appointed to an exempt, non-policymaking position;
- 58 were appointed without a break in service after serving in another position for which the Pledge had already been signed; and
- 1 did not sign, per their agency, due to the anticipated length of the employee’s service in the executive branch.

Revolving Door Ban

Appointees who were registered lobbyists and/or registered under the Foreign Agents Registration Act during the two years prior to their appointment are required to recuse from certain activities related to their prior lobbying activities. Of the full-time, non-career appointees in 2022, agencies reported that **10 appointees were registered lobbyists and/or registered under the Foreign Agents Registration Act during the two years prior** to their appointment. ([See Q49](#))

²⁰ The following advisories, located on OGE’s website, provide detailed guidance regarding the appointees subject to the Ethics Pledge: OGE Legal Advisory LA-21-07 (June 9, 2021), OGE Legal Advisory LA-21-05 (Feb. 23, 2021), OGE DAEogram DO-09-003 (Jan. 22, 2009), OGE DAEogram DO-09-010 (Mar. 16, 2009), and OGE DAEogram DO-09-020 (May 26, 2009).

Five (5) of the 10 appointees had an ethics agreement addressing their obligations under paragraph 3 of the Ethics Pledge. The remaining 5 did not have an ethics agreement, per their agency, for the following reasons:

- 2 appointees received waivers to Pledge paragraph 3 allowing participation in certain activities related to their prior lobbying activities.
- 3 appointee's agency, in accordance with their procedures, confirmed that the appointee did not need a waiver of Paragraph 3 of the Ethics Pledge and the employees received counseling regarding the Ethics Pledge and understand their obligations concerning participation restrictions under the pledge.

Ethics Pledge Waivers

Section 1 of the Executive Order requires all covered appointees to abide by several commitments in the Ethics Pledge, unless they are granted a waiver under section 3. With the approval of the White House, the Acting Director of the Office of Management and Budget (OMB) designated the Designated Agency Ethics Official as the position at each executive agency to exercise section 3 waiver authority after consultation with the Counsel to the President.²¹

In 2022, **12 agencies granted waivers to 19 individuals**. A single waiver can waive more than one paragraph of the Ethics Pledge. Of the 19 waivers, **eleven (11) waived paragraph 2** of the Ethics Pledge and **nine (9) waived paragraph 3** of the Ethics Pledge. ([Q. 50](#))

Generally, paragraph 2 of the Ethics Pledge restricts an appointee's participation in particular matters involving specific parties in which the appointee's former employers or clients have an interest. Paragraph 3 of the Ethics Pledge restricts an appointee from seeking or accepting employment with an executive agency that the appointee lobbied within the two years prior to appointment.

Enforcement

Two (2) agencies reported a total of two (2) **violations of the Pledge**.²² ([See Q51-52](#))

Enforcement

Each agency is responsible for investigating and taking action against an employee who potentially has violated an ethics rule or law.²³ Agencies may take corrective or disciplinary action under applicable Government-wide regulations or agency procedures. If misconduct is potentially criminal, the agency must refer the matter to the Department of Justice.

²¹ OGE Legal Advisory LA-21-04 (Feb. 18, 2021).

²² See the Department of Interior and the Department of Health and Human Services response to Q51 and Q52. Individual responses are available on [OGE's website](#).

²³ See 5 C.F.R. § 2638.107(d).

Twenty-nine (29) agencies reported taking **675 disciplinary actions based wholly or in part upon violations of the Standards of Conduct** (multiple actions could be taken against one individual). **The largest share of disciplinary actions (64%) involved violations of the regulation regarding misuse of position.** ([See Q43](#))

Eight (8) agencies reported taking **18 disciplinary actions** based wholly or in part upon **violations of criminal or civil statutes** (multiple actions could be taken against one individual). **Thirty-nine percent of those actions were for violations of the primary criminal conflict of interest statute, 18 U.S.C. § 208,** which prohibits employees from taking official action that can affect a personal financial interest. ([See Q44](#))

Twenty-eight (28) agencies reported a total of **47 referrals to the Department of Justice** concerning potential violations of the criminal conflict of interest statutes. ([See Q45](#))

Section 3 – Compilation of Agency Responses

For each question, the **bold** number is the aggregated response for all **141** agencies that responded to the questionnaire. In parentheses is the percentage that the aggregated response represents. Percentages are not calculated for questions that allowed agencies to select more than one response. Percentages are rounded to the nearest whole number, except when the rounding would have resulted in a 100% for an individual response or 101% when adding separate percentages. When calculating percentages, responses of “not applicable” were not included in the denominator.

PART 4. PROGRAM RESOURCES AND ADMINISTRATION

1. Agency: _____ **141**

2. Number of full-time agency employees as of December 31, 2022: **3,557,512**

3. Information about the Designated Agency Ethics Official (DAEO):

a. Vacant (as of December 31, 2022)?	<input type="checkbox"/> Yes (<i>skip to #4a</i>) 6 (4%) <input type="checkbox"/> No 135 (96%)
b. Time in current DAEO position	<input type="checkbox"/> Less than 1 year 32 (24%) <input type="checkbox"/> 1-4 years 47 (35%) <input type="checkbox"/> 5-9 years 31 (23%) <input type="checkbox"/> 10 or more years 25 (19%)
c. Total years performing ethics duties	<input type="checkbox"/> Less than 1 year 15 (11%) <input type="checkbox"/> 1-4 years 31 (23%) <input type="checkbox"/> 5-9 years 26 (19%) <input type="checkbox"/> 10 or more years 63 (47%)
d. Percent of time spent on ethics	<input type="checkbox"/> 0-25% 105 (78%) 103 (76%) <input type="checkbox"/> 26-50% 15 (11%) 16 (12%) <input type="checkbox"/> 51-75% 6 (4%) <input type="checkbox"/> 76-100% 10 (7%)
e. Is the DAEO a career employee or a political appointee?	<input type="checkbox"/> career employee 113 (84%) <input type="checkbox"/> political appointee 22 (16%)
f. Number of reporting levels between the DAEO and the agency head.	<input type="checkbox"/> 0 (the agency head is the DAEO) 2 (1%) <input type="checkbox"/> 1 106 (79%) <input type="checkbox"/> 2 21 (16%) <input type="checkbox"/> 3 6 (4%) <input type="checkbox"/> 4 or more 0 (0%)

4. Information about the Alternate Designated Agency Ethics Official (ADAEO)

a. Vacant (as of December 31, 2022)?	<input type="checkbox"/> Yes (<i>skip to #5</i>) 11 (8%) <input type="checkbox"/> No 130 (92%)
b. Time in current ADAEO position	<input type="checkbox"/> Less than 1 year 25 (19%) <input type="checkbox"/> 1-4 years 66 (51%) <input type="checkbox"/> 5-9 years 22 (17%) <input type="checkbox"/> 10 or more years 17 (13%)
c. Total years performing ethics duties	<input type="checkbox"/> Less than 1 year 6 (5%) <input type="checkbox"/> 1-4 years 37 (28%) <input type="checkbox"/> 5-9 years 27 (21%) <input type="checkbox"/> 10 or more years 60 (46%)
d. Percent of time spent on ethics	<input type="checkbox"/> 0-25% 59 (45%)

	<input type="checkbox"/> 26-50% 23 (18%) <input type="checkbox"/> 51-75% 11 (9%) <input type="checkbox"/> 76-100% 37 (28%)
e. Is the ADAEO a career employee or a political appointee?	<input type="checkbox"/> career employee 126 (97%) <input type="checkbox"/> political appointee 4 (3%)

5. Number of employees, including the DAEO and ADAEO, who performed ethics program duties in 2022 (e.g., financial disclosure, education and training, advice and counseling, and program administration).

Duty Station	Number of employees by hours worked each week					TOTAL
	Less than 1 hour per week (up to .025 FTE*)	1-10 hours per week (up to .25 FTE*)	11-20 hours per week (up to .5 FTE*)	21-30 hours per week (up to .75 FTE*)	31-40 hours per week (up to 1 FTE*)	
a. D.C. Metro area	887	753	222	130	637	2,629
b. Outside the D.C. Metro area	2,006	2,709	471	165	274	5,625
TOTAL	2,893	3,462	693	295	911	8,254

*FTE = Full Time Equivalent

Example: The table below provides an example of an agency with 13 employees that performed ethics program duties in 2022.

Duty Station	Number of employees by hours worked each week					TOTAL
	Less than 1 hour per week (up to .025 FTE*)	1-10 hours per week (up to .25 FTE*)	11-20 hours per week (up to .5 FTE*)	21-30 hours per week (up to .75 FTE*)	31-40 hours per week (up to 1 FTE*)	
a. D.C. Metro area	1	0	2	2	1	6
b. Outside the D.C. Metro area	1	3	3	0	0	7
TOTAL	2	3	5	2	1	13

6. In what areas did contractors support the ethics program? Select all that apply.
- Not applicable (no contractors supported the ethics program) **91**
 - IT services (e.g., developing or supporting electronic filing systems, applications, websites, and/or databases, etc.) **46**
Please describe the IT support (optional): _____
 - Administrative support (e.g., tracking filing or training requirements, sending reminders, data entry, etc.) **18**
Please describe the administrative support (optional): _____
 - Substantive ethics support (e.g., providing training, initial review of financial disclosures, drafting advice for further review, etc.) **8**
Please describe the substantive support (optional): _____
 - Other (please describe) **1** [Question 6 Table 1](#)
7. Did your agency **receive** ethics services or support from another federal agency or federal entity? Do not include contractors, OGE support, or OMB support of MAX.gov.
- Yes **30 (31%)**
Please provide the name(s) of the federal agency or entity: _____
Describe the services or support received: _____
 - No **111 (79%)**
8. Did your agency **provide** ethics program services or support for any board, commission, or agency that is independent of your agency?
- Yes **23 (16%)**
Please provide the name(s) of the board, commission, or agency: _____
Describe the services or support provided: _____
 - No **118 (84%)**
9. Does your agency's ethics program need additional resources? Check all that apply.
- No additional resources needed **80**
 - Human Capital **48**
 - Technology **40**
 - Other (specify) _____ **14** [Question 9 Table 1](#)
10. Did the agency head meet with the ethics staff to discuss the strengths and weaknesses of the ethics program in 2022?
- Yes **101 (73%)**
 - No **38 (27%)**
 - Not applicable (specify why) _____ **2** [Question 10 Table 1](#)

11. Did your agency (e.g., ethics office, Inspector General, General Counsel, etc.) or any entity outside of your agency (e.g., GAO or private auditing firm) evaluate any aspect of the ethics program in 2022 (5 C.F.R. 2638.104(c)(16))? **Exclude** program reviews conducted by OGE. Select all that apply.

- My agency (e.g., ethics office, Inspector General, General Counsel, etc.) conducted an evaluation **67**
- An entity outside of my agency, other than OGE, (e.g., GAO or a private auditing firm) conducted an evaluation (please describe _____) **10**
- No evaluation was conducted (*skip to #13*) **67**

12. What kind of changes resulted from the evaluation?

- Programmatic changes (please describe) _____ **52**
- Policy changes (please describe) _____ **24**
- No changes resulted (specify why not) _____ **11**
- Recommendations still being considered (please describe) **11**
- Not applicable (specify why) _____ **1**

[Question 12 Table 1](#)

13. Of the following required written procedures, which did you have in place? Check all that apply:

- Financial disclosure program, including for the filing, review, and when applicable, public availability of public financial disclosure reports (5 C.F.R. 2638.104(c)(8)(i)) **135**
- Issuance of notice of ethical obligations in written offers of employment (5 C.F.R. 2638.303) **130**
- Provision of initial ethics training (5 C.F.R. 2638.304) **136**
- Issuance of ethics notice to new supervisors (5 C.F.R. 2638.306) **128**
- None. Explain what steps you are taking to implement the required written procedures: _____ **1**

[Question 13 Table 1](#)

ADDITIONAL COMMENTS FOR PART 4. Please indicate the question number to which the comment corresponds.

[Part 4 Comments Table](#)

PART 5. EDUCATION AND TRAINING

14. Did the office(s) responsible for issuing ethics notices to prospective employees, pursuant to 5 C.F.R. 2638.303, provide the DAEO with the written confirmation required pursuant to 5 C.F.R. 2638.310?

- Written confirmation not required because my agency has less than 1,000 employees **84**²⁴
- Written confirmation not required because the DAEO’s office is responsible for issuing ethics notices to prospective employees **3**
- All of the offices provided written confirmation to the DAEO (*skip to #16*) **50 (92%)**
- Some of the offices provided written confirmation to the DAEO (explain why not all offices, then skip to #16) _____ **2 (4%)**
- None of the offices provided written confirmation to the DAEO (explain why not all offices, then skip to #16) _____ **2 (4%)**

[Question 14 Table 1](#)

15. Did written offers of employment for positions covered by the Standards of Conduct include the information required by 5 C.F.R. 2638.303?

- All of the written offers included the required information **75 (86%)**
- Some of the written offers included the required information (please explain why not all offers) **2 (7%)**
- None of the written offers included the required information (please explain why not all offers) **1 (7%)**
- Not applicable because no offers of employment were made **8**²⁵
- Not applicable for another reason (please explain) _____ **1**

[Question 15 Table 1](#)

16. Initial Ethics Briefing

a. How many agency leaders, as defined in 5 C.F.R. 2638.305(a), were required to receive ethics briefings by December 31, 2022? Exclude SGES that were expected to serve less than 60 days on a board, commission, or committee.	269
i. How many new agency leaders received their briefing within 15 days of their appointment?	256

²⁴ The percentage calculations for this question exclude agencies that answered “written confirmation not required...”

²⁵ The percentage calculations for this question exclude agencies that answered “not applicable.”

ii. How many new agency leaders received their briefing beyond the 15-day requirement?	13
iii. How many new agency leaders have yet to receive their briefing as of today?	0

If applicable, please explain why some of the leaders received their briefing beyond the 15-day requirement or have yet to receive their briefing. _____

[Question 16 Table 1](#)

17. Initial Ethics Training

a. How many employees, as defined in 5 C.F.R. 2638.304(a), were required to receive Initial Ethics Training (IET) by December 31, 2022 (5 C.F.R. 2638.304)? Exclude SGEs that were expected to serve less than 60 days on a board, commission, or committee. (Note: Include employees who were not required to receive the interactive portion of the IET, as provided in 5 C.F.R. 2638.304(a)(2).)	321,047
i. How many of those employees received IET within the 3-month requirement?	300,303 (93.5%)
ii. How many of those employees received IET beyond the 3-month requirement?	12,423 (4%)
iii. How many of those employee have not received IET as of today?	8,321 (2.5%)
iv. Do not track	0

If applicable, please explain why some employees received IET beyond the 3-month requirement or have yet to receive IET. _____

Example: If an employee started at the agency on December 15, 2022, and the employee completed IET prior to the end of the calendar year, include the employee in your required and received numbers. If, on January 1, 2023, the employee has not completed IET, do not count that employee in your required numbers. Instead, include the employee in your 2023 questionnaire response to be filed in 2024.

[Question 17 Table 1](#)

18. Did the office(s) delegated the responsibility for providing initial ethics training (IET) provide the required written confirmation to the DAEO, pursuant to 5 C.F.R. 2638.310?

Written confirmation not required because my agency has less

than 1,000 employees **78**²⁶

- Written confirmation not required because all IET was provided by an office under the DAEO’s supervision **37**
- All of the offices provided the written confirmation to the DAEO **24 (92%)**
- Some of the offices provided the written confirmation to the DAEO (explain why not all offices) ____ **1 (4%)**
- None of the offices provided the written confirmation to the DAEO (explain why not all offices) ____ **1 (4%)**

[Question 18 Table 1](#)

19. Did the head of the agency complete either initial ethics training and/or annual ethics training in 2022?

- Yes **136 (99%)**
- No (specify why) _____ **1 (1%)**
- Not applicable (specify why) _____ **4**²⁷

[Question 19 Table 1](#)

20. Required Annual Ethics Training

Type of covered employees (Include SGE filers)	# Required	# Received (of those required)
a. Executive Schedule Level I or Level II public filers (OGE Form 278e)	64	63 (98%)
b. All other public filers (OGE Form 278e)	22,574	22,132 (98%)
c. Confidential filers (OGE Form 450 and OGE-approved alternative confidential financial disclosure forms)	355,002	347,396 (98%)
d. Other employees required by 5 C.F.R. 2638.307(a) (employees appointed by the President; employees of the Executive Office of the President; contracting officers; or, other employees designated by the head of the agency.)	35,413	35,083 (99%)
TOTAL	413,053	404,674 (98%)

²⁶ The percentage calculations for this question exclude agencies that answered “Written confirmation not required...”

²⁷ The percentage calculations for this question exclude agencies that answered “not applicable.”

If applicable, please explain discrepancies between the number of employees who were required to receive training and the number of employees who received training: _____ [Question 20 Table 1](#)

21. Did your agency establish additional requirements for the agency's ethics education program, pursuant to 5 C.F.R. 2638.309?

- My agency established additional training requirements for employees performing ethics duties described in 5 C.F.R. 2638.104-105 (ethics and human resources officials)? Please describe: _____ **13**
- My agency established additional training requirements for other groups of employees, beyond those described in 5 C.F.R. 2638.303-308 (notices to new employees and supervisors, initial ethics training, ethics briefings, annual ethics training)? Please describe: _____ **45**
- My agency established additional training procedures (e.g., certification procedures). See 5 C.F.R. 2638.309(c). Please describe: _____ **10**
- No, my agency did not establish additional training requirements **88**

[Question 21 Table 1](#)

22. If your agency assessed risk to help inform the content, format, and/or timing of ethics education and communications, select all that apply (see [PA-19-05](#) for reference):

- Reviewed advice logs for common issues **81**
- Discussed upcoming work and agency priorities with senior staff **83**
- Talked to program managers about risks inherent in their work **76**
- Conducted surveys to identify common and emerging ethics risks **20**
- Talked to employees about the ethics concerns they encounter in the workplace **91**
- Other (please specify) _____ **22**
- My agency did not assess risk **21**

[Question 22 Table 1](#)

23. If your agency evaluated the effectiveness of your ethics education and/or communication, select all that apply (see [PA-19-05](#) for reference):

- Conducted self-assessments to ensure that required employees are receiving Training **86**
- Administered post-training evaluations to assess participants' perceptions of the training **47**
- Reviewed advice logs for increased activity after training presentations and Communications **63**
- Held discussions with agency leaders and employees to evaluate whether the

training and communications they received supported them in managing ethics risks **64**

Other (please describe) _____ **19**

My agency did not evaluate the effectiveness of ethics education **24**

[Question 23 Table 1](#)

ADDITIONAL COMMENTS FOR PART 5. Please indicate the question number to which the comment corresponds.

[Part 5 Comments Table](#)

PART 6. ADVICE, COUNSELING, AND REMEDIES

24. From the list below, select the three topics that your employees most frequently sought guidance on in 2022. Please rate them in order, so that the first topic is the topic on which employees sought guidance the most frequently.

Conflicting financial interests Most frequent topic: 17 agencies Second most frequent topic: 17 agencies Third most frequent topic: 15 agencies This topic was selected a total of 49 times
Gift acceptance Most frequent topic: 37 agencies Second most frequent topic: 14 agencies Third most frequent topic: 24 agencies This topic was selected a total of 75 times
Financial disclosure reporting Most frequent topic: 30 agencies Second most frequent topic: 38 agencies Third most frequent topic: 21 agencies This topic was selected a total of 89 times
Impartiality in performance of official duties Most frequent topic: 10 agencies Second most frequent topic: 11 agencies Third most frequent topic: 4 agencies This topic was selected a total of 25 times
Misuse of position, government resources, and information Most frequent topic: 2 agencies

<p>Second most frequent topic: 8 agencies Third most frequent topic: 6 agencies This topic was selected a total of 16 times</p>
<p>Outside employment/activities Most frequent topic: 32 agencies Second most frequent topic: 30 agencies Third most frequent topic: 33 agencies This topic was selected a total of 95 times</p>
<p>Post-employment restrictions Most frequent topic: 3 agencies Second most frequent topic: 12 agencies Third most frequent topic: 23 agencies This topic was selected a total of 38 times</p>
<p>Travel, subsistence, and related expenses from non-federal sources Most frequent topic: 6 agencies Second most frequent topic: 10 agencies Third most frequent topic: 13 agencies This topic was selected a total of 29 times</p>
<p>Other (specify) Most frequent topic: 4 agencies Second most frequent topic: 1 agencies Third most frequent topic: 2 agencies This topic was selected a total of 8 times</p>

25. Number of notification statements of negotiation or recusal under section 17(a) of the STOCK Act submitted to the ethics office in 2022 (see 5 C.F.R. 2635.602(a)): **1,507**
26. Number of 18 U.S.C. 208 waivers granted in 2022:

	Number Granted in 2022	Number Sent to OGE
a. 208(b)(1) waivers	75	73
b. 208(b)(3) waivers	305	337

If applicable, please explain discrepancies between the number of waivers granted and the number provided to OGE. _____

[Question 26 Table 1](#)

ADDITIONAL COMMENTS FOR PART 6. Please indicate the question number to which the comment corresponds.

[Part 6 Comments Table](#)

PART 7. FINANCIAL DISCLOSURE PROGRAM MANAGEMENT AND ELECTRONIC FILING SYSTEMS

27. How often, within the 15-day deadline, did the human resources office(s) notify the DAEO of appointments to public and confidential financial disclosure filing positions (5 C.F.R. 2638.105(a)(1))?

	In All Cases	In Most Cases	In Some Cases (specify why, below)	Never (specify why, below)	Not Applicable (specify why, below)
a. Public Filers	68 (58%)	43 (37%)	3 (2.5%)	3 (2.5%)	24 ²⁸
b. Confidential Filers	49 (43%)	48 (42.5%)	9 (8%)	7 (6.2%)	28 ²⁹

If not applicable, specify why. _____

If “never” or “in some cases,” please explain further: _____

[Question 27a Table 1](#)

[Question 27b Table 1](#)

28. How often, within the 15-day deadline, did the human resources office(s) notify the DAEO of terminations from public financial disclosure filing positions (5 C.F.R. 2638.105(a)(2))?

	In All Cases	In Most Cases	In Some Cases (specify why, below)	Never (specify why, below)	Not Applicable (specify why, below)
a. Public Filers	55 (60%)	44 (40.7%)	4 (3.7%)	5 (4.6%)	33 ³⁰

If not applicable, specify why. _____

If “never” or “in some cases,” please explain further: _____

[Question 28 Table 1](#)

29. Which electronic filing system(s) does your agency use?

²⁸ The percentage calculations for this question exclude agencies that answered “not applicable.”

²⁹ The percentage calculations for this question exclude agencies that answered “not applicable.”

³⁰ The percentage calculations for this question exclude agencies that answered “not applicable.”

- Integrity* ONLY (skip to Additional Comments for this Part) **67 (47.5%)**
- Integrity* **and** Other (specify) _____ **74 (52.5%)**

[Question 29 Table 1](#)

30. Indicate for which forms your agency uses the “Other” e-filing system. Check all that apply.

- Public Financial Disclosure (OGE Form 278e)
Provide the name of the other system: _____ **15**
- Periodic Transactions (OGE Form 278-T)
Provide the name of the other system: _____ **15**
- Confidential Financial Disclosure (OGE Form 450 or OGE-approved alternative form) **73**
Provide the name of the other system: _____

[Question 30 Table 1](#)

31. Indicate your FY 2022 actual costs for using the e-filing system. *Note:* Because OGE does not charge fees to use *Integrity*, there are no reportable costs associated with the use of *Integrity*.

	Public (do not include <i>Integrity</i>)	Confidential	
a. Amount paid to a non-federal vendor in FY 2022	\$156,443	\$6,730,026	\$6,886,469
b. Amount paid to a federal agency in FY 2022	\$0	\$1,646,204	\$1,646,204
c. Amount for all internal costs associated with operating an e-filing system (e.g., FTE, overhead, etc.) in FY 2022	\$200,000	\$1,404,180	\$1,604,180
Total FY 2022 actual costs	\$356,443	\$9,780,410	\$10,136,853

Please explain "Don't know/don't track" answer above _____ .

[Question 31 Table 1](#)

32. Indicate the number of filers who filed electronically in fiscal year 2022.

	Public (excluding filers in <i>Integrity</i>)	Confidential
Number of financial disclosure filers, not reports, who filed electronically in FY 2022	4,253	350,106

ADDITIONAL COMMENTS FOR PART 7. Please indicate the question number to which the comment corresponds.

[Part 7 Comments Table](#)

PART 8. PUBLIC FINANCIAL DISCLOSURE

33. Report the number of public financial disclosure reports (OGE Form 278e) required to be filed by December 31, 2022, **excluding** SGEs, and the number of reports actually filed (i.e., received) by December 31, 2022.

OGE Form 278e Reports		PAS ²	Non-Career SES ³	Career SES ³	Schedule C	Other ⁴	TOTAL
a. New Entrant	Required		241	1,357	628	1,916	4,142
	Filed		236 (98%)	1,346 (99.2%)	622 (99%)	1,883 (98.3%)	4,087 (98.7%)
b. Annual	Required	464	706	9,446	923	9,443	20,982
	Filed	463 (99.8%)	705 (99.9%)	9,429 (99.9%)	923 (100%)	9,436 (99.9%)	20,956 (99.9%)
c. Termination	Required	40	109	1,124	150	1,165	2,588
	Filed	40 (100%)	108 (99.1%)	1,112 (98.9%)	149 (99.5%)	1,145 (98.3%)	2,554 (98.7%)
d. Combination ¹	Required	10	16	150	21	242	439
	Filed	9 (90%)	16 (100%)	148 (98.7%)	21 (100%)	240 (99.2%)	434 (98.9%)
Total	Required	514	1,072	12,077	1,722	12,766	28,151

	Filed	512 (99.6%)	1,065 (99.3%)	12,035 (99.7%)	1,715 (99.6%)	12,704 (99.5%)	28,031 (99.6%)
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¹ Includes reports filed to satisfy both annual and termination requirements, as well as new entrant and termination requirements.

² Presidential appointees confirmed by the Senate.

³ Senior Executive Service, Senior Foreign Service, Senior Cryptologic Service, Defense Intelligence Senior Executive Service, etc.

⁴ Includes members of the Uniformed Services, Administrative Law Judges, Senior Level employees (SES Equivalent), administratively determined positions, officials in the Executive Office of the President who do not otherwise meet the criteria of another category in the chart, etc.

Example for new entrant and termination reports: If an employee joined (or departed) the agency on December 15, 2022, and the employee filed a new entrant (or termination) report prior to the end of the calendar year, include the report in your required and filed numbers. If, on January 1, 2022, the employee has not filed a new entrant (or termination) report, do not count that report in your required numbers. Instead, include the report in your 2022 questionnaire response to be filed in 2023.

If applicable, please explain discrepancies between the number of reports required to be filed and the actual number of reports filed. [Question 33 Table 1](#)

34. Note the number of public financial disclosure reports certified or otherwise closed by your agency during the calendar year. **Exclude** reports of SGEs. Of those reports, indicate how many were initially reviewed within 60 days and how many were certified within 60 days. "Initially reviewed within 60 days" means having completed a technical review and conflicts analysis. See 5 C.F.R. 2634.605 and section 4.02 of the Public Financial Disclosure Guide.

OGE Form 278e Reports		PAS ²	Non-Career SES ³	Career SES ³	Schedule C	Other ⁴	TOTAL
a. New Entrant	How many reports did your agency certify or close in 2022?		252	1,292	624	1,633	3,801
	Of those certified or closed in 2022, how many were initially reviewed within 60 days?		227 (90%)	1,201 (93%)	596 (96%)	1,531 (92%)	3,555 (94%)
	Of those certified or closed in 2022, how many were		171 (68%)	990 (77%)	481 (77%)	1,221 (73%)	2,863 (75%)

	certified or closed within 60 days?						
b. Annual	How many reports did your agency certify or close in 2022?	392	888	8,979	920	9,305	20,484
	Of those certified or closed in 2022, how many were initially reviewed within 60 days?	380 (97%)	848 (95%)	8,344 (93%)	880 (96%)	8,676 (93%)	19,128 (93%)
	Of those certified or closed in 2022, how many were certified or closed within 60 days?	334 (85%)	551 (62%)	7,138 (79%)	776 (84%)	6,852 (74%)	15,651 (76%)
c. Termination	How many reports did your agency certify or close in 2022?	27	129	1,085	145	1,135	2,521
	Of those certified or closed in 2022, how many were initially reviewed within 60 days?	26 (96%)	128 (99%)	1,045 (96%)	141 (97%)	1,076 (95%)	2,416 (96%)
	Of those certified or closed in 2022, how many were certified or closed within 60 days?	25 (93%)	108 (84%)	921 (85%)	128 (88%)	934 (82%)	2,116 (84%)
d. Combination ¹	How many reports did your agency certify or close in 2022?	17	86	702	47	359	1,211
	Of those certified or closed in 2022, how many were initially reviewed within 60 days?	17 (100%)	80 (93%)	692 (99%)	46 (98%)	349 (97%)	1,184 (98%)
	Of those certified or closed in 2022, how many were	16 (94%)	68 (79%)	593 (84%)	40 (85%)	311 (87%)	1,028 (85%)

	certified or closed within 60 days?						
TOTAL	How many reports did your agency certify or close in 2022?	436	1,355	12,058	1,736	12,432	28,017
	Of those certified or closed in 2022, how many were initially reviewed within 60 days?	423 (97%)	1,283 (95%)	11,282 (94%)	1,663 (96%)	11,632 (94%)	26,283 (94%)
	Of those certified or closed in 2022, how many were certified or closed within 60 days?	375 (86%)	898 (66%)	9,642 (80%)	1,425 (81%)	9,318 (75%)	21,658 (77%)

¹ Includes reports filed to satisfy both annual and termination requirements, as well as new entrant and termination requirements.

² Presidential appointees confirmed by the Senate.

³ Senior Executive Service, Senior Foreign Service, Senior Cryptologic Service, Defense Intelligence Senior Executive Service, etc.

⁴ Includes members of the Uniformed Services, Administrative Law Judges, Senior Level employees (SES Equivalent), administratively determined positions, officials in the Executive Office of the President who do not otherwise meet the criteria of another section, etc.

If applicable, please explain why some reports were reviewed more than 60 days after submission. _____ [Question 34 Table 1](#)

If applicable, please explain why some reports were certified or closed more than 60 days after submission. Check all that apply.

- additional information was being sought **67**
- remedial action was being taken **15**
- other (specify) _____ **24** [Question 34 Table 2](#)

35. Number of periodic transaction reports filed, **excluding** those filed by SGEs: _____ **21,018**

Note: Count the total number of periodic transaction reports filed. *Example 1:* If two employees each file 5 periodic transaction reports during the calendar year, report “10” in the table above. *Example 2:* If an employee files one report each month, each report is counted separately. Report “12” in the table.

36. Extension and late fees for new entrant, annual, termination, and combination public financial disclosure reports and periodic transaction reports, **excluding** those for reports filed by SGEs.

	Granted Filing Extension	Granted Waiver of Late Filing Fee	Paid Late Filing Fee
a. Number of OGE Form 278e Reports	3,358	342	74
b. Number of OGE Form 278-T Reports	472	445	145

37. Number of public financial disclosure filers reported in calendar year 2022 to the Attorney General for failure to file: _____ **2**
38. How many requests for public financial disclosure reports did you receive in 2022? Count each OGE Form 201 as one request, even if it contains a request for documents for multiple individuals. _____ **2,756**
39. How many documents requested under the Ethics in Government Act did you release in calendar year 2022? **50,002**

ADDITIONAL COMMENTS FOR PART 8. Please indicate the question number to which the comment corresponds.

[Part 8 Comments Table](#)

PART 9. CONFIDENTIAL FINANCIAL DISCLOSURE

40. Report the number of confidential financial disclosure reports required to be filed by December 31, 2022, **excluding** SGEs, and the number of reports actually filed by December 31, 2022.

	a. Required	b. Filed	
		OGE Form 450	332,964
		OGE-approved alternative form	47,487
Total	381,524		380,451 (99%)

Note: If a 450 filer leaves the filing position before the due date, the report is not required per 5 C.F.R. 2634.903(a).

Example for new entrant reports: If an employee started at the agency on December 15, 2022, and filed a new entrant report prior to the end of the calendar year, include the report in your required and filed numbers. If, on January 1, 2022, the employee has not filed a new entrant report, do not count that report in your required numbers. Instead, include the report in your 2022 questionnaire response to be filed in 2023.

If applicable, please explain discrepancies between the number of reports required to be filed and the actual number of reports filed. _____

[Question 40 Table 1](#)

- 41. Note the number of confidential financial disclosure reports certified or otherwise closed by your agency during the calendar year. **Exclude** reports of SGEs. Of those reports, indicate how many were initially reviewed within 60 days and how many were certified within 60 days. “Initially reviewed within 60 days” means having completed a technical review and conflicts analysis. See 5 C.F.R. 2634.605 and the Certification Requirements section of the Confidential Financial Disclosure Guide.

	How many reports did your agency certify or close in 2022?	Of those certified or closed in 2022, how many were initially reviewed within 60 days?	Of those certified or closed in 2022, how many were certified or closed within 60 days?
a. OGE Form 450 and OGE-approved alternative	370,717	346,530 (93%)	337,798 (91%)

If applicable, please explain why some reports were reviewed more than 60 days after submission. _____

[Question 41 Table 1](#)

If applicable, please explain why some reports were certified or closed more than 60 days after submission. Check all that apply.

- additional information was being sought **63**
- remedial action was being taken **19**
- other (specify) _____ **38**

[Question 41 Table 2](#)

42. Number of OGE 450 or OGE-approved alternative forms granted filing extensions in 2022: _____ **9,149**

ADDITIONAL COMMENTS PART 9. Please indicate the question number to which the comment corresponds.

[Part 9 Comments Table](#)

PART 10. ENFORCEMENT OF STANDARDS OF CONDUCT AND CRIMINAL AND CIVIL STATUTES

43. Number of disciplinary actions taken in 2022 based wholly or in part upon violations of the Standards of Conduct provisions (5 C.F.R. part 2635) or your agency’s supplemental Standards (if applicable). For purposes of this question, disciplinary actions include removals, demotions, suspensions, and written reprimands or their equivalents

a. Total number of disciplinary actions that met the above criteria	675
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Of those, how many were disciplinary actions were taken wholly or in part upon violations of:

i. Subpart A (General Provisions)	108
ii. Subpart B (Gifts from Outside Sources)	9
iii. Subpart C (Gifts Between Employees)	3
iv. Subpart D (Conflicting Financial Interests)	17
v. Subpart E (Impartiality in Performing Official Duties)	27
vi. Subpart F (Seeking Other Employment)	31
vii. Subpart G (Misuse of Position)	431
viii. Subpart H (Outside Activities)	42
iv. Agency’s supplemental Standards of Conduct	20

44. Number of disciplinary actions taken in 2022 based wholly or in part upon violations of the criminal conflict of interest statutes (18 U.S.C. sections 203, 205, 208, and 209), failure to file or filing false public financial disclosures (5 U.S.C. app. section 104 or 18 U.S.C. section 1001), civil matters involving outside earned income (5 U.S.C. app. section 501), or outside activities (5 U.S.C. app. section 502). For purposes of this question, disciplinary actions include removals, demotions, suspensions, and written reprimands or their equivalents

a. Disciplinary actions taken based on violation of ethics laws	18
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Of those, how many were disciplinary actions taken based wholly or in part upon violations of:

i. 18 U.S.C. section 203 (Compensation in Matters Affecting the Government)	0
ii. 18 U.S.C. section 205 (Claims Against and Matters Affecting the Government)	0
iii. 18 U.S.C. section 208 (Acts Affecting a Personal Financial Interest)	7
iv. 18 U.S.C. section 209 (Supplementation of Salary)	3
v. 5 U.S.C. app. section 104 or 18 U.S.C. section 1001 (Failure to File or Filing False Public Financial Disclosures)	1
vi. 5 U.S.C. app. section 501 (Outside Earned Income)	1
vii. 5 U.S.C. app. section 502 (Outside Activities)	7

45. Number of referrals made in 2022 to the Department of Justice of potential violations of the conflict of interest statutes (18 U.S.C. sections 203, 205, 207, 208, 209), failure to file or filing false public financial disclosures (5 U.S.C. app. section 104 or 18 U.S.C. section 1001), civil matters involving outside earned income (5 U.S.C. app. section 501) or outside activities (5 U.S.C. app. section 502)

a. Referrals to Department of Justice	47
---------------------------------------	-----------

Of the referrals to DOJ (line a.), please note the DOJ referral status

b. DOJ Referral Status	
i. How many of those referrals were accepted for prosecution?	8
ii. How many of those referrals were declined for prosecution?	31
iii. How many of those referrals were pending DOJ's decision as of December 31, 2022?	8

Of the referrals to DOJ (line a.), please note the agency disciplinary status

c. Agency Disciplinary Action Status	
i. Of the cases referred to DOJ, how many resulted in disciplinary or corrective action?	9
ii. Of the cases referred to DOJ, how many resulted in a determination not to take disciplinary or corrective action?	10
iii. Of the cases referred to DOJ, how many are pending a determination as to whether disciplinary or corrective action will be taken?	14
iv. Of the cases referred to DOJ, how many involved employees who left the agency before the agency determined whether or not to take disciplinary action?	10
v. Of the cases referred to DOJ, how many involved 18 U.S.C. 207, such that there was no option for disciplinary action?	5

46. Did your agency notify OGE of all referral(s) and disposition(s) of the referral(s) via OGE Form 202 (as required by 5 C.F.R. 2638.206(a))?

- Yes **23**
- No (specify why) _____ **6**
- Not applicable because no covered referrals were made to DOJ **112**
- Not applicable (specify why) _____ **0**

[Question 46 Table 1](#)

ADDITIONAL COMMENTS FOR PART 10. Please indicate the question number to which the comment corresponds.

[Part 10 Comments Table](#)

PART 11. ETHICS PLEDGE ASSESSMENT (Executive Order 13989 (“Ethics Pledge”))

47. Were any full-time non-career appointees (e.g., Presidentially Appointed Senate Confirmed (PAS), Presidentially Appointed (PA), non-career Senior Executive Service ((SES), Schedule C, etc.) appointed to or by your agency from January 1 through December 31, 2022?

- Yes **84**
- No (*skip to #50*) **57**

Note: For guidance on what constitutes a full-time non-career appointee for purposes of the Ethics Pledge, see [LA-21-07](#).

48. For each category of appointee, provide the number of full-time non-career appointees appointed between January 1 and December 31, 2022, and indicate the number who did and did not sign the Ethics Pledge.

Number of Full-Time Non-Career Appointees	Type of Full-Time Non-Career Appointees by Category					
	PAS	PA	Non-career SES	Schedule C	Other	Total
a. Appointed 01/01/2022 – 12/31/2022	229	242	250	718	88	1,527
i. Signed the Ethics Pledge in 2022	204	211	221	673	83	1,392
ii. Required to sign the Pledge in 2022 but signed in 2023	1	29	14	20	2	66
iii. Required to sign the Pledge, but did not sign (please explain)	0	0	0	0	0	0
iv. Not required to sign the Pledge because occupied an exempt non-policymaking position (Schedule C or other comparable authority)	0	0	0	8	2	10
v. Not required to sign the Pledge because appointed without	24	1	15	17	1	58

break in service after serving in another position for which the Ethics Pledge was already signed						
vi. Not required to sign for another reason (please explain)	0	1	0	0	0	1

For each appointee identified in line iii, please explain why that appointee did not sign the Pledge. _____

For each appointee identified in line vi, please explain why that appointee was not required to sign the Pledge. _____ [Question 48 Table 1](#)

If applicable, please explain discrepancies between the number appointed and the number who signed or did not sign the Pledge. _____ [Question 48 Table 2](#)

49. Registered Lobbyist/and or Registered under the Foreign Agents Registration Act

a. How many appointees were registered lobbyists and/or registered under the Foreign Agents Registration Act during the two years prior to their appointment? For purposes of this question, please include individuals appointed between January 1 and December 31, 2022, and subject to the Ethics Pledge, as well as holdover appointees subject to the Pledge. ____ (if 0 skip to Q50) **10**

b. How many of those appointees were registered lobbyists and/or registered under the Foreign Agents Registration Act during the two years prior to their appointment have an ethics agreement addressing their obligations under paragraph 3 of the Ethics Pledge? _____ **5**

c. For any of those appointees who do not have an ethics agreement, please provide their name and an explanation (e.g., Pledge paragraph 3 not reasonably expected to limit participation in any agency matters because appointee's duties sufficiently unrelated to prior lobbying activities). _____ [Question 49 Table 1](#)

50. Section 3 of Executive Order 13989 provides a waiver mechanism for the restrictions contained in the Ethics Pledge. Indicate below how many waivers were granted to appointees in your agency in 2022, the names of those individuals granted waivers in 2022, and which of the Pledge paragraphs were implicated.

	Number of Ethics Pledge Waivers Granted By Pledge Paragraph	Name(s) of Individual(s) Granted Ethics Pledge Waivers
a. Paragraph 1	0	
b. Paragraph 2	11	James Lane Marvin Adams Joshua Shiode Daniel Tsai Lee Satterfield Elizabeth Van Schaack Raine Thiele Martha Williams C. William Nelson Aviva Aron-Dine Celeste Drake
c. Paragraph 3	9	Jessica Ennis Andrea Delgado Gail Greenman Adena Nicole Leibman Valerie Williams Maureen Elias Elizabeth Eurgubian Celeste Drake Leidy Perez-Davis
d. Paragraph 4	0	
e. Paragraph 5	0	
f. Paragraph 6	0	
g. Paragraph 7	0	
h. Paragraph 8	0	
i. Paragraph 9	0	
j. Other (please explain)	0	

If other, please explain. _____

51. Were there any violations of Executive Order 13989 during 2022?

- Yes 2
- No 139

52. Please provide information on enforcement actions taken in 2022 as a result of violations of the Executive Order 13989 Pledge (regardless of whether the violation itself took place in 2021 or earlier). _____.

[Question 52 Table 1](#)

ADDITIONAL COMMENTS FOR PART 11. Please indicate the question number to which the comment corresponds.

[Part 11 Comments Table](#)

PART 12. SPECIAL GOVERNMENT EMPLOYEES (SGEs)

53. How many Special Government Employees (SGEs) did your agency have, in total, during calendar year 2022? _____ (if zero, skip to Additional Comments for this Part)
40,147

54. Initial Ethics Training

a. How many SGEs who were expected to serve for 60 days or less on a board, commission, or committee were required to receive Initial Ethics Training (IET) by December 31, 2022 (5 C.F.R. 2638.304(b)(2))?	27,314
i. How many of those SGEs received IET before or at the beginning of the first meeting?	26,857 (98.3%)
ii. How many of those SGEs received IET after the first meeting?	263 (1.0%)
iii. How many of those SGEs have not received IET as of today?	194 (0.7%)

If applicable, please explain why some SGEs received IET after the first meeting or have yet to receive IET. _____

[Question 54 Table 1](#)

55. Report the number of SGE public and confidential financial disclosure reports required to be filed by December 31, 2022, and the number of reports actually filed by December 31, 2022.

	Confidential Reports (OGE Form 450 or OGE- Approved Alternative Form)		Public Reports (OGE Form 278e)	
	Required	Filed	Required	Filed
a. Advisory Committee Members (FACA)	29,928	29,720 (99%)	13	13 (100%)
b. Advisory Committee Members (non-FACA)	295	264 (89%)	0	0
c. Experts/Consultants	609	590 (97%)	27	25 (93%)
d. Board Members	177	173 (98%)	8	8 (100%)
e. Commissioners	59	58 (98%)	9	9 (100%)
f. Other	1,085	1,084 (99.9%)	122	122 (100%)
TOTAL	32,253	31,889 (99%)	179	177 (99%)

Example for new entrant and termination reports: If an employee joined (or departed) the agency on December 15, 2022, and filed a new entrant (or termination) report prior to the end of the calendar year, include the report in your required and filed numbers. If, on January 1, the employee has not filed a new entrant (or termination) report, do not count that report in your required numbers. Instead, include the report in your 2022 questionnaire response to be filed in 2023.

If applicable, please explain discrepancies between the number of reports required to be filed and the actual number of reports filed. _____

[Question 55 Table 1](#)

56. Note the number of SGE disclosure reports certified or otherwise closed by your agency during the calendar year. Of those reports, indicate how many were initially reviewed within 60 days and how many were certified within 60 days. “Initially reviewed within 60 days” means having completed a technical review and conflicts analysis. See 5 C.F.R. 2634.605, section 4.02 of the Public Financial Disclosure Guide, and the Certification Requirements section of the Confidential Financial Disclosure Guide.

	Confidential Reports	Public Reports
a. How many reports did your agency certify or close in 2022?	31,691	181
b. Of those certified or closed in 2022, how many were initially reviewed within 60 days?	31,343 (99%)	157 (87%)
c. Of those certified or closed in 2022, how many were certified or closed within 60 days?	31,058 (98%)	148 (82%)

If applicable, please explain why some reports were reviewed more than 60 days after submission. _____

[Question 56 Table 1](#)

If applicable, please explain why some reports were certified or closed more than 60 days after submission. Check all that apply.

- additional information was being sought **15**
- remedial action was being taken **4**
- other (specify) _____ **9** [Question 56 Table 2](#)

57. Number of SGEs excluded from all or a portion of the confidential filing requirements per 5 C.F.R. 2634.904(b): _____ **9,666**

58. Extensions and late filing fees for SGE financial disclosure reports:

	Granted filing extension	Granted waiver of late filing fee	Paid late filing fee
a. Number of OGE Form 278e Reports	54	6	2
b. Number of OGE Form 450 or OGE-Approved Alternative Forms	114		

ADDITIONAL COMMENTS FOR PART 12. Please indicate the question number to which the comment corresponds.

[Part 12 Comments Table](#)

ADDITIONAL QUESTIONNAIRE COMMENTS:

[Overall Comments Table](#)

Appendix

Question 6 Table 1

Attended monthly ethics meetings hosted by the DoD Standards of Conduct Office
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Question 9 Table 1

We are exploring whether an automated system for tracking ethics program activities and storing ethics program records would be beneficial.
additional training and reference materials
Budgetary - specifically for additional staff and training/travel funds for professional development and conduct field ethics training.
HUD: Budgetary
Many components need additional resources for confidential financial disclosure to include enhanced technology and human capital.
Due to turnover, our ethics program has been without a program manager since December 2022. However, we expect to fill that vacancy in 2023.
Funds for training, including travel to provide training to locations outside the Washington, DC area.
Through the Bipartisan Infrastructure Law, EPA received more than \$40 billion to make significant investments in the nation's infrastructure, particularly to improve drinking water, wastewater and stormwater. Through the Inflation Reduction Act, EPA received more than \$40 billion to support two dozen new and existing programs. In order to provide effective ethics counseling to all EPA employees and programs, particularly given these new and burgeoning needs, we require additional FTE and funding.
Budgetary
During most of 2022, the FLRA's Office of the Designated Agency Ethics Officer had less than four, and for three months, only two employees. In December 2022, a new attorney joined the office. The FLRA expects to have a new Designated Agency Ethics Officer in the spring of 2023-- when that occurs the Office of DAEO will be fully staffed.
would appreciate more PowerPoint training samples.
Having an electronic 450 program confirms the benefit of an electronic filing system. Rather than each agency bearing the expense for the 450 electronic filing system, federal agencies would benefit from a centralized system funded by OGE.
Budgetary
Interactive training materials that can be repurposed at agencies. Watching long talking head videos is not something our political appointees will do. Also training materials are geared towards ethics officials. Training materials that we can repurpose for political appointees, 278 and 450 filers would be helpful.

Question 10 Table 1

Both the Chairman and Executive Director positions have been vacant since February and March 2021, respectively. A new Chairman will be sworn in on 2/1/2023. And we expect to extend a final offer to a permanent Executive Director before Spring 2023.
Agency head is the ADAEO.

Question 12 Table 1

The need for a specific, stand-alone policy regarding grassroots lobbying has been identified. That policy is currently in the draft stage.
Existing Ethics Policy was reviewed and updated by former general counsel, but not yet signed by USADF's President and CEO. Statutorily, the required Ethics Notices were drafted and provided to the Finance and the Administration team for implementation.
Recommended agency appointment of ADEAO
Programmatic changes - modified staffing and added technology resources Policy changes - adopted new Investment and Trading Policy for FOMC officials
Considered annual ethics training for all employees.
After our internal review of agency policies, we revised our invitational travel policy to better ensure compliance with ethical requirements. Additionally, in order to ensure compliance with outside employment issues, we are currently beginning a review of the outside employment process.
In 2022, OGE conducted an agency program review, and together with CEQ, identified areas of improvement. Based on the results of this review, CEQ reevaluated and refined its financial disclosure process, and is developing programmatic changes and policy changes to improve its onboarding and offboarding of employees.
Each program office determines respective 450 filers and submit those 450's at the same time to maximize collection and forwards them to a dedicated email address for review in an efficient manner by the Ethics Office.
Modified ethics training presentations and included DoD Standards of Conduct Office personnel in annual training for all senior staff (SES, GS-15s, etc.). Formally designated all Commercial Law attorneys as ethics counselors.
DCAA IG conducted Inspection of Outside Activities Program. DCAA DAEO and Agency Head continues to operate an Outside Activities Program where employees receive opinions regarding potential conflicts of interest, use of government resources, time, and information, as well as activities involving teaching, speaking and writing.
More personnel assigned to work the 450 program to keep the numbers and processing times under control.
Programmatic change - improved our virtual live annual ethics training with voting buttons, enhancing a large virtual attendee population with a lively chat discussion. Continued to leverage senior leaders to participate and lead the training.

<p>Based on the review of the ethics program, the ethics staff worked with HR to implement a policy which would provide more timely notification of staff changes that could implicate financial disclosure filing requirements.</p>
<p>Standard Operating Procedures (SOPs) were updated.</p>
<p>Programmatic changes from agency evaluations (responses from several bases): Minor tweaks to annual training and filing notices and spreadsheets. Implemented new processes to improve communications with local personnel office to ensure new civilian employees received initial ethics training within required timeframe. Moved to virtual ethics training. Policy changes from outside audit: created standard operating procedure to better track initial ethics training department-wide. Recommendation being considered: One base is considering how to develop a better tracking system for annual ethics training.</p>
<p>Programmatic changes included: Provided a basis for increased personnel support of the office's ethics program. Ethics counselors now work more closely with supervisors to determine whether employees are required to file OGE 450s. Increased use of opinion tracking systems. Increased tailoring of ethics training for pertinent issues. Drafted and introduced ethics handbook. Developed ethics information papers for staff. Implemented ethics in-brief for incoming military personnel transferring from other commands. Improved and increased communication with Human Resources personnel on timely capture of new hires for purposes of determining financial disclosure filing and on delivery of IET. Included Ethics Office Contact information on HR Offer Letters. Increased commander/agency head issuance of ethics policy memoranda. Quarterly Army Ethics Telecons featured best practices from recent ethics staff assistance visits. Policy changes included: Improved coordination with Army Human Resources offices, improved dissemination of recent developments in Federal ethics laws and regulations, improved processing of post-government employment requests.</p>
<p>Several subordinate commands underwent an Inspector General review or other internal audit. The evaluations resulted in command level program or policy changes such as improved ethics program tracking (e.g., training), establishment of command policy regarding use of Government resources, and improved communication between ethics officials within the command.</p>
<p>The DAEO makes programmatic and policy changes as needed during bi-weekly DAEO meetings. An example of a programmatic change was this year's live senior executive annual ethics training. Rather than just covering the core subject areas, the DAEO decided to also provide a leadership tree top presentation starting with a Secretary of Defense video addressing ethics in the Department, and then highlighting OGE's 2022 Leadership Notes, public releases, and advisories. Additionally, the presentation addressed the revision to the DoD Supplemental Standards approved by OGE, new DoD guidance on social media use, and a Hatch Act refresher.</p>
<p>Changes were specific to the unique mission of each defense agency/command, but typically related to updates in ethics materials and implementation of improved tracking mechanisms.</p>
<p>Programs strengthened records management practices, improved processes for gathering and storing information related to foreign activities, and updated database access permissions. Ethics officials were added to standing meetings. Policies for official duty activities were updated. Certain components received subject matter training on specific topics. Some program</p>

review reports are pending, so the recommendations that will be included in those reports are still being considered.

Identified weakness in certifying reports within 60 days. Several components updated updated best practices to improve review process. Example - changed frequency of reminders to supervisors which is the primary reason reports are delayed.

OIG: During the reporting year HUD OIG conducted a comprehensive review of its ethics program. HUD OIG reviewed its training program, disclosure report process, timeliness, substantive ethics opinions, and outside activity review process across a three-year period. As a result of that review, HUD OIG made a number of organizational and process changes to improve the timeliness and accuracy of its ethics work. These changes include: increasing management oversight and involvement information processing improvements adoption of metrics and internal reporting requirements and, changes to staff composition.

Updated procedures and amended responsibilities (BOP), improvements to OGE Form 450 program (EOUST, USMS, JMD), HR communication enhancements to assist with ethics training and financial disclosure.

No needed changes were identified.

The evaluation was a routine audit of financial disclosure.

As a result of the evaluation, the Departmental Ethics Office (DEO) focused on data integrity and tracking specifically related to tracking new entrant confidential financial disclosure filer identification, initial ethics training, and special Government employee ethics requirements.

An additional DOT Operating Administration deployed FDonline for e-filing of confidential financial disclosure reports.

One bureau issued more detailed guidance on the seeking employment rules a second bureau is working with its HR and Training offices to administer directly new employee ethics training for increased reliability over its current notification system a third bureau made policy changes to reflect revisions to Agency designations of positions as confidential filer another bureau is reviewing its internal procedures on identifying OGE 450 filers in a more efficient and timely manner and reviewing internal processes and procedures for review of financial disclosure filings. DO/HQ: Finalized SOP on OGE 201 requests & drafted and implemented SOP on late filing fee process 1 bureau revised its designated OGE 450 filing positions.

Program changes: Created Deputy DAEOs in each VA administration (VBA, VHA, NCA and OIT), and added Deputy Ethics Officials (trained VHA Compliance Officers in basic ethics issues). We continue to support them via continued consultation. Policy changes: Late fee notices and establishing electronic payment of late fees to ease administrative processing and improve compliance. Added a GS-15 attorney to manage the financial disclosure program. Alt-450 became an electronically processed document.

<p>Although the EPA ethics program is decentralized, the Ethics Office in the Office of General Counsel created an ethics dashboard to support the 100+ deputy ethics officials. During this year, we finetuned the dashboard so that the DEOs can more easily determine the e450 filing and training status of their employees, including new employees, even if they are not designated as e450 filers. For example, DEOs can now see the dates that new employees started and their IET training completion status so that they can proactively remind employees to complete this regulatory requirement.</p>
<p>Modernized processes and procedures such as converting PDF applications to Webform. Gift approval process refinements & perfecting on-boarding process with HR. Required written notification to Office of Ethics in of conflict-of-interest recusals revised procedures on financial disclosure filer audits, extension requests and certification levels.</p>
<p>The Ethics Office made improvements in the electronic storage of employee and program records, as well as a repository for sample documents. We also implemented a filer spreadsheet for tracking filer ethics requirements. Additionally, policies were updated to reflect current practices.</p>
<p>The ethics office made improvements in the electronic storage of employee and program records, as well as creating a repository for sample documents. We also implemented a filer spreadsheet for tracking filer ethics requirements. Additionally, policies were updated to reflect current practices.</p>
<p>Internal survey of deputy ethics counselors. Programmatic changes included adding additional deputy ethics counselors and providing additional resources for deputy ethics counselors. Other recommendations (deputy ethics counselor program structure for various internal offices) still being considered.</p>
<p>The Inspector General did a tangential review of procedures for obtaining prior approval for outside employment, but had no formal recommendations. Nevertheless, we made certain changes to enhance employee awareness in this area.</p>
<p>Updates made to HR procedures re: contacting Ethics Office of promotions to ensure financial disclosure reports are filed as necessary. In addition, the Ethics Office is focusing on making sure disclosure reports are reviewed and certified within the 60 day window.</p>
<p>Changes in the role of administrative support.</p>
<p>Administration of ethics training for employees strengthened otherwise no changes needed for small staff with very few ethics issues arising.</p>
<p>We continued the same program as previous years. We adapted the program to run in a hybrid in office/remote enviroment so we continued that for this year.</p>
<p>IMLS updated its Standard Operating Procedures to assist ethics staff and the Office of Human Resources in carrying out their responsibilities. In addition, IMLS onboarded a new ADAEO and used this as an opportunity to review our ethics program.</p>
<p>Two new employees were hired in part to support the DAEO and ADAEO. The support duties include: scheduling, organizing, and tracking new employees and new employee ethics training. Tracking and sending ethics out-briefing information to departing employees. Identifying, tracking, and scheduling of training for OGE 450 filers and collection and review of OGE 450 forms. New employee web training will be implemented in approximately one week pending</p>

test training. OGE 450 filers ethics web-based training was implemented approximately 1 month ago. Developed a new update SOP for program and corrected information for distribution by HR
Our Alternate DAEO continued learning through OGE quarterly meetings and assumed a greater role in consistently reminding staff of ethics requirements through periodic mention at staff meetings and through inclusion of ethics standards during reviews of policy documents. We also continued to work with DOS HR on inclusion of notice of ethical obligations in written offers of employment.
The program was evaluated and the DAEO implemented initiatives to streamline work flow and increase staff knowledge of ethics rules.
Revisions to Ethics program to be developed, reviewed by leadership and DAEO, and approved as agency policy.
Elevated use of NASA OGC legal administrative professionals in substantive ethics work through training and cross-location coverage opportunities. NASA OGC's Ethics Best Practices Working Group reporting to the ADAEO continued to produce materials for NASA ethics practitioner use.
Ethics office reviewed SGE processes and training and revised SGE training materials.
(1) In November 2022, NCUA's ethics program was centralized in the Office of Ethics Counsel (OEC). Prior to this, certain ethics program functions, including OGE 450 review/certification and outside activity request form reviews for regional employees, were conducted in each respective Regional Office. These functions were transferred to OEC. (2) Monthly periodic transaction reminders implemented for public filers. (3) Tightened timeframe for notifications to OEC regarding temporary details and internal promotions. (4) Confidential filer designation responsibility transferred to OEC. (5) In Oct. 2022, OEC conducted an anonymous all-employee survey of the agency's ethics program. Survey feedback is under consideration by OEC.
NGA has not received the results of the audit
We have gained a new permanent full-time employee (FTE) and now have a fully-implemented electronic case management system that allows Ethics staff to efficiently manage ethics inquiries, compile data and analyze trends. These additions have created efficiencies that enhance the Ethics Office's ability to be proactive in providing real-time guidance and tools (Job Aids, checklists, and email blasts) which support the Agency's ethical culture.
No deficiencies were noted.
In 2022, the ethics office evaluated and proposed options to the General Counsel and DAEO to increase attorney support for its financial disclosure program. These changes, which will supplement the attorneys in the ethics office with attorneys from throughout the Office of the General Counsel, are being implemented for the 2023 filing season. We also streamlined our process for providing post-Government employment guidance and ethics letters.
Programmatic changes: We continue to improve our communication and processes with the human resources department. Policy changes: We are continuing our interactions with OGE on our supplemental regulations.
No policy changes resulted however, we ensured that the Board's new employee program further delineated ethics requirements.
New DAEO was appointed and updates were made to Integrity system to allow for more efficient review of 278 and 278-T reports.

OA just launched an ethics portal to help with review and organization of confidential financial disclosures. But we hope to expand it to other aspects of ethics review.
Updates made to written procedures to reflect changes resulting from new ethics laws and/or regulations.
Continuous improvement. In 2022 that included enhancements to the Ethics Portal and special training for several offices with particular needs.
In addition to the mandatory annual ethics training, ONDCP conducted a mandatory Hatch Act training based on agency needs identified in evaluation.
No deficiencies found, so no changes were recommended.
updated ethics guidance, provided additional ethics resources to staff, and made minor updates and changes to the ethics best practices and guidance when discussing with newly onboarding staff members during their first week at OSTP during the OSTP OGC's legal team meet & greet presentation to new staff.
Based on responses to an ODNI Climate Survey and internal ethics office meetings, ODNI Ethics streamlined and updated ethics handouts, improved the initial ethics training process, and are working towards a complete overhaul of the ethics website to make it more user friendly.
Nothing was reported to the DAEO re changes needed.
The review concluded that the ethics program was functioning smoothly.
We created an on-line interactive training for Trust staff and written ethics training materials for Special Government Employee's in the event it was not possible to provide live or interactive training.
Ethics staff began publishing an agencywide ethics newsletter every two months (Ethics Express). Each newsletter issue highlights one ethics topic and invites questions and topic ideas from agency employees. Issues for 2022 discussed fundraising, Hatch Act, misuse of position, gifts from outside sources, and gifts between employees.
The SEC developed proposed revisions and updates to its supplemental ethics regulation. The proposal is currently under consideration.
During CY22, HR was notified to advise the DAEO & ADAEO, via email, when new employees onboard at SSS who are required to complete either an OGE 450 or OGE 278.
Met all audit requirements.
Based on the recommendations from the assessment, TVA 1) revised its written standards to more effectively communicate expectations to employees and other stakeholders, 2) developed a managers' ethical toolkit to provide leaders with tools and support materials, 3) automated manual processes, 4) implemented a standardized investigations protocol, and 5) utilized committee structures to engage in more robust cross-functional information sharing.
Policy changes implemented: A new gift program policy was implemented as an interim update to policies on gifts of travel documentation and record keeping revised ethics training material and presentation format. Policy changes in progress: (1) We are drafting a permanent policy change regarding gifts of travel to ensure consistency and improved coordination of information with departments outside of the ethics program that support the ethics program implementation and functions. (2) We are also updating the outside activity policy. (3) We are updating the impartiality with former employers policy.

One FTE was added to the ethics program, OGE-278s are now reviewed by two separate ethics officials, agency leadership is considering request to purchase an online OGE-450 filing system.
Updated ADAEO designation and requests for ethics review process.
The Postal Service's Ethics and Compliance team performs yearly self-assessments of the program and make changes, as necessary. In 2022, we revised our communications and education plans, created a new annual ethics training presentation, updated our ethics websites, and adopted an escalation plan to ensure that financial disclosure reports were reviewed and certified timely.
General policy updates

Question 13 Table 1

As a small agency of less than 20 employees, the ADAEO worked directly with the Deputy Director for Administration and Chief Human Capital Officer to ensure compliance with 5 CFR Part 2638. In 2022, the ADAEO reviewed and provided input on draft written offers of employment and has personally provided the initial ethics training to new employees. As the agency undergoes a manpower reorganization, the ADAEO will continue to work with the Associate Director for Administration to ensure compliance with the regulation. In addition, the ADAEO meets with and assists each employee who is required to file a financial disclosure report, and regularly provides ethics advice to agency officials with respect to attending events, meetings, outreach, and interactions with outside groups and organizations.
As a newly established agency, the Southeast Crescent Regional Commission is working to establish written procedures to include a financial disclosure program, notice of ethical obligations in written offers of employment, and annual training for both federal and non-federal Commission staff.

Part 4 Comments

Question 4: The ADAEO position became vacant on 11/10/2022, and was filled in January 2023.
Q2 - numbers are classified unless included Q5- The employees identified as working "less than 1 hour per week" are the attorneys and paralegals who support the financial disclosure program for a limited period of time during the filing season.
#2: Number does not include part-time employees.
Q2. This number does not include detailees, interns, fellows, contractors, and other workers.
With respect to Question 1, reporting on this Annual Questionnaire also includes data from the Pretrial Services Agency (PSA) for the District of Columbia.
Question 13. DeCA includes all required CFR provisions in the DeCA Ethics Standard Operating Procedures.
No additional resources are needed from DCAA. However, additional resources are request for Financial Disclosure Management System. Specifically, additional developmental resources to assist with administration of the FDM filer organization and make administration less burdensome.

<p>Questions 5 & 9: DCSA is in the process of training and approving additional employees to perform ethics program duties.</p>
<p>Q9 “ Need to develop or acquire software to track initial and annual ethics training for the Department of the Air Force. Q11 “ The Office of The Judge Advocate General of the Air Force performed inspections (which included inspections of ethics programs) of several installation legal offices. Several Air Force major commands also performed inspections (which included inspections of the ethics programs) of their installation legal offices. Individual legal offices within one command conducted internal bi-annual self-inspections of their programs, including ethics. Q12 “ One base identified shortfall in tracking whether all new employees received initial ethics training. Implemented a revised process that will ensure all new employees will receive initial ethics training in accordance with the regulation. New employees will now receive an in-person interactive briefing during initial onboarding briefings. Ethics office will maintain logs annotating when new employees receive initial ethics training.</p>
<p>Q2-The DON has had a reduction in overall personnel. At the end of CY21 the reported end strength numbers were 55,923 officers and 206,401 civilian employees. DON end strength numbers at the end of CY22 were 56,153 officers and 190,968 civilian employees.</p>
<p>10. The GC/DAEO meets with the agency head on a weekly basis. Ethics issues are discussed during these meetings. 11. Our agency underwent a financial statement audit performed by an Independent Public Accounting (IPA) firm. IPA firms are contracted by, act on behalf of, at the direction of, and in the name of Department IGs. Accordingly, IPA firms are performing audits pursuant to the statutory authority (Inspector General Act of 1978) of the Department IG that hired them. In this situation, IPA firms are not outside entities, they are performing Department IG internal oversight. During these audits the IPA firms may test the audited entity’s compliance with ethics standards (5 C.F.R. Chapter XVI, Subchapter B., "Government Ethics") During this audit the Ethics Program Manager provided requested information inquiring about the agency's ethics program in general and senior leadership’s active involvement in promoting ethics and internal controls.</p>
<p>Q6 Only two components reported using contractors for substantive work. Q11 “ DoD SOCO conducts Program Assist Visits/Reviews with each DDAEO agency/command every 3-4 years.</p>
<p>#10. The agency head did not meet with ethics staff however, the agency head did meet with staff within the agency’s OIG. #13. Additionally, OIG has issued an updated Ethics policy on January 20, 2022 ("Ethics Program and Employee Conduct")</p>
<p>#5 - increase in the number of employees in the DC metro area that perform ethics duties less than 1 hour per week was due to issuance of delegations to additional attorneys to assist with final certification of OGE 450 reports.</p>
<p>Number 12: OIG: During the reporting year HUD OIG conducted a comprehensive review of its ethics program. HUD OIG reviewed its training program, disclosure report process, timeliness, substantive ethics opinions, and outside activity review process across a three-year period. As a result of that review, HUD OIG made a number of organizational and process changes to improve the timeliness and accuracy of its ethics work. These changes include: increasing management oversight and involvement information processing improvements adoption of metrics and internal reporting requirements and changes to staff composition.</p>

<p>Q3: DOJ is in the process of formalizing the DAEO's appointment. Q9: Many DOJ components request e-filing for confidential financial disclosure. FBI's Ethics and Integrity Unit could enhance FBI's ethics program with additional resources primarily through a user-friendly online Form 450 system similar to Integrity. EOIR would like to be able to use Integrity for confidential financial disclosure. USMS requires a new e-filing system for confidential financial disclosure. Q10: Meetings take place regarding the ethics program between the DAEO/ADAEO and the Agency Head's Delegee.</p>
<p>Q2: Total includes 2 F/T seasonal in DO/HQ. Q6: None for most bureaus IT services for 4 bureaus. Q7: One bureau had support from another federal agency for OGE 450 review. Q9: No for most bureaus 2 indicated more support needed for Human Capital, and 2 also indicated technology. Q11: Nearly evenly split among bureaus for internal vs. no review one bureau had an external audit by a private firm of some aspects of its ethics program. Also, in DO/HQ, we have begun program reviews with Treasury bureaus, but responses are not due back until February 2023.</p>
<p>3. DAEO Catherine Mitrano retired effective 12/31/2022. Former DAEO, Michael R. Hogan, was designated as DAEO effective 01/04/2023. Mr. Hogan is a career employee with the required ethics experience and authority. The DAEO reports directly to the Secretary.</p>
<p>Question 11: A team from the FDIC's Office of the Chief Information Security Officer performed Security and Privacy Control Assessment testing for the FOnline system for calendar year 2022 in accordance with FDIC and Federal (NIST and FISMA) guidance. FDIC finalized and tested its FOnline disaster recovery contingency plan.</p>
<p>Q 13: Financial disclosure filings handled by Dept. of Commerce Ethics division pursuant to MOU with Council.</p>
<p>Question #13: Human Resources Office provided the template of the firm offer letter for supervisory positions, that includes the following statement: "The USIBWC is committed to government ethics. As an employee, you will be subject to the agency's Code of Conduct and Conflicts of Interest statutes. You may obtain ethics information from USIBWC ethics official Jennifer Pena in the Legal affairs Office (LAO). You will be contacted by the LAO to complete the required Official Government Ethics 450 Financial Disclosure Report within 30 days of your appointment, and annually thereafter, and the mandatory initial ethics training within three months of your appointment." The inclusion of this statement has been implemented.</p>
<p>#13 As a finding during collection of the requested OGE materials, the Ethics Office identified the recommended DoD language to new supervisors was removed in August 2022 during a re-vamping of supervisor training materials. Our ethics office will begin working to update the new supervisor materials and a new Human Resources attorney has been hired to join the office in CY23.</p>
<p>Question 2 - In addition to 1513 full-time employees, NSF had 231 full-time IPAs on board as of December 31, 2022. Question 13 - The language of the new supervisor notifications was amended in 2023 to conform with requirements of 5 CFR 2638.</p>
<p>Question 2: Employee count is as of 27 December 2022.</p>

<p>Q.3(f): The number of reporting levels between the DAEO and Agency Head is marked "0" due to the overall reporting structure within the NSC. At the NSC, the agency head is the Deputy Assistant to the President, Chief of Staff, and Executive Secretary. The DAEO is Deputy Counsel to the President and Legal Advisor to the NSC, and he reports to the Assistant to the President for National Security Affairs, to whom the agency head is also subordinate. As a result, while the DAEO does not report to the agency head and is not himself the agency head, he is equivalent in rank to the NSC's agency head and has the same rank within the organization. Q.13: The Office of Administration is responsible for, and provided, the required notices of ethical obligations in written offers of employment (5 C.F.R. 2638.303), and issuance of ethics notices to new supervisors (5 C.F.R. 2638.306).</p>
<p>Question 13 - Written procedures were updated or added after OGE Inspection</p>
<p>Question 10: The Office of General Counsel, which includes the DAEO and ADAEO, meet biweekly with the Special Counsel and ethics is one of the items discussed.</p>
<p>Q2: The number of OVP employees is defined to include staff of the Executive Office of the President, Senate employees, as well as detailees and assignees from various departments and agencies. Q5: OVP has one Ethics Counsel position staffed by a rotational detailee. Additionally, OVP has four attorney positions (three full time and one detailee) in the OVP Counsel's Office who also work on ethics matters. Q10: For purposes of ethics program administration, the office head is the OVP Chief of Staff.</p>
<p>The Board has contracted with an outside firm to complete, among other things, our written procedures pertaining to the requirement in Question 13. We expect to have them in place soon.</p>
<p>For #2: Total agency FTE count includes federal civilian and active duty military billeted staff and students. FTE civilians are 735.</p>
<p>Q8: WHCO has provided some ethics support for Office of the Vice President, Office of the National Cyber Director, National Security Council, Council of Economic Advisors and President's Intelligence Advisory Board during 2022, although all of these components have already or are in the process of taking over their own ethics program.</p>

Question 14 Table 1

<p>We received confirmation from the Departmental Office of Human Resources Management in connection with the OGE program review</p>
<p>One HR office at Headquarters Air Force provided an incomplete response. Unclear whether that office is responsible for issuing ethics notices to prospective employees.</p>
<p>The Director, Departmental Ethics Office (DEO), provides the DAEO with the required written confirmation.</p>
<p>Recent OGE audit findings noted a need to implement a process to ensure that new employees and managers are timely notified of their ethics obligations. Accordingly, a standard operating procedure was developed and put into place in June 2022, in coordination with the DAEO and ethics officials.</p>

Question 15 Table 1

Standard of Conduct include the information 5 CFR2638303, have been provided to the Office of Finance and Administration to provide in all written offers. However, the newly appointed DAEO was unable to confirm if all written offers included the required information.
In June 2022, ADAEO drafted the required language to be included in offer letters, and that language has been incorporated into all subsequent offer letters.
Required information is reviewed during the onboarding phase. We are implementing procedures for the inclusion of required information during the employment offer phase.
Only two employees. Last hire was September 2020 and at that time GSA CABS provided no ethics info in the hiring materials. This issues has been raised with OGE multiple times. GSA CABS provides the HRM support for ALL federal Commissions and Boards - so all will have this issue until GSA CABS includes the ethics info in their hiring onboarding.

Question 16 Table 1

There were scheduling conflicts due to officials departing for posts immediately after appointment and difficulties scheduling briefings for those who were appointed immediately before end of year holidays.
In light of the new agency leader's delayed onboarding date, the DAEO granted an extension of time not exceeding 30 days after appointment, as permitted by 5 C.F.R. 2638.305(b)(1).
Resigned the position.
Due to schedule conflict.
Two new Board members were appointed on Nov 10, 2022 and sworn in on Nov 17, 2022. Ethics training was provided on Dec 15, 2022 when the DAEO met with them in person (both Board members reside out of state)
One employee received the required ethics briefings beyond the 15-day requirement due to the organization being newly established and procedures currently under development and review.

Question 17 Table 1

One new employee was extremely busy with a packed schedule and Ethics Office had competing priorities and heavy workload.
During a review of accessions and separations in calendar year 2022, CFTC Ethics discovered that we were not provided notice for 14 new agency hires. Those 14 employees did not receive IET. However, each of those 14 employees did attend agency annual ethics training, which covers essentially the same topics as those discussed in IET. Lastly, there were four employees who were hired in December of 2022, who had not received IET as of January 1, 2023. Those four employees will be counted on our 2024 Questionnaire. CFTC Ethics has taken proactive steps to avoid the possibility that we will not be informed of new agency hires in the future.
Some employees indicated that their schedules did not allow them to complete training on a timely basis.
One part-time employee had scheduling conflicts with the available training dates, which caused their IET to be late by 11 days.
One part time IPA detailee, who worked two days a week, was difficult to meet with given her extremely limited work hours.
The Agency migrated to a new LMS which restricted access.

<p>DeCA GC will continue to work with HR on improving computer access by very junior employees and better tracking of required IET in the Learning Management System (LMS). Of the new employees, 1,815 were at or below GS/WG 8 and not required to receive the interactive portion of the IET. The DAEO excluded non-supervisory positions at or below the GS-8 grade level, or the equivalent, from the requirement to complete the training presentation.</p>
<p>Our ethics briefing is incorporated into the Agency's on boarding process. It used to be done in person but now it is done virtually, and there has been a discrepancy between the number of people who are supposed to take the virtual training and the number that actually have taken the virtual on boarding training. The agency is exploring options to enforce accountability for failure to complete the onboarding process.</p>
<p>Were not able to reach one employee serving on a detail. Training is now completed.</p>
<p>There were 3 military members who received training beyond the 3 month requirement. Two of those servicemembers were stationed in Germany and did not complete the training during in-processing. We have corrected the issue by coordinating the the HR personnel in Germany to establish new notification procedures. For the third military member, we did not learn of his arrival to DTRA until he attended initial ethics training, which was 93 days after he signed-in to the Agency.</p>
<p>The Alternate resigned the position so IET was not needed.</p>
<p>Despite regular reminders and follow up notices, approximately 4.4% of employees required to complete Initial Ethics Training (IET) did so outside the 3-month window and an additional 6% did not complete the training. On the other hand, 89.5% of new entrants did receive Initial Ethics Training within their first three months. We will continue to follow up with those who did not complete the training.</p>
<p>Based on training records, ELPO provided IET to 3,559 individuals. Of those 2,868 were new employees. Many of the remaining were details or transfers within the department. Two did not receive timely IET due to technical issues.</p>
<p>1) An SGE was non-responsive to repeated e-mails from both the ethics office and designated federal liaison officer. Individual is no longer serving as an SGE. 2) Employees resigned shortly after being hired and before completing training requirement. 3) Employee was on parental leave during the 3-month period. 4) COVID-19 restrictions delayed ethics counselors' ability to meet with incoming employees and provide in-person training as required by policy of one installation. 5) USAF healthcare billets were reassigned to the Defense Health Agency. Ethics officials had difficulty contacting new healthcare providers regarding IET. 6) Several field offices did not receive confirmation of all of their employees' completion of IET prior to due date of questionnaire. Those employees may have completed the training. 7) One field office did not maintain a complete log of employees who attended training. That office has amended its procedures to track the attendees. 8) Significant turnover in several legal offices impacted tracking of initial ethics training. The major command for these offices will work to improve tracking mechanisms for initial ethics training. 9) Local civilian personnel office did not inform ethics office when a new employee completed training so that ethics office could follow-up. 10) Local civilian personnel office does not tell prospective OGE Form 450 filers to contact supervisor and ethics official about training requirement. When the personnel office does notify the new employees of the training requirement, the ethics official is not aware of which employees have been notified. Ethics office working on process to obtain employment and inbound rosters of personnel in order to identify new employees. 11) Some employees were non-responsive to reminders from ethics officials and supervisors about initial training requirement. Ethics officials continue to work with supervisors to have these employees attend training.</p>

<p>Some HR offices were challenged with providing timely HR notification to the relevant ethics offices of the incoming employees with financial disclosure report filing requirements. For example, one organization reported a breakdown in tracking IET completion due to assignment of a new HR Training POC. Several employees who did not receive initial ethics training received annual ethics training instead. Army-wide Initial Ethics Training processes are being revised and improved.</p>
<p>Commands are aware of the training delinquencies and are working to resolve them. Several commands within the DON are geographically dispersed which impacts compliance tracking and the ability to ensure all new employees complete their required training on time.</p>
<p>17.a. The one employee that did not complete IET separated from the agency soon after accepting the position.</p>
<p>Of those receiving training beyond the 3-months or not received during CY2022, 442 are substitute teachers and 65 are military exchange store employees, all of whom are not in traditional Government office settings, do not work set schedules, and do not have access to Government computer terminals. The DoD Standards of Conduct Office (SOCO) has recommended these agencies utilize an alternative procedure to improve compliance. The remaining few were due to learning management system issues and tracking system issues and the affected components are working to resolve.</p>
<p>The Department utilizes an online platform to administer initial ethics training for all employees, as defined in 5 C.F.R. 2638.304(a). The online platform sends each employee multiple automatic notifications at prespecified intervals to complete initial ethics training during the employee's first 75 days. The Department sends additional reminder emails to the employees who have not completed initial ethics training by the employee's 76th day, and continues to follow up with the employee and management, as necessary. The Department followed these protocols for each employee who received initial ethics training beyond the 3-month requirement and for those employees that have not received initial ethics training as of today. In addition, one employee who did not receive IET is on extended military leave and one has separated from the Department.</p>
<p>Primary reasons include technological problems accessing the Learning Management System extended leave confusion between IET and AET requirements administrative oversight and employee noncompliance. One component misunderstood the IET requirement and thought that the presentation during new employee orientation was sufficient. One component did not get notified of new employees due to a staffing shortage in the HR office those employees have now been notified of the IET requirements.</p>
<p>IET tracking/enforcement was maintained by component OCHO offices and not Ethics for one component. New process developed in CY 2021, implemented in 2023 resulted in an increase in IET compliance.</p>
<p>OIG: The three employees who received IET beyond the 3-month requirement were special agents who were attending the Criminal Investigator Training Program at FLETC. They completed IET upon their completion of the program.</p>
<p>Administrative errors in notification and record-keeping, scheduling conflicts and extended leave, some new employees substituted enhanced annual training for IET with the approval of their ethics officials. The 43 who have not received IET are in BOP, and this is due to continued facility closures due to COVID. Online materials were provided to them instead.</p>
<p>Of the 11 employees who completed training after 90 days, 3 completed the training within 95 days. The remaining 8 completed the training between 100-190 days. Both technical glitches in the online program and employee error caused the delays in completion. Employees were sent automated reminders to complete the training, and all employees ultimately completed the training.</p>

We discovered last year that the Department's system for automatically notifying new employees to take an online IET course is not reaching a large number of individuals. We are continuing to work with the human resource bureau to devise a new computerized system to accurately notify new employees of the requirement. In the meantime, the ethics office has stepped up efforts to remind new employees of the training requirement, and those efforts have significantly increased the numbers of employees who have received IET compared to last year.

Employees who received and completed IET beyond the 3-month requirement did so due to lapses in tracking or because the employees were on unpaid leave, furlough, or suspension. In addition, most employees who have not received and completed IET as of today did not do so because they terminated employment before completing IET. This group was primarily composed of seasonal or temporary employees.

Some employees were on military duty or extended sick leave. One employee was sent to law enforcement training immediately upon entering on duty and did not receive training until returning to the office. A corrective action plan has been created and implemented to ensure that the 106 employees who have not received IET complete that training within the next two weeks.

For the majority of bureaus, including DO/HQ, employees received required training within the 3-month period. At one bureau, two employees were not automatically assigned the training in their learning management system, but they have received training at another bureau, some employees were not able to complete the online ethics orientation to due to technical issues, but they were provided with ethics orientation materials and follow-up is being pursued with other employees. One bureau indicated the one employee who has not yet received IET is a police officer who was at off-site mandatory introductory federal law enforcement training for most of the year and upon assuming duties, does not yet have access to the training system, although the bureau is actively working to provide training access to this employee. A small number of employees who received IET beyond the 3-month requirement at two bureaus were delayed in complying, despite many reminders. Finally, one bureau did not always receive timely notifications from HR or the new employee supervisors for approximately half of its new employees. However, this error has been corrected and a new IET package, including an interactive test has been incorporated directly into the materials presented to each new employee on their start date.

Incomplete notification of new entrant status and decentralized HR Management Offices. Some individual VA facilities cover the IET in their local onboarding and may not record individual training modules in the Talent Management System this includes National Cemetery Administration (NCA) staff who work outdoors and do not have computer access.

At EPA, the initial ethics training module is part of the online suite of mandatory training courses for all new employees. Unfortunately, even though it's required, not all employees complete the training. In some cases, there are understandable reasons: the individual departed EPA within the first three months, was called up for military service, or has a medical or other situation. Other employees simply do not complete the training. In one particular case, EPA created a new organization that lacked an effective Deputy Ethics Official to remind employees to take the training (EPA Ethics has now stepped in and ensured that all new employees completed IET, even if after the 3 month period). We note that there were also a number of departures among the EPA DEO cadre that let to lack of oversight. Because EPA's ethics program is decentralized, and we rely on 100+ deputy ethics officials to track new employee training completion and have finetuned the ethics officials' dashboard so that they can more readily see who has completed training and who hasn't. In this coming year, EPA Ethics will focus on being more assiduous in keeping after the DEOs and their responsibilities.

<p>Seven employees did not timely complete IET during the period EEOC employees were working remotely full-time (January -- April 2022). The remote onboarding process caused delays in certain instances such that seven employees completed IET beyond the 90 day period. Six employees failed to timely complete the training despite receiving email notifications that their deadlines for completing the training were approaching. Due to an oversight, we failed to track six employees. They completed IET after the 90-day deadline had expired.</p>
<p>As part of the onboarding process, the FCA Office of Agency Services, Training Office, assigns employees several mandatory online interactive trainings. One of those trainings is the new entrant ethics training. Two new entrants missed completing the new entrant ethics training unit when onboarding. The Ethics Office caught the oversight when conducting an internal audit and followed up with the employees and ensured that they completed the new entrant ethics training.</p>
<p>Ethics office error. Three individuals who joined the agency in the fourth quarter of 2021 did not receive their IET until the first quarter of 2022.</p>
<p>Employee went on military duty immediately after coming on board.</p>
<p>employees never responded to requests to attend training and are no longer employed by the agency.</p>
<p>The discrepancies, which occurred at one center, are believed to be due largely to recording errors from delay in reporting attendance at live training and recording training inadvertently done through the online module for a prior year.</p>
<p>Three employees completed the assigned training after the three month period. One employee left NARA before completing training. The Agency will follow up with those employees who are with the Agency and have not completed the required training. All new employees participate in a brief in-person ethics training during their first week in addition to the written training.</p>
<p>During an audit of our training records, we identified 10 employees who were not assigned the online portion of our New Hire Ethics training curriculum. However, all employees received a comprehensive Ethics Pre-Employment Guide at the time of their offer of employment that explains ethics statutes and regulations and includes scenarios to enhance understanding were orally briefed by Ethics Staff about the role of the Ethics Office during the Agency's official bi-monthly onboarding sessions and received Ethics Job Aids and information about internal ethics policies via email on the first day of employment. When we discovered the oversight, we assigned the training and have required these employees to complete the training as soon as possible but no later than February 10, 2023. The remaining 3 employees who did not take Initial Ethics Training left the Agency within 90 days of their onboarding date.</p>
<p>Administrative errors caused the delay. Employees completed the training as soon as the errors were discovered.</p>
<p>Employee failed to complete training on time. Supervisor has been notified.</p>
<p>The one employee who did not receive training thought he had taken it but the employee confused ethics training with another training.</p>
<p>Some employees were unable to attend new employee ethics training within 90 days of arrival due to other work requirements. A few employees joined OMB on detail and departed without taking training. Three employees joined OMB around the time that annual training was conducted and took annual training instead of IET.</p>
<p>Four employees received bi-weekly reminders, but were unable to complete IET within 3 months due to personnel transitions and competing work demands.</p>

Those employees failed to attend the agency's required quarterly New Employee Onboarding (NEO) Phase II training (which includes initial ethics training). Employees have since received the training. Please note that all new PBGC employees are given the agency Ethics Handbook upon onboarding and may contact an ethics counselor for questions or guidance.
system issues (users had trouble accessing training within the HR system) and accounts were put on hold because HR did not have enough licenses to open accounts for employees.
In March 2022, the Agency transitioned to providing New Employee Ethics Training through a Video On Demand (VOD). There were some administrative errors in transferring new employees onto the new system. Additionally, some employees did not take the VOD timely despite receiving several automated reminders and warnings. The Ethics Law Division is working to enforce better compliance to ensure timely completion of Initial Ethics Training. The 13 remaining employees who have not received Initial Ethics Training are scheduled to complete training within the next two weeks.
One employee received the required ethics briefings beyond the 15-day requirement due to the organization being newly established and procedures currently under development and review.
Four interns did not take the ethics training prior to the end of their internship.

Question 18 Table 1

The Director, Departmental Ethics Office (DEO) provides the written confirmation to the DAEO.
Incomplete notification of new entrant status and decentralized HR Management Offices. Some individual VA facilities cover the IET in their local onboarding and don't report that to Ethics. See above regarding NCA. Annual filers are reminded of their ethics training obligation during the CFD filing season

Question 19 Table 1

The Chairman's term ended June 30, 2022 and he separated from the Commission on January 3, 2023. Consistent with past years, the Commission's annual ethics training was available from October 31 through the end of the calendar year. In view of the holiday period and the press of work prior to his planned end of year departure, the DAEO informed the Chairman, in response to his inquiry, that a valid explanation existed for not completing his training.
Both the Chairman and Executive Director positions have been vacant since February and March 2021, respectively. A new Chairman will be sworn in on 2/1/2023. And we expect to extend a final offer to a permanent Executive Director before Spring 2023. The employee acting for Executive Director received ethics training, along with the entire staff in 2022.
Pursuant to section 11(b)(2)(B) of the Inspector General Act of 1978, as amended, the Chairperson of CIGIE is elected from among the Inspector General members of CIGIE and, accordingly, receives his or her initial ethics training from his or her employing agency
The head of the National Capital Planning Commission is the Chair of the Commission. The Chair position was vacant for all of CY 2022.
Director completed annual ethics training.

Question 20 Table 1

The one confidential filer who did not take annual training retired during CY 2022 prior to the annual training.
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<p>2 employees resigned from federal service, 1 employee was on extended sick leave, 1 completed the training in their evaluation cycle but not the calendar year.</p>
<p>The officers who did not complete the AET in a timely manner generally are those who are on a leave of absence or in operational environments where they are unable to complete in a timely manner. One employee did not complete AET in 2022 but completed make-up training on 24 Jan 2023. CIA ethics has rectified this by updating our standard operating procedures.</p>
<p>Two (2) public filers (b) have not completed their annual training and have not responded to emails from the DAEO regarding their lack of completion. Emails were sent to these individuals the first week of December 2022, on December 19th, and on January 4, 2023. One (1) confidential filer was out on sick leave when ethics officials issued the training. Ethics officials offered this individual an additional 30 days (until February 3, 2023) to complete the training.</p>
<p>The Agency provided live training to all employees who were in working duty status. However, two CFTC employees were on extended absences for a variety of reasons at the end of 2022, including medical and detail positions. The Agency sent those employees ethics training materials but were unable to provide live training because those two employees were not in duty status.</p>
<p>Fourteen confidential financial disclosure filers (OGE Form 450) had not completed training by the end of the calendar year. Thirteen of those filers have been and continue to be on military, parental or other long term health-related leave. One filer is on detail to another federal agency. Three employees who are not designated as financial disclosure filers had not completed training by the end of the calendar year. Those three likewise have been and remain on military, parental or other long term health-related leave.</p>
<p>One confidential filer and one public filer did not take the training because they were exempt on account of being on extended leave from the agency.</p>
<p>One employee detailed to another agency failed to attend scheduled and announced AET sessions. The employee's supervisor was informed who, in turn, made clear to the employee the importance of attending mandatory ethics training.</p>
<p>8 Public files, 13 Confidential Filers, and 1 non-filer departed CEQ prior to scheduled annual training.</p>
<p>Six (6) individuals left the Agency before the end of 2022. One (1) individual did not complete training before leaving the Agency in January 2023. Four (4) employees did not take training for the following reasons: Two (2) employees did not take training due to oversight and Two (2) employees completed training after the deadline of January 3, 2023. The Agency sent a non-completion warning letter to these 4 employees who have not complete training with an extended deadline. If employees do not compete training by this deadline, a disciplinary letter is sent.</p>
<p>The Ethics Program offered 4 live trainings for OGE Form 278e filers and sent multiple and recurring reminders to filers, supervisors and staff directors to complete training throughout the CY. We also included a reminder regarding training requirement in weekly Agency-wide email. Those who have not completed training will be expected to complete their 2022 and 2023 trainings during calendar year 2023. The Ethics Program offered 10 live trainings for OGE Form 450 filers and sent multiple email reminders to 459 filers, their supervisors and staff directors to complete training throughout the CY. We also included reminder regarding training requirement in weekly Agency-wide email. Those who have not completed training will be expected to complete their 2022 and 2023 trainings during calendar year 2023.</p>
<p>For the OGE 450, one new entrant added at end of year was not trained until first working day of Jan 2023. Six exceptions granted due to extended military, maternity or other leave.</p>
<p>Despite regular reminders and follow up notices, a small percentage (~1.1%) of employees did not complete the training. We will continue to follow up with those who did not complete the training. We would note that 98.96% of employees did receive the required annual training.</p>

<p>Discrepancy in training required and received include those public filers who left prior to end of calendar year. 29 confidential filers did not complete 2022 training in 2022. 16 were on extended leave. Of the 13 who did not complete it within 2022, 3 have completed it as of submission and this office is following up with outstanding employees and their supervisors.</p>
<p>1) Some filers did not respond to requests by ethics officials to attend training. Ethics officials contacted supervisors of those employees and are working to have them complete training in January 2023. Some filers responded and completed training in January 2023. 2) Excused from training due to long-term medical leave. 3) Deployed and had difficulty accessing website containing training. 4) Added to 450 e-filing system after 1 January 2023 for positions they assumed in mid-2022. Not picked up for training in 2022. 5) Left government service before due date to complete training. 6) Filer transferred to another installation. Did not receive training at base where filer originally filed. 7) General and Flag officers detailed to joint assignments with other DoD DAEO Agencies file with the Military Department DAEO Agency but are trained at their duty location. Therefore, these individuals are not included in Military Department DAEO Agency training numbers.</p>
<p>A portion of the untrained received exceptions approximately 222 Army-wide. Extended medical and military leaves, overseas deployments, and inaccurate accounting cover some of these discrepancies.</p>
<p>Commands are aware of the training delinquencies and are working with the filers and supervisors to ensure the training is completed. The command with the largest number of outstanding training requirements states that the delinquency is due to a significant number of personnel being transferred between commands which resulted in a delay in training.</p>
<p>All public filers received training, except one individual who was unable to complete due to pressing assignments but received make-up training in January 2023. Most confidential filers completed training. For those who did not, most were due to deployments and extended leave.</p>
<p>Five 278 filers are non-compliant as of 12/31/22. Four OIG non-compliant 450 filers Two on extended sick leave. One non-compliant purchase card holder.</p>
<p>22 employees were either on military leave, parental leave, or medical leave. One employee started training and did not complete the training.</p>
<p>Primary reasons include employees being on extended leave employee noncompliance and technological problems. Offices are following up with noncompliant employees. SGEs who didn't complete training were not permitted to participate in Department business.</p>
<p>Several of these employees are on extended medical leave, suspended from duty, or military leave. Others have been referred to management for consideration of appropriate action to remedy non-compliance.</p>
<p>Employees either completed the training after the 12/31/2022 deadline or did not self-certify training completion by the deadline. In an effort to obtain compliance, reminders of the requirement to take Annual Ethics Training were sent to employees and when necessary, non-compliance was brought to the attention of the DAEO and ADAEO to help achieve compliance. OIG: One confidential filer is currently on military leave until June 2023 and was not able to complete training before the end of 2022. He will be prompted to complete annual training upon his return to HUD OIG.</p>
<p>Extended leave status of filers, resignations, military duty, recordkeeping errors, technology failures, scheduling conflicts, administrative errors in assignment of training to some confidential filers, continued facility closures due to COVID (BOP).</p>
<p>The discrepancies are attributable to the following reasons: filers were absent from duty for an extended period of time for varying reasons, filers were detailed to another agency, filers departed the agency, filers neglected to complete training after dissemination of multiple reminders or experienced technical difficulty, filers were not notified of requirement in a timely manner, and new entrant filers were identified after annual training sessions had concluded for the calendar year.</p>

The Foreign Service Institute manages our online training course that serves as our primary means of providing AET. In 2022 FSI introduced a new course registration platform which resulted in a lag in time and other difficulties for filers to register in the course. Many employees who attempted to take the course in late December were unable to complete their registrations until January. As a result, due to these technical difficulties, we included those filers who completed the online course in the first part of January 2023 in the statistics above. The numbers above include 34 completions in the first part of January 2023 for OGE 278 filers and 158 completions in the first part of January 2023 for OGE 450 filers.

Discrepancies between the number of employees who were required to receive training and the number of employees who actually received training are attributable to a variety of factors, including employees on extended administrative leave, FMLA leave, military deployment, or placement in leave without pay status.

Many employees were on military, long-term medical, or administrative leave.

The vast majority of the confidential filers who did not timely complete training were at one small bureau, where the ethics office was experiencing staffing issues due to budgetary constraints (hiring pause in effect), a bureau-wide reorganization that required additional attention to its impact on employees subject to financial disclosure requirements, and the sudden departure of the ethics program lead late in the year. Although the employees did not complete their annual ethics training by December 31, most of them did complete the training in January 2023. That bureau is addressing these delays, the remaining employees are completing the training, and DO/HQ is working with the bureau's ethics office on revising their internal processes. At the other bureaus, the filers who did not timely complete training were mostly on extended admin or medical leave or deployed at two bureaus, some employees overlooked reminders and/or failed to complete before year-end leave, but follow-up is

Annual ethics training is assigned electronically in the Talent Management System. Ethics does not track individually. Individual supervisors monitor their employees. Contracting officers are counted in the CFD filers. The annual financial disclosure report filing communications are used as an opportunity to remind filers of their training requirements.

For the public filers, 8 did not complete annual ethics training by 12/31/22 because: (a) 2 appointees departed EPA prior to 12/31/22 (b) 3 appointees are on detail to other federal agencies (c) 1 is on maternity leave and (d) 2 were late, despite reminders. They nevertheless completed the training (though it doesn't count) in early 2023. For the confidential filers, some employees waited until late December to take the training, and then: lost track of time, experienced medical issues, were on use-or-lose, mistakenly thought they had completed the training, or departed the agency prior to taking the training.

Three 450 filers were on approved extended leave when annual training was made available.

The one employee that has not completed training partially attended a session (35 minutes) but did not satisfy her one-hour requirement. Scheduling and workload challenges have kept her from satisfying her annual training requirements.

Annual ethics training was expanded to all FDIC employees pursuant to 5 C.F.R. 2638.307(a)(4) in 2022. The FDIC changed to a new training platform in 2022, resulting in difficulty tracking completed training between the new and decommissioned systems. 100 employees did not complete annual ethics training in calendar year 2022: -1 public filer was on military leave (the filer returned from leave and completed the training in January 2023) -19 confidential filers (11 were on medical, admin, military, and/or parental leave, 7 completed the training in January 2023 and 1 did not complete the training) -80 other employees (15 were on medical, admin, military, parental leave, LWOP) & 65 did not complete the training)

Some SES employees left the Commission before the training. One additional SES employee was on extended leave and did not take the training. With regard to 450 filers, those who did not take the training were either on extended sick leave, military leave, maternity leave, retired, detailed to another agency and deceased.
Four 278 filers were on (and continue to be on) administrative leave during the annual ethics training season.
Due to a death in the immediate family, one employee was on extended leave and unable to complete online annual ethics training before the end of the calendar year. The individual completed online annual ethics training upon their return to the office in January 2023.
As of December 31, 2022, nine employees who were required to file an OGE Form 450 did not receive the annual ethics training because they were on extended leave. Two of the nine employees received the 2022 annual ethics training in January 2023. The two employees who completed training in January 2023 were added into the numbers above. There are seven(7) employees remaining. They will receive the training when they return.
Some employees have been on extended leave for medical and other reasons. We also had a larger volume of separations at the end of the year where individuals departed before completing training.
One public filer was on leave throughout the training period. Two of the confidential filers received the training early in 2023 after being on leave in training period. One filer retired prior to completing the training.
Two confidential filers were exempt from 2022 annual ethics training due to extended leave status.
Q20.c - One filer is on active military duty and will complete their training upon their return to the office. Another filer did not complete the interactive portion of their training before the end of the calendar year, but has presently completed that portion of their training.
4 employees who are required to complete the annual training program retired prior to the distribution of the annual training materials for CY2022.
Four employees were on extended sick because of serious illnesses.
The numbers reported above are percentages. Actual numbers are made available to cleared OGE personnel when required. For the filers who did not complete annual ethics training, the ethics office is reviewing the individual circumstances and reaching out to filers and their supervisors to ensure the training is completed where required.
The NTSB requires all agency employees to receive live annual ethics training, with limited exceptions. Thirteen employees were unable to attend live ethics training because of leaves of absence and conflicts with other official duties. Eleven of those employees received interactive ethics training in 2022. The remaining two employees returned to work after extended leave and completed interactive training in January 2023. As of January 27, 2023, all 410 employees have completed 2022 Annual Ethics Training.
Some discrepancy is due to employees being on annual or medical leave, or having separated from the agency before December 31, 2022. Any other outstanding training requirements are being pursued through notifications to the individuals and their supervisors.
A confidential filer left the agency before annual training took place.
A few employees were on extended leave and unable to complete training. These individuals will complete training upon their return to work.
Excused by ADAEO and DCOS One employee was out on extended parental leave.
OSTP OGC required all staff members to complete their AETs. However, not all staff members complied with this request.
Two were on extended administrative or medical leave through the end of the year one was detailed to another agency.

<p>b. The public filer who still needs to complete their Annual Ethics Training was on maternity leave when the training launched and will complete it upon their return in early February. c. The confidential filer who still needs to complete their Annual Ethics Training has been on extended leave and will complete the training upon their return in early February. d. One of our public filers was appointed Director of the Peace Corps by the President, confirmed by the Senate, and officially sworn in on December 21, 2022. For this reason, we have counted her completion of the Annual Ethics Training here.</p>
<p>Two employees did not complete annual ethics training by the end of the calendar year.</p>
<p>Agency ethics policy require all staff to receive annual ethics training. OGC provided ethics training and reminder to staff, but training did not meet all requirements of 5 CFR 2638.307</p>
<p>the DAEO has not yet received formal training (only person required to file 278e)</p>
<p>Two of the employees were both on extended leave and unable to complete the training. The remaining five employees were not trained due to an administrative oversight.</p>
<p>Three employees are on extended medical leave and one employee is on extended military leave.</p>
<p>28 employees took the training between January 1-4, 2023, which was after the December 31, 2022 deadline. 7 employees had a change in position that resulted in training reassignments from individual contributor to manager the reassignment changes took place in November and December prior to completing ethics training the system allows 90 days for ethics training based on the new assignment. If employees do not complete the training by the due date, their network access will be disabled until completed.</p>
<p>Many Foreign Service employees go on home leave (for up to 90 days) at the end of the year when annual ethics training is regularly held. USAID recognizes this deficiency in not holding trainings throughout the year and has already changed that practice for 2023 and intends to do a self-assessment in Q3 to see which annual filers have not yet completed training in order to nudge them to do so.</p>
<p>One Commission Member resigned prior to the end of the year and did not submit the Ethics Acknowledgement form. However, this Commission Member was appointed at the beginning of the year and did receive the ethics training during onboarding and all Commission Members received the interactive ethics training materials during the year.</p>
<p>One employees is unavailable due to an extended military deployment, one employee was on extended medical leave, and one employee is on extended annual leave. Four employees completed the annual training after December 31, 2022. We are working with the remaining employees who were otherwise unable to complete the annual ethics training to ensure they complete the training as soon as practicable.</p>
<p>The Postal Service’s Ethics and Compliance team sent several reminder emails to OGE Form 450 filers to complete annual ethics training. The Postal Service’s Ethics and Compliance team also informed senior leadership of OGE Form 450 filers’ failure to complete annual ethics training. Despite both measures, 25 OGE Form 450 filers failed to complete annual ethics training in 2022. The Postmaster General was provided with a list of those employees who failed to take annual ethics training.</p>
<p>Insufficient ethics manpower to handle workload.</p>
<p>One OGE450 filer was on long term leave and will make up the training upon their return.</p>
<p>Section b: One employee was unable to attend any live annual trainings sessions, but was subsequently provided with written annual training materials and an opportunity to ask questions. Section d: Due to an administrative error, 33 employees were incorrectly recorded as having received their annual training. When the error was discovered, trainings were promptly scheduled for all affected employees, and nearly all such trainings had been completed at the time of this report.</p>

Question 21 Table 1

<p>The DAEO established a requirement for annual continued education of all Army ethics counselors via OGE webinars or other applicable methods. Other Army officials mandated ethics training for senior official staffs, incoming commanders, government credit card holders, Inspector General personnel, and safety personnel. Some commanders/supervisors required annual training of 100% of employees. Some commands/supervisors mandated special training for categories such as aides/executive officers, command group staff, supervisors, contracting officer representatives, and contract specialists. Various acquisition-oriented offices required their employees to complete ethics training geared toward their mission.</p>
<p>Many agencies and commands require all personnel to receive annual ethics training. Additionally, most provide additional training to senior leader staff. DoD continues to emphasize live, leader led, values based training as the primary training methodology. Additionally, DoD provides live/interactive ethics training to all political appointees, where feasible, and requires that PAS officials receive a live initial briefing with seven days of commencing service.</p>
<p>The Department provides training for ethics officials, including quarterly meetings, an annual workshop, and a newly implemented Ethics Basics series for new ethics officials. Some components provide additional training for their ethics officials. Many component offices require all employees to complete AET, not just those covered by regulation. At the time the data was compiled, 33,821 non-covered employees completed AET. Many components include ethics topics during their new employee orientations. Some components offer financial disclosure training for their filers. One component holds an Ethics Bootcamp each January for its ethics officials. One component requires all incoming IPA detailees to complete a Standards of Conduct Acknowledgement.</p>
<p>Certification of completion not required.</p>
<p>All DOJ attorneys must receive annual professionalism training which includes government ethics. Purchase card holders receive annual ethics training. Many components and offices require all employees and/or all professional and administrative staff to receive annual ethics training regardless of their financial disclosure status. Some components offer pre-retirement counselling or seminars which include training on post-government ethics rules. DEA: core and senior employees must pass a test/ethics study. EOUST: Administrative Officers not otherwise financial disclosure filers must receive annual ethics training. CRM: Overseas employees receive additional ethics training focused on international issues and off duty conduct. DEO offered interactive online annual ethics training in CY2022 which requires passing a test on the ethics rules. USMS established annual acknowledgement of ethics training.</p>
<p>Employees who are not required to file 450s or 278s receive annual ethics training along with required filers at the agency. The DAEO requires that our Advisory Council certify annually that they understand and are abiding by the applicable ethics rules. Additionally, the DAEO requires that those who could not attend the live Annual Ethics Training certify that they have viewed the recording of the live training.</p>
<p>MCC requires all of their employees to take Annual Ethics Training.</p>
<p>Contracting officers as well as IT professionals who work/supervise contractors are required to complete specialized training, "The Government-Contractor Relationship at NSF". In addition to completing IET, new program officers are required to attend a merit review basics course where they receive an additional hour of ethics training geared towards managing their COIs and merit review panel COIs.</p>
<p>We established an annual training module specifically for Prohibited Securities that is assigned to all agency employees. As part of the new training all NRC employees are required to acknowledge they understand certain elements of the training, which is retained for record-keeping purposes</p>

<p>DFC Ethics training policy sets forth that all employees will be asked to attend annual ethics training in the year(s) after onboarding. Other than employees who require live training every year, all employees are offered live training and interactive training in alternating years.</p>
<p>All but 1 contractor, who worked with USADF for approximately 4.5 months, has completed initial ethics training. All contractors are provided annual Ethics Training material as well as Partners abroad, involved substantially, in agency operations. Certification procedures exist.</p>
<p>Annual ethics training is required for all employees, including non-covered employees.</p>
<p>The DAEO established a requirement for annual continued education of all Army ethics counselors via OGE webinars or other applicable methods. Other Army officials mandated ethics training for senior official staffs, incoming commanders, government credit card holders, Inspector General personnel, and safety personnel. Some commanders/supervisors required annual training of 100% of employees. Some commands/supervisors mandated special training for categories such as aides/executive officers, command group staff, supervisors, contracting officer representatives, and contract specialists. Various acquisition-oriented offices required their employees to complete ethics training geared toward their mission.</p>
<p>The DAEO has delegated certain duties to certified ethics counselors. In order to be certified as an ethics counselor, the DON attorney must complete a minimum of eight hours of training in the core ethics/standards of conduct subject areas (e.g., conflict of interest, financial disclosure, post-Government employment, gifts, use of Government resources, misuse of position, and relations with non-Federal entities). Additionally, certified ethics counselors must complete one hour of annual refresher training.</p>
<p>The DAEO established ethics counselor training requirements for all ethics officials at the Department of Energy. Each ethics official must complete four hours of ethics training each calendar year, whether it is through the Institute for Ethics in Government or another source that offers training relevant to providing ethics advice and counseling. The DAEO established additional initial and annual ethics training requirements for all non-career SES and Schedule C employees.</p>
<p>The Department provides training for ethics officials, including quarterly meetings, an annual workshop, and a newly implemented Ethics Basics series for new ethics officials. Some components provide additional training for their ethics officials. Many component offices require all employees to complete AET, not just those covered by regulation. At the time the data was compiled, 33,821 non-covered employees completed AET. Many components include ethics topics during their new employee orientations. Some components offer financial disclosure training for their filers. One component holds an Ethics Bootcamp each January for its ethics officials. One component requires all incoming IPA detailees to complete a Standards of Conduct Acknowledgement.</p>
<p>Certification of completion not required.</p>
<p>In 2022, the DEO provided additional training for employees performing ethics duties, including two multi-part courses focused on key ethics authorities and two additional seminars devoted to key ethics laws and regulations. In addition, the DEO held an ethics summit for all ethics officials in the DOI to deliver training, highlight resources, and share best practices. Finally, prior to the start of confidential and public financial disclosure filing season each filing year, the DEO provides reviewer and administrator training to all ethics officials with financial disclosure responsibilities. In addition, under the authority established by 5 C.F.R. 2638.307(a)(4), certain DOI employees were designated as covered employees and required to complete annual ethics training. In addition, any employee required to complete IET and AET were also required to complete training on the Department's supplemental regulations.</p>

VA requires all employees to receive annual ethics training. It is assigned and provided electronically. Our records show an overall government ethics training completion rate of 91.76%. This does not include SES, who receive live training every year. Some employees who do not have computer access, such as cemetery workers, may not show as having received the training.
Agency Policy letter requires all EXIM employees to attend initial and annual ethics training beyond those described in 5 CFR 2638.303-308
My agency established additional training requirements for other groups of employees, beyond those described in 5 C.F.R. 2638.303-308 (notices to new employees and supervisors, initial ethics training, ethics briefings, annual ethics training)? Please describe: Certain groups must receive annual ethics training regardless of their GS-levels and responsibilities (e.g., all staff who work in Commissioner offices). Managers throughout the FTC have also designated certain persons for mandatory annual ethics training based on the nature of their responsibilities, degree of independence, etc.
ONDCP provided an additional mandatory Hatch Act training
In addition to public service is a public trust, conflicts of interest, impartiality, misuse of position, time, property gifts between employees, gifts from outside sources, outside activities, seeking and post-employment, we also covered community service activities, endorsements, anti-nepotism and the Hatch Act.
All but 1 contractor, who worked with USADF for approximately 4.5 months, has completed initial ethics training. All contractors are provided annual Ethics Training material as well as Partners abroad, involved substantially, in agency operations. Certification procedures exist.
The agency provide annual ethics training to all staff at the US Access Board.
Contracting Officer's Representatives (CORs) receive ethics briefings as part of their periodic COR training. In addition, ethics staff send supplemental guidance and meet individually with departing senior employees subject to 18 U.S.C. 207(c) to explain post-employment ethics restrictions.
All OGC attorneys.
The Bureau Director required all Bureau employees who worked at the Bureau as of October 1, 2022 to attend annual ethics training, without regard to their status as an OGE Form 278e or 450 filer. In 2022, the Bureau's Ethics Office provided supplemental training to specific program offices at their request on the following subjects: 1) ethics issues related to invitational travel and gifts, 2) post-government employment restrictions and engaging with former employees, and 3) ethics concerns in social media use. In June of 2022, the Bureau's Ethics Office also hosted a voluntary Hatch Act "Lunch and Learn" session for Bureau staff in anticipation of election season.
The Office of the DeCA General Counsel provides customized ethics training to new store managers, supervisors as well as area and zone directors.
All DISA employees are assigned to perform annual computer based ethics training, and all supervisory personnel are required to receive additional ethics training annually (conducted by a live presenter virtually).
The DAEO required all agency employees to attend live annual ethics training.
The DAEO established a requirement for annual continued education of all Army ethics counselors via OGE webinars or other applicable methods. Other Army officials mandated ethics training for senior official staffs, incoming commanders, government credit card holders, Inspector General personnel, and safety personnel. Some commanders/supervisors required annual training of 100% of employees. Some commands/supervisors mandated special training for categories such as aides/executive officers, command group staff, supervisors, contracting officer representatives, and contract specialists. Various acquisition-oriented offices required their employees to complete ethics training geared toward their mission.

<p>Because of the DoD OIG oversight responsibilities, the Agency Head, with advice and counsel of the DAEO/GC, has determined it critical that all OIG employees receive annual ethics training.</p>
<p>Many agencies and commands require all personnel to receive annual ethics training. Additionally, most provide additional training to senior leader staff. DoD continues to emphasize live, leader led, values based training as the primary training methodology. Additionally, DoD provides live/interactive ethics training to all political appointees, where feasible, and requires that PAS officials receive a live initial briefing with seven days of commencing service.</p>
<p>The DAEO established ethics counselor training requirements for all ethics officials at the Department of Energy. Each ethics official must complete four hours of ethics training each calendar year, whether it is through the Institute for Ethics in Government or another source that offers training relevant to providing ethics advice and counseling. The DAEO established additional initial and annual ethics training requirements for all non-career SES and Schedule C employees.</p>
<p>The Department provides training for ethics officials, including quarterly meetings, an annual workshop, and a newly implemented Ethics Basics series for new ethics officials. Some components provide additional training for their ethics officials. Many component offices require all employees to complete AET, not just those covered by regulation. At the time the data was compiled, 33,821 non-covered employees completed AET. Many components include ethics topics during their new employee orientations. Some components offer financial disclosure training for their filers. One component holds an Ethics Bootcamp each January for its ethics officials. One component requires all incoming IPA detailees to complete a Standards of Conduct Acknowledgement.</p>
<p>All DOJ attorneys must receive annual professionalism training which includes government ethics. Purchase card holders receive annual ethics training. Many components and offices require all employees and/or all professional and administrative staff to receive annual ethics training regardless of their financial disclosure status. Some components offer pre-retirement counselling or seminars which include training on post-government ethics rules. DEA: core and senior employees must pass a test/ethics study. EOUST: Administrative Officers not otherwise financial disclosure filers must receive annual ethics training. CRM: Overseas employees receive additional ethics training focused on international issues and off duty conduct. DEO offered interactive online annual ethics training in CY2022 which requires passing a test on the ethics rules. USMS established annual acknowledgement of ethics training.</p>
<p>In 2022, the DEO provided additional training for employees performing ethics duties, including two multi-part courses focused on key ethics authorities and two additional seminars devoted to key ethics laws and regulations. In addition, the DEO held an ethics summit for all ethics officials in the DOI to deliver training, highlight resources, and share best practices. Finally, prior to the start of confidential and public financial disclosure filing season each filing year, the DEO provides reviewer and administrator training to all ethics officials with financial disclosure responsibilities. In addition, under the authority established by 5 C.F.R. 2638.307(a)(4), certain DOI employees were designated as covered employees and required to complete annual ethics training. In addition, any employee required to complete IET and AET were also required to complete training on the Department's supplemental regulations.</p>
<p>For DO/HQ, new entrant public filers who onboarded before August 1 and confidential filers who onboarded before June 1 were required to complete annual ethics training, and all new supervisors must complete an interactive ethics training module. Five bureaus require all employees to take annual ethics training. One bureau requires ethics briefings for employees traveling on official duty outside the United States. Five bureaus did not establish additional requirements.</p>

<p>The Ethics Office Director provides an "ethics moment" at the beginning of the weekly Administrator's senior staff meeting. In addition, EPA Ethics regularly provides ethics training to EPA's LEGIS fellows and also to the Brookings Institute for all of the federal agencies' LEGIS fellows. We also provide training to the EPA Designated Federal Officers in charge of FACA committees and also, upon request, to the FACA committees. We also provide training to interns and law clerks, whether paid or unpaid, and as needed or requested by offices and employees on all aspects of the federal ethics laws and regulations and the Hatch Act.</p>
<p>In coordination with the Office of Secondary Market Oversight, the Ethics Office developed additional ethics training specific to employees providing oversight of Farmer Mac to ensure that they were aware of heightened ethical appearance concerns and conflict free before engaging in Farmer Mac oversight activities. The training is online and accompanied by a form that must be signed by employees certifying to their understanding of the ethics rules and will be repeated annually.</p>
<p>All employees encouraged to take Annual Ethics Training in our system.</p>
<p>All Commission employees not just financial disclosure filers are required to take the Annual Ethics Training.</p>
<p>FHFA requires all employees to complete annual ethics training unless they received new employee ethics training during the same calendar year.</p>
<p>All GSA employees including the covered employees above, were required to complete annual ethics training.</p>
<p>Employees who are not required to file 450s or 278s receive annual ethics training along with required filers at the agency. The DAEO requires that our Advisory Council certify annually that they understand and are abiding by the applicable ethics rules. Additionally, the DAEO requires that those who could not attend the live Annual Ethics Training certify that they have viewed the recording of the live training.</p>
<p>MCC requires all of their employees to take Annual Ethics Training.</p>
<p>All employees who serve as evaluators for procurements are required to complete a training. In addition, starting in CY 2020 all agency employees were required to complete an annual refresher training course in a number of subjects critical to NARA's mission, including an ethics component. Finally, the Archivist's Management Team - approximately 20 senior officials - receives quarterly ethics briefings.</p>
<p>Annual ethics training is provided to all NCPC employees even those who did not file an SF-450.</p>
<p>Annual ethics training was mandatory for all NCUA employees in CY2022, regardless of financial disclosure filer status.</p>
<p>Our agency requires that all employees take annual ethics training. This policy was not established during this calendar year.</p>
<p>NEH provides annual ethics training to all agency employees, including those not otherwise required by regulation to receive training.</p>

<p>It is our practice to send reminders that cover topics that are included in our required Annual Ethics Training to all Agency employees. This approach ensures continuity in our messaging concerning the Standards of Conduct and Criminal Conflict of Interest Statutes. The agency also requires that all supervisors and managers, not just financial disclosure filers, complete Annual Ethics Training. We also give a customized ethics briefing to Senior Executive Service employees who were not promoted from within the NLRB, all participants of the Agency’s Summer Intern Program, and all attorneys hired under the Honors Attorney program. We provide a comprehensive ethics training to members of a Presidential appointee’s front office staff and to the employees in the Office of Congressional and Public Affairs (OCPA) to ensure that these employees understand the additional limitations that are placed on appointees under the Biden Ethics Pledge. Lastly, because the Office of Human Resources (OHR) is tasked with carrying out a number of ethics compliance responsibilities, the DAEO provided a briefing to educate OHR staff about the diverse functions of the Ethics Office and the importance of OHR’s role in maintaining an ethical culture.</p>
<p>We established an annual training module specifically for Prohibited Securities that is assigned to all agency employees. As part of the new training all NRC employees are required to acknowledge they understand certain elements of the training, which is retained for record-keeping purposes</p>
<p>All OGE staff are required to receive annual ethics education.</p>
<p>OMB requires unpaid and stipend interns to complete IET. OMB also required employees who took IET early in the year to also take annual AET.</p>
<p>Our office made annual ethics training mandatory for the entire staff.</p>
<p>We provide initial and annual ethics training for all agency employees, detailees, and contractors.</p>
<p>Overseas staff attending Overseas Staff Training (OST) are required to receive training focused on ethics issues they may encounter in an overseas environment. These OSTs are held bi-annually. Also, new personal services contractor (PSC) staff at overseas Peace Corps Posts were required in 2022, as they have been for several years now, to review ethics materials upon entering on duty. The Peace Corps Ethics Team worked with our Office of Staff Learning and Development to have new PSC staff in 2023 fulfill this requirement via an online, interactive training course.</p>
<p>DAEO requires that all Commission employees - even non-filers - receive live ethics training (performed live via Teams in 2022).</p>
<p>In 2022, the SEC required mandatory ethics training for all SEC employees onboard as of December 31, 2022, including employees who are not OGE Form 450 or OGE Form 278 filers. Additionally, the Ethics Office publishes weekly Ethics Bulletins covering ethics issues that are generating questions from employees. OEC staff also provided ethics presentations at office / division town halls and staff meetings.</p>
<p>Our agency requires all employees to attend live training for both initial and annual ethics training.</p>
<p>The Board now provides one-hour in-person (virtual) annual ethics training for all employees.</p>
<p>All TVA employees and staff augmentation contractors are required to take annual ethics training. Managed task contractors are not required but are strongly encouraged to take the training.</p>
<p>All employees must complete 60 minutes of live ethics training each year regardless of filer status.</p>
<p>In addition to public service is a public trust, conflicts of interest, impartiality, misuse of position, time, property gifts between employees, gifts from outside sources, outside activities, seeking and post-employment, we also covered community service activities, endorsements, anti-nepotism and the Hatch Act.</p>
<p>Notices are sent to all new supervisors and training provided.</p>
<p>DFC Ethics training policy sets forth that all employees will be asked to attend annual ethics training in the year(s) after onboarding. Other than employees who require live training every year, all employees are offered live training and interactive training in alternating years.</p>

Question 22 Table 1

Discussed with Headquarters Policy Office methods to combine Ethics Conflicts of Interest and Impartiality Standard with the requirements of Generally Accepted Government Auditing Standards Independence.
One component performs a quarterly risk assessment. One component created a supplemental OGE Form 450 review guide to address frequent or emerging issues. One component switched from an internal IET to the Department's IET. One component solicited questions from employees and requested training accordingly. One component solicits feedback from ethics officials in area offices to identify training needs.
ATF: assessed day to day risk and dedicated more time and training to procurement staff and teaching, speaking and writing. DEA: coordinated high risk issues with DEA Office of Compliance. EOUST: In light of midterm elections emphasized Hatch Act in live interactive training sessions with Q&A. DEO: Ethics meetings open to all DOJ ethics officials are held by MS Teams twice per month and include discussions of pressing ethics issues which are incorporated into ethics training.
One bureau did not assess risk.
Took into account accelerated schedule for Space Launch System (SLS) progress, Human Landing System (HLS) programs and other acquisitions, and commercial partnerships.
We provide ethics training directed specifically to Acquisition staff and the CIO's office, who work the most on high-dollar IT acquisitions. This training includes relatively more training on acquisition-specific topics like the Procurement Integrity Act than regular annual training. We also provide targeted trainings for other units.
Provide an ethics newsletter and post ethics information on the DeCA General Counsel web page for employees. Engaged with the DoD Standards of Conduct Office (SOCO) to supplement the 2022 senior leader ethics training by having SOCO personnel visit DeCA HQ and provide additional training at the DeCA Senior Staff Meeting.
Included a one-hour Ethics Interactive Discussion in the Annual Business Review (ABR) that focused primarily on the Hatch Act. The ABR is an annual event attended by all DFAS senior leaders and directors where DFAS conducts a strategy refresh to review Agency direction and strategic priorities, validate ABP goals, and ensure initiatives are properly aligned and resourced in support of goal achievement.
Completed the Annual Agency Risk Management Program and Internal Controls assessment.
1) Provided annual ethics training specific to contract officer representatives, which helps in identifying issues needing further training. 2) Worked with Government Purchase Card Program manager to provide ethics training to new government purchase card holders and approving officials. 3) Reviewed ethics training materials during self-inspections. Judge Advocate General's team reviewed materials during inspection.
The GC/DAEO meets weekly with agency head. Current ethics issues are addressed during this meeting. The DAEO holds a bi-weekly meeting with the Ethics Program team to address programmatic and policy issues, to include ethics education and communications.
One component performs a quarterly risk assessment. One component created a supplemental OGE Form 450 review guide to address frequent or emerging issues. One component switched from an internal IET to the Department's IET. One component solicited questions from employees and requested training accordingly. One component solicits feedback from ethics officials in area offices to identify training needs.

OIG: During the reporting year HUD OIG conducted a comprehensive review of its ethics program. HUD OIG reviewed its training program, disclosure report process, timeliness, substantive ethics opinions, and outside activity review process across a three-year period. As a result of that review, it made a number of organizational and process changes to improve the timeliness and accuracy of its ethics work. These changes include: increasing management oversight and involvement information processing improvements adoption of metrics and internal reporting requirements and changes to staff composition.
Took into account accelerated schedule for Space Launch System (SLS) progress, Human Landing System (HLS) programs and other acquisitions, and commercial partnerships.
Discussed with Organizational Ethics Officials what issues they commonly face in their respective offices.
The General Counsel is also the agency's DAEO and provides all of the ethics advice to members, and most of the ethics advice to staff (reviews all of it). He is therefore aware of issues that tend to come up.
Reviewed advice for common issues.
Ethics officials assessed risks to help inform the content of ethics education and communications.
The Ethics Office solicited questions/topics from employees before annual ethics training.
Reviewed event requests, financial disclosure issues and questions from employees with guidance provided to develop examples and training questions.
As a newly established agency, the Southeast Crescent Regional Commission is working to establish written procedures to include an assessment of risks.
USCPAHA purchased FOnline to manage 450 compliance and rolled it out in 2022.
Ethics advice provided primarily by one individual who noted frequent questions and areas of concern
Included a one-hour Ethics Interactive Discussion in the Annual Business Review (ABR) that focused primarily on the Hatch Act. The ABR is an annual event attended by all DFAS senior leaders and directors where DFAS conducts a strategy refresh to review Agency direction and strategic priorities, validate ABP goals, and ensure initiatives are properly aligned and resourced in support of goal achievement.

Question 23 Table 1

Discussed with Headquarters Policy Office methods to combine Ethics Conflicts of Interest and Impartiality Standard with the requirements of Generally Accepted Government Auditing Standards Independence.
We have submitted additional questions to the DLA bi-annual Dennison Survey which goes out to the entire workforce, to gage DLA employees' knowledge of ethics, awareness of ethics counsel support and opinion of DLA's ethical culture. It will take six months or longer before we can confirm the questions will be added.
Completed the Annual Agency Risk Management Program and Internal Controls assessment.
1) Reviewed training and method of training of sister services. 2) Major command collected feedback at symposium held for the staff judge advocates and law office managers of legal offices in the command. 3) Wing legal offices performed self-assessments of ethics program.
Reviewed training surveys provided by organizations responsible for training events in which the Ethics Program team participated.
Reviewed incoming requests for ethics advice.
One component uses questions received after trainings to determine new training topics and uses frequent questions to create tips sheets and FAQs.

OIG: During the reporting year HUD OIG conducted a comprehensive review of its ethics program. HUD OIG reviewed its training program, disclosure report process, timeliness, substantive ethics opinions, and outside activity review process across a three-year period. As a result of that review, it made a number of organizational and process changes to improve the timeliness and accuracy of its ethics work. These changes include: increasing management oversight and involvement information processing improvements adoption of metrics and internal reporting requirements and changes to staff composition.
DEO: employees taking online ethics training must pass a test which immediately assesses their understanding of the rules and the effectiveness of the training. ATF: evaluated training feedback from participants, feedback on training from supervisory review and training accreditation staff. FBI: uses infrared remotes in interactive training to register responses which helps to immediately evaluate effectiveness of training.
In DO/HQ, after globally emailing two 2022 ethics newsletters and electronic guidance on a variety of topics, including digital assets, Hatch Act, and guidance on holiday gifts, DO/HQ had an influx of questions, showing that people read this guidance and it is effective. One bureau informally surveyed training participants on their perceptions of the training. Some bureaus did not evaluate the effectiveness of ethics education.
Annual client satisfaction survey. Post-virtual training surveys.
Although we do not currently have a formalized evaluation process, we do gather responses anecdotally from our learners and clients. We anticipate incorporating more formal evaluations in the future.
Sent agency-wide survey about effectiveness of ethics office and educational programs
Conducted survey to evaluate effectiveness of ethics program, including the ethics trainings and resources provided by the NEH Office of the General Counsel to NEH staff.
NSF contracted with ECI to conduct a survey of NSF employees and IPAs to evaluate the effectiveness of ethics training and advice.
We inform the training content by current events and issue an annual communication to all employees regarding OGE's conflict of interest prosecution survey.
Received questions for advice directly in response to topics that were covered in the training. Also requested input from managers/supervisors and employees in advance of the training to make certain covered content was relevant and addressed any ethics concerns.
reviewed all post-training comments
As a newly established agency, the Southeast Crescent Regional Commission is working to establish written procedures to include a financial disclosure program, notice of ethical obligations in written offers of employment, and annual training for both federal and non-federal Commission staff.
We searched other agency ethics training for interactive modules we could repurpose. We used the White House ethics modules and YouTube videos for new political appointees for part of our ethics training to make it more interactive.

Part 5 Comments

Question 20: One public filer and 2 confidential filers resigned prior to 12/31/22, but are counted in this questionnaire because they were subject to the filing requirements during the calendar year prior to their departure.

<p>Regarding questions 14 and 18: The DAEO happens to be the person that initiates all personnel hiring actions, so he is always aware of all new hires. Regardless, the human resources contractor for the agency (BSEE within Interior) has included the required language in all offer letters. The entire staff received ethics training in 2022.</p>
<p>Q 17 and Q 20 - Numbers are classified unless included.</p>
<p>#17: Detailees are not included in this response unless they meet the definition of "employee" pursuant to 5CFR 2638.603. #20(c): The number of employees listed as requiring annual training includes both agency employees and detailees assigned to the agency who file confidential financial disclosure reports with the agency. The number does not include detailees assigned to the agency who filed confidential financial disclosure reports with their detailing agency. Additionally, the number does not include employees who attended annual training but also received IET as reflected in the response to #17.</p>
<p>Question 21: DeCA GC created customized ethics training to present to new store managers, supervisors as well as area and zone directors. This training is presented during summits held at DeCA Headquarters and during training courses held at DeCA Headquarters. This training focuses on the standards of conduct as well as issues most relevant to store managers.</p>
<p>Pursuant to question 22, the Ethics Program provides additional ethics briefings upon request for certain issues that impact offices and employees within the Agency.</p>
<p>20. For calendar years 2021 and 2022, USDA's Office of Ethics utilized innovative educational gamification by successfully creating and rolling out the USDA-NASA Ethics Training Game (the "Save the Lunar Greenhouse" Game). USDA's Office of Ethics created this unique training resource in partnership with NASA and NASA's Johnson Space Center. This training module has been used by USDA and NASA employees. Moreover, USDA has made the USDA-NASA Ethics Training Game available to all Federal employees and interested members of the public on USDA's Ethics App (search "USDA Ethics" on any app store) and on USDA's Ethics website (www.usda.gov/ethics). In addition, as supplemental training, USDA led the creation of a new interagency animated Ethics video for Senior Executives (SES). This new video is now being used by USDA, the Department of Defense, HHS, EPA, the Department of the Interior and the Department of Commerce. USDA has placed this new video on YouTube, to available to everyone, along with our 31 other Ethics videos (search: "YouTube USDA Office of Ethics Playlist").</p>
<p>Q15 - All written offers of employment for positions covered by the Standards of Conduct include the information required by 5 CFR 2638.303. Q20 - The personnel listed in item Question 20d are Air Force employees in acquisition-coded positions that require Annual Ethics Training but not the filing of an OGE 450. They are financial management and IT personnel.</p>
<p>Q#22 - Assessed the content of ethics training instruction during ethics staff assistance visits discussed common and emerging ethics risks with the Inspector General, Chief of Internal Review and Compliance, Criminal Investigation Division, and with the Chief of Management/Employee Relations created an ethics-specific email mailbox reviewed internal investigations for trends. Ethics counselors attended all staff meetings in some commands and assessed risk based on those meeting topics. Also, Army ethics counselors instructed on ethics topics at the incoming quarterly SES trainings and assessed the content of this training at the session, as well as during quarterly Army ethics telecons with topics based on surveys of Army ethics counselors. Many ethics counselors used vignettes and discussed current trends in ethics training. Q#23 - Evaluated the effectiveness of interactive training via questions during training followed by emails and/or guidance associated with common issues encountered. Some commands conducted after action reviews of their ethics training. Conducted self-assessments to ensure that required employees understood the training, held discussions with agency leaders and employees to evaluate whether the training and communications they received supported them in managing ethics risks.</p>

<p>Q.20-General and Flag Officers detailed to joint assignments with other DoD DAEO agencies file their OGE 278e reports with their respective military department however, the DoD command is responsible for ensuring that the General or Flag Officer completes his or her required annual training. Therefore, these individuals are not included in the reported annual ethics training numbers.</p>
<p>General Comment. In the pandemic environment, ethics presentations are provided through video and audio communication platforms which permit attendees to ask and answer questions through microphone and written comment functions for interactive participation.</p>
<p>Additional comments for Question #18: In 2022, IET was provided under the DAEO's supervision for all DOI Bureaus and Offices with the exception of the Office of Inspector General (OIG) and National Indian Gaming Commission (NIGC). OIG and NIGC ethics officials are not under the supervision of the DAEO. However, both OIG and NIGC have less than 1,000 employees each and also provided the DAEO with a written assessment containing information on the procedures which have been implemented for the provision of initial ethics training.</p>
<p>VA requires annual ethics training for all employees. We estimate that approximately 390,600 employees, including PFD and CFD filers, received government ethics training in CY 2022.</p>
<p>#23 Ethics staff meet regularly to discuss significant developments, trends and issues that should be added to our annual ethics training, in addition to sending periodic ethics announcements.</p>
<p>We attempted, on numerous occasions, to delete the explanation above for Question #23 but was unsuccessful. We met with Chris Brown at OGE on January 31, 2023 to resolve the issue. Mr. Brown stated that there seems to be a glitch and he would resolve it on his end after we submit the report.</p>
<p>Item 18. The NASA General Counsel supervises offices that provide initial ethics training. NASA's former General Counsel who was NASA's DAEO concluded service as General Counsel and DAEO on October 31, 2022, in transition to retiring from federal service on December 31, 2022. The Alternate DAEO is currently acting DAEO. Offices providing initial ethics training are currently supervised by the acting General Counsel and will resume being supervised by the DAEO upon the appointment of a new General Counsel. In addition to annual ethics training for NASA Employees, NASA ethics officials provided training on Hatch Act with emphasis on social media, telework, and social justice, working with contractors, impartiality training and covered relationships when hiring contractors, and ethics for administrative officers.</p>
<p>Q20.b - one filer did not attend annual training. At the time of annual training, this filer had begun long term leave in anticipation of departing the agency at the end of the calendar year. Accordingly, only 144 of 145 FTE employees were required to attend our annual training.</p>
<p>#16, #17, and #20 - Data not included/is classified. All new employees received training and Standards of Conduct is required mandatory training for all employees per agency.</p>

17iii The Office of Employee Development (OED) is responsible for assigning Initial Ethics Training to new hires, using the agency's new learning management system. OED established a new process, implemented on the first pay period of 2023, whereby training is assigned to each new hire after their NLRB email account has been established on the network. A new employee is notified of their training requirements on the day after their OHR onboarding. They also receive periodic reminders about the requirements from the learning management system. This new automated process replaces the manual assignment process that was prone to error. OED has confirmed that they will be monitoring the process to ensure that new employees are not missed going forward. ----- 20d NLRB Supervisors and Managers who are not financial disclosure filers are directed by leadership to complete the online version of the Annual Ethics Training by January 31st of each year. ----- 22

[Explanation of "other"] We noticed that a number of new employees were entering government service unaware of the limitations placed on them by the Standards of Conduct, Criminal Conflict of Interest Statutes and the Hatch Act, which we identified as creating a risk of ethics violations. Therefore, we developed an Ethics Pre-employment Guide, to provide prospective NLRB employees an overview about the limitations imposed by the ethics rules and regulations. This document is distributed by the NLRB's Office of Human Resources to any individual who is offered employment with the Agency. Its purpose is to make them aware of ethics restrictions and reduce the likelihood of violations. Also, based on risk assessment, we recognized that employees needed a deep dive into the topic of financial conflicts that included practical information about identifying assets and managing recusals. In addition, we expanded the implementation of processes and procedures to facilitate effective recusal and screening when employees have disqualifying financial conflicts of interest.

Question 17: Please note that this data is for employees onboarding at NSA-Washington, which is the majority of the workforce. When finalizing our responses to this Questionnaire, it was discovered that employees who onboard elsewhere are not included. We are actively taking steps to address this issue, including making sure appropriate processes are in place to ensure compliance with the initial ethics training and related data-reporting requirement for the entire enterprise.

Q.20: Any discrepancies with OGE Form 278e or 450 filers are due to the fact that the individuals departed their positions before annual training was conducted.

Question #17 & 20: In addition to initial and annual training, in 2022, we provided targeted training at the request of an OPM office, which 21 officials of that office attended.

Q16: OVP does not have any agency leaders as defined by 5 CFR 2638.305(a). Q17: OVP provides initial ethics training to all OVP staff, defined to include members of the Executive Office of the President, OVP Senate employees, detailees and assigned personnel from other agencies. Q20: OVP requires all employees to participate in annual ethics training. Employees are defined to include staff of the Executive Office of the President, OVP Senate employees, detailees and assigned personnel from other agencies, and SGEs Only one SGE was employed when the annual ethics training was delivered.

17. Our agency, like many others, has recently begun offering paid internships. We are currently working to determine whether our agency's interns qualify as employees under the government ethics rules and should be required to receive IET going forward in calendar year 2023.

Ethics officials publish Ethics Dispatches to highlight ethics issues that may be of interest to agency employees and are timed to occur during the year when certain ethics issues might arise (e.g., gift rules during the holiday season, Hatch Act during elections seasons, etc.). New issues are circulated to the entire agency on a quarterly basis.

Question 26 Table 1

The CIA does not provide copies of waivers because the substance of those waivers is classified and/or the information is protected by Section 6 of the CIA Act of 1949. The waivers were granted pursuant to standing OGE concurrence on similar fact patterns.
It has taken a long time to: correctly draft the request for a waiver, get information from the filer who was often occupied in the field with mission-related activities, and get answers back to OGE's questions. Some issues are still pending.
One component sends waivers to OGE on a quarterly basis, thus the number of waivers sent in FY22 includes those from Q4 of FY21 and Q1 – Q3 of 2022.

Part 6 Comments

Question 24, Section 2: Auditors are also subject to the independence standards of Generally Accepted Government Auditing Standards (GAGAS), which are incorporated into the DCAA Contract Audit Manual (CAM) Chapter 2. Independence is very closely aligned with the Impartiality standard. As a result, when performing independence analysis, the Ethics Office also applies impartiality standards. However, unlike agency determination that may be available for the impartiality standards, agency determination is available for independence. Independence is either subject to application of safeguards (which may include recusal) or they are not.
Five of six STOCK act notices were revisions from the same employee as he reduced the number of potential employers.
Q24. The frequency of ethics questions asked on these topics does not necessarily reflect the relative seriousness of ethics questions that employees ask. Q26: In responding to an OGE-201 request, DOJ discovered that two 18 USC 208 (b)(1) waivers reported on a previous Questionnaire were actually not approved by the Agency Designee. The waivers were in the final stages of approval at the time information was gathered for the Questionnaire, and the responsible component added them to their count of approved waivers, assuming they would be approved. DOJ discussed this issue with the OGE desk officer when this reporting error was discovered.
Q24: Responses provided are consolidated based on topics and quantities reported by bureaus. However, in DO/HQ, we rank Gifts #1, Financial Disclosure #2, and COI #3.

Question 27a Table 1

ACUS is a micro agency that contracts out most HR functions. The DAEO makes the determination about whether financial disclosure filings are necessary once a hiring decision has been made by the agency head (or when a staff departure is planned). In general, SES and PAS positions will usually require public reports, while GS-15 positions will usually require confidential reports.
The DAEO happens to be the person that initiates all personnel hiring, terminations, and retirement actions, in coordination with the human resources contractor, so he is always aware of all such actions.
During my short tenure as DAEO, I am unaware of any appointments to public and confidential financial disclosure filing positions.
Did not hire any positions in 2022 that required a public financial disclosure.
The only public filers in the agency are the DAEO and the Executive Director. The DAEO is well informed through other duties when a new appointment is occurring well before the 15-day deadline a formal notification from human resources is unnecessary.

USARC had no such appointments.
Due to the structure and small size of the ASBCA, the DAEO and ADAEO are the first to know about relevant appointments.
No new appointments.
Most of the positions for which the agency was hiring did not require the filing of a financial report.
CFA uses a Shared Provider (BSEE) for its HR services.
There were no new appointments to public filing positions.
Positions at CEQ are typically created for each individual human resources does not know which of the newly created positions are public financial disclosure positions. CEQ's ethics officials sends notifications to filers.
In our agency (with the exception of employees with duties as Contracting Officer's Representatives, who all have to file), the individual supervisor determines who has to file OGE 450s using the OGE 450 job guide put out by OGE and it is not tracked by the human resources office. However, HR does track the occupants of the SES type billets and they notify the legal office when Public Disclosure filers enter and leave.
Never had knowledge of this.
No public filers were appointed
1) Other entities such as the Air Force Ethics Office or supervisors notify local ethics offices of appointments. 2) In-processing checklist for some bases require new employees to contact legal office to inquire about filing status. 3) Some civilian personnel offices in the field do not inform the legal office when new employees are hired. Ethics offices did not know why. Many field legal offices are working with civilian personnel to establish a notification process. 4) Some offices receive rosters from personnel office showing who has been hired in the prior 30 days. Will miss 15-day deadline for some personnel.
Public financial disclosure filer positions are determined by the Office of Ethics according to title and grade IAW Agency policy. The Office of Human Capital does notify the agency ethics officials of all new hires within 15 days.
FCSIC did not have new entrants in 2022.
We had no such appointments this year.
JUSFC is a nano-sized agency of no more than 4 FTE's. This is a low turnover agency for filing positions. There were no new filing position hires in 2022.
No such appointments were made.
The DAEO tracks all hiring actions, so HR notification is not necessary.
At MSFC we are not notified by OHC of confidential filer position determinations. This information is available to Ethics POC in reports in the Ethics Program Tracking System
There are only 2 public filers at NCPC -- the Executive Director and the DAEO. These positions have been static for a long time.
OGE had no new hires to public filing positions in 2022.
No new employees hired.
During CY 2022, there were no appointments at IPEC to public financial disclosure filing positions. And, IPEC does not have a separate HR office.
ONCD's equal classification request was submitted by the DAEO so he was aware of the requirement to file for public filers once equal classification request was granted.
All public and confidential filers and appointments were ID'd to the DAEO by other means.

USAID lost its career CHCO and both of its career Deputy CHCOs during this calendar year. All of these positions still remain encumbered by acting officials. This, in addition to the turmoil associated with the Return to Work and a huge hiring surge at USAID resulted in HCTM processes being disrupted and inconsistent. HCTM is currently working with the DAEO and the Bureau for Management to improve the identification and notification of all financial disclosure filers in a manner consistent with 5 CFR 2638.105.
GSA CABS does not make any recommendation or notification of ethics related issues or need/requirement to file the 450 or 278. GSA CABS does not provide any training or intro to ethics as part of their onboarding. There were no new hires in 2022.
The Ethics and Compliance team obtains a report from the Human Resources database on a weekly basis. The Postal Service broadly announces the appointment of new officers.
The agency's current roster of Public Filers are already part of the agency, which did not require HR position notifications.

Question 27b Table 1

The DAEO happens to be the person that initiates all personnel hiring, terminations, and retirement actions, in coordination with the human resources contractor, so he is always aware of all such actions.
During my short tenure as DAEO, I am unaware of any appointments to public and confidential financial disclosure filing positions.
No new appointments of confidential filers.
Because the Access Board is a micro-agency and does not have an in-house HR office, it is the General Counsel (DAEO) who determines which positions or duties have financial disclosure obligations. Moreover, because we are a micro-agency, there is generally no need for HR staff to formally notify the DAEO about new appointments. Our agency is small enough (i.e., about 30 employees) that all staff know when a new employees comes on board. In any event, it is standard agency practice for the supervisor of a new employee to send an agency-wide introductory email to all employees before he or she starts work, or, at the latest, upon his or her first day in the office -- either of which is well in advance of the 15-day maximum notice period.
USARC had no such appointments.
Due to the structure and small size of the ASBCA, the DAEO and ADAEO are the first to know about relevant appointments.
No confidential filers.
Most of the positions for which the agency was hiring did not require the filing of a financial report.
CFA does use DOI/BSEE as its Shared Provider for HR services. For Ethics, agency staff are responsible to notification if needed.
Did not have any new confidential filers in 2022.
For Calendar Year 2022, the DAEO and ADAEO were located in a different component from CEA and therefore did not receive notice of all appointments to CEA from HR within the 15-day deadline. Instead, CEA received the notices, obtained the appropriate filings, and reached out to ethics support for review. CEA is currently in the process of establishing their own DAEO and ADAEO.
Positions at CEQ are typically created for each individual human resources does not know which of the newly created positions are confidential financial disclosure positions. CEQ's ethics officials sends notifications to filers.

<p>The DFAS Human Resources System does not have the technical capacity to track new employees who are assigned to or hired into positions requiring the filing of an OGE 450. An attempt was made to provide the ethics office with a monthly list of all OGE 450 filers in hopes that this would include new entrants but this proved to be too cumbersome. Further, DFAS has a number of OGE 450 filers, Contracting Officer's Representatives, for whom the duties that require filing are collateral assignments and are not inherent in the position. The ethics office works with the organizations in which have filers to ensure that we receive timely notice of new entrant OGE 450 filers.</p>
<p>In our agency (with the exception of employees with duties as Contracting Officer's Representatives, who all have to file), the individual supervisor determines who has to file OGE 450s using the OGE 450 job guide put out by OGE and it is not tracked by the human resources office.</p>
<p>OHR provides a monthly report highlighting new appointments to and from public and confidential financial disclosure filing positions. Per OHR, not all billets are coded correctly so we continue to see changes to this list as OHR makes updates to billet designations. OGC and OHR are close mission partners and communicate regularly regarding our financial disclosure program.</p>
<p>No confidential filers were appointed</p>
<p>1) Other entities such as the Air Force Ethics Office or supervisors notify local ethics offices of appointments. 2) In-processing checklist for some bases require new employee to contact legal office to inquire about filing status. 3) Some civilian personnel offices in the field do not inform the legal office when new employees are hired. Ethics offices did not know why. Many field legal offices are working with civilian personnel to establish a notification process. 4) Some offices receive rosters from personnel office showing who has been hired in the prior 30 days. Will miss 15-day deadline for some personnel.</p>
<p>Some individual HR offices were challenged with complying with the OGE/DoD/Army directive to provide this information to relevant ethics offices. Inconsistent communications between HR and ethics offices, spotty HR procedures on this reporting, and turn-over of HR personnel contributed to these issues. But many Army ethics officers received excellent HR cooperation. The Army continues to work on improving communication with its HR offices.</p>
<p>Confidential financial disclosure is decentralized at DOJ. HR is not necessarily the primary source of information to ethics officials about confidential filers. HR does not track or implement confidential financial disclosure, or collect reports. Ethics officials are generally notified of new confidential filers by other means.</p>
<p>EPA Ethics and DEOs had not previously been receiving information about new hires. We continue to struggle with trying to integrate new hire information with ethics tracking because of the systemic problem of DEOs not always being directly involved in designating e450. We continue to try to address this issue with human resources but we understand that EPA is not unique in having this problem.</p>
<p>Confidential filer positions are determined by the Office of Ethics according to title and grade IAW Agency policy. The Office of Human Capital does notify the agency ethics officials of all new employees within 15 days.</p>
<p>FCSIC did not have new entrants in 2022.</p>
<p>DAEO was on leave during and immediately after appointment of confidential filers. Therefore, ADAEO was notified instead.</p>
<p>As a small agency of less than 20 employee, the agency currently has no confidential filers. The agency, however, does have public filers.</p>
<p>No confidential filers</p>
<p>We have no confidential filers</p>
<p>Report is not required for their agency.</p>
<p>In an agency of 13 FTEs no formal notice is needed. The DEAO is otherwise notified of or involved in making all appointments.</p>

The DAEO tracks all hiring actions, so HR notification is not necessary.
NCPC is a small agency, and the DAEO is aware of all new hires. The DAEO determines which new hires must file an SF-450, advises the new hires of the need to file, and advises the deadline for filing the form.
Three confidential filers were accessioned in 2022. Of those for whom timely formal notice was not given, ethics staff was informally aware of these employees' planned accession in advance and was able to prepare for their arrival and filings in advance.
HD does not notify OGC Ethics of confidential filer appointments, the first line supervisor notifies our team.
No Confidential Filers
OGE had no new hires to confidential filing positions in 2022.
No new employees hired
During CY 2022, there were no appointments at IPEC to confidential financial disclosure filing positions. And, IPEC does not have a separate HR office.
HR works with ADAEO to identify financial disclosure filing positions and notifies the filers of the requirement. The DAEO conducts his review once the ADAEO has initially reviewed the report.
The Peace Corps Ethics Team was notified with lists of new employees and monthly staffing reports but not always within the 15-day deadline for staff moving internally into filing positions.
All confidential filers and appointments were timely ID'd to the DAEO by other offices. We are implementing additional procedures to ensure the DAEO also receives notice from the human resources office.
HR does not manage the OGE 450 filer list.
Of the two employed federal employees, none are confidential filers.
USAID lost its career CHCO and both of its career Deputy CHCOs during this calendar year. All of these positions still remain encumbered by acting officials. This, in addition to the turmoil associated with the Return to Work and a huge hiring surge at USAID resulted in HCTM processes being disrupted and inconsistent. HCTM is currently working with the DAEO and the Bureau for Management to improve the identification and notification of all financial disclosure filers in a manner consistent with 5 CFR 2638.105.
GSA CABS does not make any recommendation or notification of ethics related issues or need/requirement to file the 450 or 278. GSA CABS does not provide any training or intro to ethics as part of their onboarding. There were no new hires in 2022.
The Ethics and Compliance team obtains a report from the Human Resources database on a weekly basis. The Postal Service broadly announces the appointment of new officers.

Question 28 Table 1

The DAEO happens to be the person that initiates all personnel hiring, terminations, and retirement actions, in coordination with the human resources contractor, so he is always aware of all such actions.
Unaware of any terminations from public financial disclosure filing positions.
No terminations.
The DAEO retired effective 12.31.22 and submitted her termination report two days before she retired. Because the ADAEO also handles some HR duties, the ADAEO notified the DAEO to file the termination report within 30 days of her retirement.
The only public filers in the agency are the DAEO and the Executive Director. The DAEO is well informed through other duties when a new appointment is occurring well before the 15-day deadline a formal notification from human resources is unnecessary.
USARC has no such appointments.

Due to the structure and small size of the ASBCA, the DAEO and ADAEO are the first to know about relevant terminations.
No terminations.
We are a micro-agency and the OGE Form e278 filers notify the ADAEO personally well before the filers leave the agency.
CFA does use DOI/BSEE as its Shared Provider for HR services. For Ethics, agency staff are responsible to notification if needed.
There were no terminations from public filing positions.
No public filers were terminated
1) At some installations, the filers, their supervisors or the contracting officer representatives notify their ethics office of retirements. Termination filing requirement is covered in annual ethics training. 2) Some offices receive rosters from personnel office showing who retired in the prior 30 days. Will miss 15-day deadline for some personnel. 3) Local personnel office not aware of requirement to notify legal office of terminations. 4) During onboarding sessions, ethics officials identify filers when training on filing requirement. 5) Response from one base - Legal office has system for identifying filers and provides the information to their civilian personnel office.
Ethics officials most often have knowledge of these departures beforehand, or learn of terminations from the filers themselves when they seek ethics advice about seeking employment or are briefed on post-government restrictions. Some components and offices are working to enhance HR communications of filer departures.
Public filer positions are determined by the Office of Ethics according to title and grade IAW Agency policy. The Office of Human Capital does notify the agency ethics officials of all separating employees within 15 days.
FCSIC did not have terminations or separations in 2022.
No such terminations
We had no terminations
In 2022 the General Counsel/DAEO left the agency and therefore notified the ADAEO and OGC staff along with the head of human resources (COO) at the same time.
No terminations
JUSFC is a nano-sized agency of no more than 4 FTE's. This is a low turnover agency for filing positions. There were no new filing position terminations in 2022.
No such terminations occurred.
The DAEO tracks all departures, so HR notification is not necessary.
There have not been any terminations of public financial filers at NCPC in over five years. The most recent public filer, who retired over five years ago, provided the form without any need for notification of the need to file.
Our agency is small, and all public filers are senior leaders known to everyone in the agency. Two such filers departed in 2022, and their departure was made known personally to the DAEO and ADAEO (where applicable) with more than 15 days' notice. Formal notice from Human Resources was unnecessary.
No terminations from public financial disclosure positions in 2022.
No public filers departed.
OGE had no terminations from public filing positions in 2022.
No employees terminated
During CY 2022, there were no terminations from a public financial disclosure filing position. And, IPEC does not have a separate HR office.

Given the size of ONCD, DAEO was aware of the single termination from public financial disclosure filing position.
The Peace Corps Ethics Team was not consistently notified by the Office of Human Resources (OHR) within the 15-day deadline for terminations from public financial disclosure filing positions. Terminations are usually learned of once the leaving staff member begins completing the agency's online "Exit Form."
Only one filer was required to fill out a termination 278: the Acting DAEO, who moved into the ADAEO position on the arrival of a new General Counsel. As such the DAEO was already aware of the termination.
former Executive Director was also the DAEO and resigned on 1/29/22
All public filer terminations were ID'd to the DAEO by other means.
No financial disclosure filing positions were terminated.
HR notifies the Ethics Law Division within 15 days of a departing SES member otherwise, the filer informs us they are leaving the agency.
As a newly established agency, the Southeast Crescent Regional Commission did not have any terminations from public financial disclosure filing positions.
USAID lost it's career CHCO and both of its career Deputy CHCOs during this calendar year. This, in addition to the turmoil associated with the Return to Work and a huge hiring surge at USAID resulted in HCTM processes being disrupted and inconsistent. HCTM is currently working with the DAEO and the Bureau for Management to improve the identification and notification of all financial disclosure filers in a manner consistent with 5 CFR 2638.105.
GSA CABS does not know anything about who at our Agency is a non-filer, 450 filer, or a 278 filer. The DAEO would track this independently of the HRM office (GSA CABS).
The Ethics and Compliance team obtains a report from the Human Resources database on a weekly basis. The Postal Service broadly announces the appointment of new officers.
No Public Filers were terminated from reporting positions in 2022.

Question 29 Table 1

Financial Disclosure Management (FDM US Army)
Financial Disclosure Management (FDM)
Electronic 450 (E-450) system developed by internal IT staff
CIA's e-filing system.
Intelliworx FDonline
FDonline
The CFTC uses the Ethics Management and Tracking System ("EMAT").
FDonline
FDonline
FDonline
Financial Disclosure Management System
Financial Disclosure Management System (FDM) for OGE 450 Filers.
The U.S. Army's Financial Disclosure Management (FDM) system.
DoD Financial Disclosure Management (FDM) for Confidential Financial Disclosure Reports only.
Financial Disclosure Management System, FDM
Financial Disclosure Management hosted by US ARMY. https://www.fdm.army.mil
Financial Disclosure Management system.
DTRA uses the Financial Disclosure System (FDM) to file OGE 450 reports.

FDOonline
FDonline
Army's Financial Disclosure Management System
Financial Disclosure Management (FDM)
Department of Defense-Department of the Army's Financial Disclosure Management (FDM) system.
Financial Disclosure Management (FDM)
Financial Disclosure Management (FDM) system.
FDonline
1. Electronic Financial Disclosure System (EFDS) 2. NIH: NIH Enterprise Ethics System (NEES) 3. CDC: Ethics Program Activity Tracking System (EPATS) and 4. CMS: CMS Administrative Technology Solutions (CATS)
U.S. Army FDM FDOonline CBP HRBE (in-house developed program)
FDonline
BOP: FDOonline. ATF: SharePoint. USMS: internal OGE Form 450 filing system.
Financial Disclosure Management System
FDOonline, provided by vendor Intelliworx
FDonline
DO/HQ and four bureaus have implemented different OGE 450 custom e-filing programs.
Army Financial Data Management System (FDM)
For the confidential financial disclosure reports, EPA Ethics designed its own e450 system built in EPA's business automation platform (BAP) with Salesforce.
FDOonline (Intelliworx)
The FCA and FCSIC use an FCA SharePoint site to host an OGE 450 fillable form and an alternative Confidential Conflict of Interest Certification Form.
The FCA and FCSIC use an FCA SharePoint site to host a Confidential Conflict of Interest Certification Form.
FDonline
FDonline
Intelliworx/FDonline
FD Online for the confidential financial disclosure program
Filers either mail or email their Forms 450 to the Office of the DAEO, which saves those Forms on the agency's internal computer systems.
Power App created for the 450 form
FDonline
The Agency has an electronic OGE Form 450 system.
FD Online.
Ethics Program Tracking System (EPTS)
NCUA uses the Army's FDM e-filing system.
FDOonline
FDM
FDOonline
NSF eFile system
In addition to Integrity, NSA uses its internal Financial Disclosure Reporting System (FDRS).
FDOonline
Ethics Gateway

Army's FDM
OMB Ethics Portal, Confidential Financial Disclosure (OGE Form 450) application
Ethics Compliance Tracking System
FDM
FDonline for 450 filers.
Confidential Financial Disclosure System (CFDS)
FDonline
FD Online
OGE Form 278e
ARMY Financial Disclosure Management System
FDOnline
Financial Disclosure Management System (FDM) https://www.fdm.army.mil
DocuSign
We use Integrity for the 278 and FD Online for the 450 filers.
Financial Disclosure System (FDS)
Integrity for public filers. We use our own system for tracking confidential filers of 450s. We also have an automated offboarding system - all departing employees receive an ethics briefing and if a financial disclosure is due it will be assigned.
FDOnline/Intelliworx

Question 30 Table 1

Financial Disclosure Management (FDM US Army)
Financial Disclosure Management (FDM)
Electronic 450 (E-450) system developed by internal IT staff
CIA's e-filing system.
Intelliworx FDonline
FDonline
The CFTC uses the Ethics Management and Tracking System ("EMAT").
FDOnline
FDonline
FDonline
Financial Disclosure Management System
Financial Disclosure Management System (FDM) for OGE 450 Filers.
The U.S. Army's Financial Disclosure Management (FDM) system.
DoD Financial Disclosure Management (FDM) for Confidential Financial Disclosure Reports only.
Financial Disclosure Management System, FDM
Financial Disclosure Management hosted by US ARMY. https://www.fdm.army.mil
Financial Disclosure Management system.
DTRA uses the Financial Disclosure System (FDM) to file OGE 450 reports.
FDOnline
FDonline
Army's Financial Disclosure Management System
Financial Disclosure Management (FDM)

Department of Defense-Department of the Army's Financial Disclosure Management (FDM) system.
Financial Disclosure Management (FDM)
Financial Disclosure Management (FDM) system.
FDOnline
1. Electronic Financial Disclosure System (EFDS) 2. NIH: NIH Enterprise Ethics System (NEES) 3. CDC: Ethics Program Activity Tracking System (EPATS) and 4. CMS: CMS Administrative Technology Solutions (CATS)
U.S. Army FDM FDOnline CBP HRBE (in-house developed program)
FDOnline
BOP: FDOnline. ATF: SharePoint. USMS: internal OGE Form 450 filing system.
Financial Disclosure Management System
FDOnline, provided by vendor Intelliworx
FDOnline
DO/HQ and four bureaus have implemented different OGE 450 custom e-filing programs.
Army Financial Data Management System (FDM)
For the confidential financial disclosure reports, EPA Ethics designed its own e450 system built in EPA's business automation platform (BAP) with Salesforce.
FDOnline (Intelliworx)
The FCA and FCSIC use an FCA SharePoint site to host an OGE 450 fillable form and an alternative Confidential Conflict of Interest Certification Form.
The FCA and FCSIC use an FCA SharePoint site to host a Confidential Conflict of Interest Certification Form.
FDOnline
FDOnline
Intelliworx/FDOnline
FD Online for the confidential financial disclosure program
Filers either mail or email their Forms 450 to the Office of the DAEO, which saves those Forms on the agency's internal computer systems.
Power App created for the 450 form
FDOnline
The Agency has an electronic OGE Form 450 system.
FD Online.
Ethics Program Tracking System (EPTS)
NCUA uses the Army's FDM e-filing system.
FDOnline
FDM
FDOnline
NSF eFile system
In addition to Integrity, NSA uses its internal Financial Disclosure Reporting System (FDRS).
FDOnline
Ethics Gateway
Army's FDM
OMB Ethics Portal, Confidential Financial Disclosure (OGE Form 450) application
Ethics Compliance Tracking System
FDM

FDonline for 450 filers.
Confidential Financial Disclosure System (CFDS)
FDonline
FD Online
OGE Form 278e
ARMY Financial Disclosure Management System
FDonline
Financial Disclosure Management System (FDM) https://www.fdm.army.mil
DocuSign
We use Integrity for the 278 and FD Online for the 450 filers.
Financial Disclosure System (FDS)
Integrity for public filers. We use our own system for tracking confidential filers of 450s. We also have an automated offboarding system - all departing employees receive an ethics briefing and if a financial disclosure is due it will be assigned.
FDonline/Intelliworx

Question 31 Table 1

paid with government purchase card by another official
Because the cost of using our chosen confidential financial report e-filing system is not large, the burden of calculating the internal costs associated with operating it outweighs the benefits.
The Commission uses FDonline for our confidential and public filers. The amount paid to the vendor for both groups of filers is \$714.00.
The Bureau's Ethics Office does not track the amount of all internal costs associated with operating an e-filing system. We do not track the number of FTEs or any overhead costs of operating the electronic filing systems.
We had a total of 5 ethics officials who utilized the FDonline system to review OGE 450 confidential disclosure forms. We do not track the associated FTE/overhead costs.
DeCA utilizes the Army Financial Disclosure Management System. No support is required from DeCA.
These are contracted for by OGE and Department of the Army, and unknown to DCAA.
See "Additional Comments for Part 7" below.
The FDM system is managed by the Army, not DISA (although it resides on our machines), so we have no data on this.
FDM is a non-federal vendor, but it is run by the Army and DLA does not know or track the expense.
We only use Integrity for filing public disclosure reports and OGE does not charge fees. We use DoD/Army's FDM system for confidential financial disclosure reports. We do not pay a fee for using the system and do not know what it costs DoD.
All USDA Office of Ethics employees are involved with the use of our e-filing systems to a certain extent but we do not track the percentage of time spent on such responsibilities.
Expenses for the Army's Financial Disclosure Management System are tracked and reported by the Army.
The U.S. Army, Office of General Counsel, is the executive agent for the FDM system. The U.S. OGE is the executive agent for Integrity. Both provide the service free of charge. Accordingly, there are no reportable costs associated with the use of either system.
The Army is the DoD Executive Agent for the FDM filing system and as such, all funding for DoD users comes from Army appropriations.

Our components who use legacy filing systems do not break out costs for various system components (i.e. public or confidential financial disclosure reports) nor by where the costs are going. Thus, all costs are reported as a lump sum paid to a non-federal vendor. The costs for one component include a \$1,508,000 one-time capital investment fund payment for system enhancements.
The amount in a. is the cost to BOP of FDOonline for confidential financial disclosure. The other systems used for confidential financial disclosure are part of the general IT costs of those components and are not separately tracked. EOIR uses Microsoft Excel to track OGE Form 450s which is not a "system."
Please note that DOI uses Integrity for all public financial disclosure reports.
We do not track internal costs associated with operating and using FDOonline.
These are multiple systems for multiple bureaus and not all of them are parsed out by e-filing costs only they are part of larger contracts for IT services.
VA doesn't break out personnel costs in administering its financial disclosure program. VA uses Army's FDM system for confidential financial disclosure.
All of the technology components that the FCA uses for the SharePoint site that hosts the OGE 450 fillable form and the Confidential Conflict of Interest Certification Form are also used to support other applications as well. The FCA does not separately track costs that are specifically attributable to the ethics forms.
All of the technology components that the FCA uses for the SharePoint site that hosts the OGE 450 fillable form and the Confidential Conflict of Interest Certification Form are also used to support other applications as well. The FCA does not separately track costs that are specifically attributable to the ethics forms.
This information may be proprietary. We don't know whether it may be publicly released, and we need to consult with the vendor prior to making a public disclosure.
FHFA didn't hire any additional personnel or purchase any additional equipment for FD Online. However, there because the acquisition and implementation of the system required assistance from various departments, time/salary of FHFA employees was dedicated to the process.
The ethics office does not track 31a through 31c.
NASA does not separate the operating costs between confidential (450) and public (278) reports. The amount entered for confidential reports is the amount for operating EPTS for both confidential and public forms.
NEH paid \$3,356 for use of the FDOonline e-filing system in Fiscal Year 2022. The fee supported the agency's use of the system for both public and confidential reporting.
The cost for the eFile system cannot be broken out. The total cost to maintain our system this past year was 42,638
The funding for FDRS (NSA's internal financial disclosure reporting system) is not controlled or managed by the Office of the General Counsel. Of note, costs are not the impetus for NSA's use of this system rather it is the protection of information regarding Agency personnel.
OMB does not track this information.
Information requested in 31(b) is classified.
The CFDS is one application that is part of a larger web-based platform used by the agency. The costs associated with maintaining each application housed on the larger platform are not individually tracked. The amount listed in question 31a only covers developmental costs specific to CFDS in FY2022.
The total amount for both public and confidential filers is \$143,000.00
Please refer to ARMY's separate response
USAID also uses DocuSign for other (non-ethics) purposes and the cost to the Agency for OGE-450 filing cannot be separated from the overall cost.
Our IT services assist in providing the 450 program needs.

The contract does not separate expenses for confidential and public filers.

Part 7 Comments

We received 5 paper OGE form 450s from employees who do not have access to the internal e-450 system &/or transferred from another agency.
Q27 - Our General Counsel is the DAEO and has delegated authority for the program administration to the ADAEO, who is the Chief of OGC's Ethics Office. All responses in this questionnaire directed to the DAEO have been answered by the ADAEO. Q 28 - The answer is "in most cases" for public filers because there is the rare occurrence where senior officers receive the appointment outside the typical promotion process. Q 32 - Numbers are classified unless included.
Question 31b: As the Department of Defense (DoD) Executive Agent for the FDM filing system, the Department of the Army fully funds FDM for all DoD agencies from Army appropriations.
All public filers were in Integrity. Note for below, we had One SES transfer into DFAS from another reporting position. He is included in our total filers, but his first report with this agency will be in 2023.
In response to part 7, question 31, DIA marked N/A because OGE directs Agencies not to include Integrity for public filings. Integrity is the only public filing system we use. The confidential blocks are marked N/A because we use FDM and there is no fee for using this system. For question 32, public filings is marked as zero because all public filings were through Integrity.
1067 filers filed electronically using the Integrity system.
All of the public financial disclosure filers in the Department of the Air Force file in Integrity.
Q#31 - FDM no longer processes OGE 278es. Costs regarding the 24 remaining federal agencies serviced by FDM will be sent separately to OGE.
Q27-28 Most agencies/commands reported that they receive in all or most instances. For those few reporting never or N/A, the ethics office tracked or utilized another system/office to track.
Q32: Most OGE Form 450 filer numbers are reported for the filing year, not fiscal year, based on how the confidential financial disclosure filing system is set up.
Q31. This figure is the cost to BOP of FDOnline for confidential financial disclosure. The other systems used for confidential financial disclosure are part of the general IT costs of those components and are not separately tracked. EOIR uses Microsoft Excel to track OGE Form 450s which is not a "system." Several components request that Integrity be expanded for use with confidential financial disclosure.
Please note that DOI uses Integrity for all public financial disclosure reports.
Q27 & 28: Most bureaus responded In All Cases, but since one or two bureaus responded Most, and one smaller bureau responded Never, we selected Most for the response. Q32: Number represents DO/HQ + four bureaus with e-filing.
#32: The number of OGE 450 filers in 2022 was 53. The number of new entrant Confidential Conflict of interest Certification form (Certification form) Filers in 2022 was 26. The FCA does not collect Certification forms annually. Instead, we will only collect those forms from incumbents once every three years. In 2022, we were only collecting the Certification forms from new entrants and not incumbents.
Question 32: includes submissions filed but not due in 2022.
Note that NCUA operates on a calendar year fiscal year, so FY2022 numbers correspond to CY2022.
#32 - Data is not included/is classified.
Question 32: The numbers reported are percentages. Actual numbers are made available to cleared OGE personnel when required.
Agency relies exclusively upon Integrity for all public financial disclosure filers.
32. Termination reports prior to switching to Integrity.

31.b. This is the amount the agency obligated to spend on FDM in fiscal year 2022. 32.b. This number includes filers who filed on FDM in fiscal year 2022 but are no longer with the agency or converted to non-filing positions.

There was some resistance to using the FD Online system by older Commission Members but we worked closely with them and at least got them set up in the system and uploaded the paper 450 as an attachment. We anticipate that this will get easier in time.

Question 33 Table 1

One career SES transferred from another federal agency but was not directed to complete a New Entrant report. The filer ultimately spent only 3 months at our agency before deciding to retire, so she completed an Annual/Termination report.

One (1) Schedule C filer did not receive a new entrant 278 form within the filing time period but has subsequently received and completed the filing.

One employee, who retired at the end of calendar year 2021, filed his termination report on 1/18/2022. Additionally, two employees whose termination reports were not due until 1/30/2023, filed their reports at the end of December, 2022. Lastly, one employee whose termination report was required to be filed on 12/30/2022, was given an extension to file until 1/13/2023.

1 filer terminated employment with DIA without completing their report. The ethics program will continue to engage with this filer until they successfully complete their report. DIA employees departing DIA complete an out-processing checklist. Filing a termination report is noted on this checklist. The ethics program also maintains personal contact information for departed employees and makes contact using personal cell phone numbers and email addresses.

The numbers above reflect a 99.9% compliance rate. One USDA employee, who served for less than 120 days in a career SES position, did not timely file his OGE-278 report despite receiving notices and several reminders from the USDA Office of Ethics. The Office of Ethics is still diligently working with that one employee to get him to file his OGE-278 report.

1) Civilian personnel did not notify ethics officials of some appointments. Ethics officials learned of appointments either directly from the senior civilian officials when they received annual training or the ethics officials discovered the appointments while preparing for the 2023 filing season. Ethics officials assigned the reports. Filers are working on them. 2) Civilian personnel did not notify ethics official of a retirement. Filer has been notified and indicated he would comply. Ethics official is trying to collect the report from him. 3) Ethics official was not notified of a general officer retirement. Assigned report as soon as he learned of the retirement, and filer is working on report. 4) Filer thought that he signed his termination report in Integrity. Ethics office is working with him to collect the signature.

We are preparing for civil litigation against the Schedule C who failed to submit her termination report in December. Army general officers detailed to joint assignments with other DoD DAEO agencies file under the Department of Army in Integrity in org groups for which the Army DAEO does not serve as the filer's DAEO and for which Army ethics counselors do not serve as reviewers, to enable access to these reports for nomination review purposes. Some DoD DAEO agencies erroneously included DoD civilians in these org groups as well this is being remedied. These individuals are not included in the Army Agency statistics list in question 33 but are as follows: 10 other NE reports required and 7 filed 2 NC NE reports required and filed 14 career Ann reports required and filed 103 other Ann reports required and 102 filed Combat Zone exemption for the unfilled report 11 other Term reports required and filed 2 career Term reports required and filed.

<p>The DON is tracking three outstanding OGE 278e reports (two new entrant reports and one termination report) that were due in CY22. The two late new entrant reports are the result of delayed notifications regarding promotions (reserve Flag Officer and NAF senior executive). The late termination report is currently in draft and is within the 30-day grace period. The ethics counselors are aware of the outstanding reports and are actively working with the filers to ensure that the reports are submitted as soon as possible.</p>
<p>NC-SES New Entrant (Due in December but filed in January. Career SES New Entrants) These two reports were for individuals serving in an "Acting" capacity and the delay in filing resulted from a misinterpretation concerning the requirement for such individuals to file. They are now in the process of submitting reports.</p>
<p>One new entrant Schedule C report was due in December 2022, it was filed during grace period in January 2023.</p>
<p>Over 99% of required reports were filed. Of the remaining handful required to be filed: (1) DOE notified OGE of an annual filer with extenuating circumstances that has not yet filed (2) one was received in 2023 and (3) DOE continues to follow up with the one remaining filer.</p>
<p>One employee is having technical difficulties submitting a termination report and is working with ethics officials. One noncompliant employee failed to file an annual report. The employee has since left a public filing position and was not notified of the requirement to file a termination report. The filer has since been notified to file a termination report, and ethics officials continue efforts to have the employee file the missing annual report. If all follow-up options fail, the matter will be referred to the component's Office of Inspector General for investigation.</p>
<p>CISA had one Career SES termination report that was due before 12/31/22 but filed late (filed after 12/31/22). The other termination report not submitted was for a retired filer. USSS Ethics was not timely notified by OCHCO of retirement and filer could not be contacted.</p>
<p>A few filers left DOJ for other agencies prior to filing their report(s). One New Entrant filer had their deadline fall over the 2022 holidays and then had an unusually heavy workload but filed in January upon being reminded. Collection efforts are underway for all outstanding reports as well as applicable late filing fees.</p>
<p>Three filers neglected to file their reports despite being provided with reminders. One filer received notice to file but failed to file in December 2022.</p>
<p>A few of these reports were due in Fall/Winter 2022 and have been filed in January 2023. Some continue to experience technical difficulties with Integrity. There are also filers who have not submitted reports despite repeated requests. The Department of State's Ethics Office continues to follow up about these reports and will refer as necessary.</p>
<p>One report was required to be filed and was not filed in 2022 because an employee was extended leave status during the calendar year.</p>
<p>At one bureau, upon the departure of a career SES employee and the promotion of an employee to act in the vacant position, it discovered that neither employee was informed of their termination and new entrant filing obligations, respectively. Both individuals have since been informed and its office is implementing an improved process with HR to ensure that these responsibilities are included in the checklist action items for incoming and departing SES employees.</p>
<p>Incomplete notification of new entrant or termination status. Annual filers were notified and received late fees for failure to file timely.</p>

<p>TERMINATION report discrepancy -- EPA Ethics did not receive notification of the termination of the detail, so did not assign a termination report until January 2023. NEW ENTRANT report discrepancy -- We can account for three of them, but have no idea why INTEGRITY insists on a fourth. Two of these are, again, detailees who were not notified earlier of the need to file their reports in 2022, so are taking care of their requirement in 2023. One is an appointee who started in late November 2022 but did not file her report until early 2023. We have no idea why INTEGRITY insists that there is another "other" NE Report outstanding because we can't find it anywhere.</p>
<p>HR did not timely notify the Ethics Team of a filer's promotion to SES</p>
<p>One filer has been out with a long term illness.</p>
<p>For the annual disclosure reports, one filer has been on administrative leave and hasn't filed. For the termination and combination reports, former employees never filed despite repeated reminders.</p>
<p>One individual refused to file his financial disclosure form after he ceased working for the agency.</p>
<p>New entrant 278 filer granted 45 day administrative extension (until February 2023).</p>
<p>Two of the filers have extensions and reports were returned to them for corrections. One filer has been nonresponsive to all requests to complete a termination report.</p>
<p>One career filer did not submit an annual report due in 2022 until January 2023 and the individual's head of office was informed. The discrepancy is otherwise believed to be a system counting error we are investigating. At this time there are no OGE Form 278e forms due in 2022 which have not been filed or an extension granted for.</p>
<p>2021 reports were filed in January 2023. All three Board members completed nominee reports in 2022 covering the 2021 reporting period. When 2 were notified that they had to also complete an Annual report they did so.</p>
<p>The numbers reported above are percentages. Actual numbers are made available to cleared OGE personnel when required. For the filers who have not submitted their reports, the ethics office is reviewing the individual circumstances and reaching out to filers and their supervisors to ensure the reports are submitted where required.</p>
<p>One termination filer, whose report was December 28, 2022, has received a 45-day extension: his report is now due February 13, 2023.</p>
<p>Both reports were submitted in January 2023.</p>
<p>Unfiled reports as of the date of this submission are under approved extensions.</p>
<p>Two filers were late filing their assigned reports. The Ethics Team has contacted them regarding the consequences, including the late filing fee.</p>
<p>One filer was terminated immediately and without further contact, and no termination report was able to be collected from the filer.</p>
<p>The Board Chair was not required to file, as her nominee filing was within the annual window. However, she filed one anyway.</p>
<p>1 New Entrant is under an approved extension to file as of December 31, 2022, the other two were assigned late once the ethics program received notice of the qualifying appointments to file and these reports are still pending filing as of December 31, 2022.</p>
<p>1 report was due Dec. 29 and the filer is now taking steps to complete their report another report was due in the fall but the employee has been on medical leave since before the due date.</p>
<p>One filer has been given a extension on filing a termination report due to personal circumstances. The second filer's report was delayed due to lack of access to his Integrity account. The filer is in the process of filing his termination report now.</p>

Question 34 Table 1

<p>Technical issues - - - Integrity failed to notify new reviewer that 278s were pending review</p>
<p>In one case, the report was a few days late because of competing priorities/heavy workload. In the other case, the determination that particular investments did not pose a conflict for the filer took longer than necessary.</p>
<p>3 reports took longer than 60 days to conduct the initial review.</p>
<p>Timely review did not occur due to either late supervisory review the filer departed DIA prior to filing or the ethics program mistakenly overlooked the report. With the exception of the termination report, the initial review was completed on the 61st day.</p>
<p>As noted below, USDA's Office of Ethics is, proportionally, one of least resourced and smallest Ethics Office of any Cabinet-level Department. At current staffing levels, each OGE 278 financial disclosure reviewer in the Office of Ethics is responsible for reviewing an average of nearly 100 OGE-278e reports each year (not counting an even larger number of separate OGE-450 reviews), in addition to providing ethics advice and training to their clients (OE advisors perform all three functions.) This large report volume combined with a large client population (~5,000 employees per one ethics advisor) and a significantly under-resourced Ethics Program makes 100% timely review of reports very challenging. With a ratio of only 1 Ethics Officer for every 5,000 USDA employees, USDA's Office of Ethics has suffered from years of under-investment and is one of the least resourced Ethics Offices of any Executive Branch Department.</p>
<p>A small portion of reports may not have been recorded as having review within 60 day. This was for several reasons including reviewers inadvertently failing to add date of initial review, changes in personnel, technical issues with integrity (i.e., tracking of reports returned to filer or filer-initiated amendments), as well as priority work requirements.</p>
<p>1) Supervisor absences/lack of awareness of the need to review and sign the report within 60 days delayed the initial review by the ethics official. 2) Medical leave by two ethics officials responsible for reviewing 278s. Undermanned office did not have sufficient attorneys to reassign the review of 278s.</p>
<p>The DoD supervisory review requirement, mandated by the Joint Ethics Regulation, necessarily adds to the total review time. Integrity prevents ethics official review until supervisory review is done, which inhibits early ethics counselor action to get supervisors acting on these reports. Ethics official shortfalls and requests for additional information contributed to slow review times. Army general officers detailed to joint assignments with other DoD DAEO agencies file under the Department of Army in Integrity in org groups for which the Army DAEO does not serve as the filer's DAEO and for which Army ethics counselors do not serve as reviewers, enabling access to these reports for nomination review purposes. Some DoD DAEO agencies erroneously included DoD civilians in these Integrity org groups as well this is being remedied. These individuals are not included in the Army Agency statistics list in question 34 but are listed below in the comments.</p>
<p>The DoD requires that supervisors review reports in addition to the command ethics counselor and DAEO or designee. In some cases, the multiple levels of review delays the ethics counselor's initial review. Furthermore, it is likely that some ethics counselors completed their initial review within the 60-day review period but did not document their review on the general information page. This is the DON's third year using the Integrity system and while the Office of the Assistant General Counsel (Ethics) has issued program guidance on when and how to end initial review, the fact that a command's ethics counselor may change from year to year, impacts the corporate knowledge on proper use of the filing system.</p>
<p>PAS Annual Report extremely complex report for which initial review was started within 60 days, but was not able to be completed within that timeframe. Career SES Annual Reports one component lost 2/3rds of their ethics staff in addition to experiencing significant delays with supervisory review. SOCO will work</p>

with the component to revise/correct their supervisory review process and ensure that their leadership understands the requirement to meet review deadlines. Other New Entrant Report: Delay due to turnover in ethics office.
Report(s) reviewed more than 60 days after submission due to additional information being sought and unforeseen personal health and safety concerns encountered by filing employee(s) occurring concurrently with the financial disclosure review process.
If applicable, please explain why some reports were reviewed more than 60 days after submission. Over 95% of reports were initially reviewed within 60 days. The remaining less than 5% were initially reviewed more than 60 days after submission because ethics staff was working on other priority items, including the review and certification of other financial disclosure reports.
Staffing shortages gathering additional information employees being unresponsive to ethics officials new ethics officials taking longer to review while learning.
One component had a significant staff attrition resulting in only 1 attorney to review reports for the entire component on top of attending to daily ethics matters.
Additional information was being sought.
In larger components, heavy workload of reviewers and certifying officials. In some components, ethics official turnover and shortage of reviewing officials and administrative error. EOIR: increase in filing positions, shortage of reviewers. EOUSA: significant number of reports and increase in the general complexity of reports resulted in fewer reports reviewed and certified in 60 days. USMS: exceptionally heavy workload.
One filer temporarily held a covered position and timely notification was not made to ethics officials, and two filers neglected to timely file their reports despite numerous reminders.
Many of the reports required additional information and several required multiple exchanges with the filers.
Additional Information was being sought from the filer. In some cases, there were technical issues with reviewers accessing the e-filing system.
In DO/HQ, filers slow to respond to inquiries in some cases, but primarily due to vacancy of ADAEO position for five months and one attorney position for more than two months vacancies caused increased workload for a minimal ethics staff who had constant competing priorities. For other bureaus, inadequate staffing, inexperienced ethics reviewers or reviewers with competing priorities, failure to reassign reports to new official after departure of office ethics team lead.
Reviewer caseloads and filers waiting until the last minute to file.
During this year, the EPA Ethics 278 reviewing team was short staff at times (down at one point 40% of the staff). One reviewer was on detail to the White House, and another departed EPA. The remaining staff rallied, so only 2 reports ended up being reviewed after the 60 day mark.
More info was needed from filers before initial conflict analysis could be completed.
In one case, the initial review began shortly after the form was received. However, extensive research was required on a complex legal and fact pattern. The available OGE guidance online was conflicting and unclear, we had to seek assistance from OGE to be certain that there was no conflict-of-interest issue.
Additional information was being sought.
Usually delays are caused by the need for additional information from filers. Additionally, our agency has a disproportionately high number of public financial disclosure filers for an agency of our size and the size of our Ethics Office. We are in the process of hiring a new employee to join the Ethics Office and are also making a concerted effort to meet the 60 day deadline more consistently.
Reviewer and administrative support workload and vacancies.
Additional information was being sought.

<p>The numbers reported above are percentages. Actual numbers are made available to cleared OGE personnel when required. Some reports were reviewed more than 60 days after submission due to a lack of resources. While we note that the percentage of reports reviewed and certified within 60 days in 2022 generally improved from the corresponding percentages reported in NSA's 2021 Questionnaire, we also emphasize that the Office of the General Counsel has taken concrete steps to address this and is implementing changes for the 2023 filing season. Following the example of other large agencies that have a high volume of filers, this year we are assigning attorneys in all practice groups within the Office of the General Counsel to review financial disclosure reports, rather than relying exclusively on the small number of attorneys within the practice group in which the ethics office resides.</p>
<p>The initial reviewer was resolving technical questions regarding the filer's submission, which took longer than 60 days to complete.</p>
<p>In limited circumstances, filers communicated with ethics counselors regarding their form outside of Integrity and thus the review time was not properly tolled. Instructions have been provided to ethics counselors to ensure proper process for review in Integrity is followed.</p>
<p>There was more information needed.</p>
<p>OMB experienced ethics resource limitations during the 278 review period due to staff departures and an unexpected, extended leave. OMB hired additional ethics staff and returned to full resource level in the summer of 2022.</p>
<p>This was ODNI's first year using Integrity. Due to IT issues, reviewers were unable to log into Integrity after July 2022. The issues have been identified, and we expect to have it resolved for the 2023 filing season.</p>
<p>OVP experienced a lapse in staffing of the Ethics Detail during the start of annual public filing season.</p>
<p>We have a human capital deficit. There is only one attorney reviewing these, and they have significant additional duties outside their ethics responsibilities. We are working to better prioritize a timely review of these reports.</p>
<p>1 Initial report and 1 Annual report were reviewed and certified past 60 days. In both cases, additional information was being sought for the reports.</p>
<p>The new entrant report was filed with less than 60 days remaining in CY 2022, and the new filer was swamped with new SES career responsibilities.</p>
<p>Due to competing priorities and workload challenges, the reports were reviewed more than 60 days after submission.</p>
<p>Reports were in the process of review during the initial 60 days, however, for some reports the reviews could not be closed within 60 days due to pending reviews with supervisors, or pending additional actions to resolve potential conflicts, or the closing of review was delayed due to technical insufficiencies in the filed reports needing correction by the filer. The agency DAEO role was also vacant since May 2022, which resulted in reduced staffing for ethics program reviewers, and a paralegal/admin also resigned in April 2022, resulting in a loss to program administrative support. Although the data shows that 6 reports did not receive an initial review within 60 days, this may be due to the agency not consistently using the Integrity function for documenting initial review dates by manual entry after an initial review has occurred while remedial action was pending longer than 60 days.</p>
<p>Staff shortage, new staff learning the 278 procedures, and additional information being sought. To help remedy filers submitting incomplete/incorrectly filled forms, USAID plans to holding training for OGE-278 filers in April in the hopes we can pre-empt mistakes before submission.</p>
<p>Transition issues relating to an administrative staffing change at HUD contributed to delay in the review of the 278 in 2022. Those issues have been resolved and a system has been put in place to ensure timely review and certification of reports when there are administrative staffing changes in the future.</p>
<p>The Postal Service's Ethics and Compliance team sought additional information from filers.</p>

High volume of filings and a significant increase in inquiries related to the end of COVID (gifts, travel, etc.) which required the ethics office to shift resources.
Two reports required more than 60 days to review due to a personnel change involving the reports' reviewers.

Question 34 Table 2

Technical issues - - - Integrity failed to notify new reviewer that 278s were pending review, which subsequently affected certification.
Three (filers) were not certified within 60 days. We have taken corrective action and created a new policy to ensure timely certifications.
In 1 case, filer had been unresponsive.
An extension was granted, and the fees were waived due to miscommunication and notification issues from the agency's Office of Human Resources (OHR). The filer was out-of-state working remotely due to COVID and the notification of termination, which is the responsibility of OHR as part of the exit procedures, did not occur properly. Therefore, the termination report was not assigned. When this matter came to the Ethics Office's attention, the report was assigned and completed. The DAEO waived the late fee in accordance with 5 CFR 2634.704.
Some reports were not certified within 60 days because the reviewing official had to wait for the filer's supervisor to review and sign the report before it could be certified (paragraph 7-206 of the DoD Joint Ethics Regulation, DoD 5500.-7-R, requires that all OGE Form 278 reports must be reviewed and signed by the filer's supervisor).
1) Supervisor absences/lack of awareness of the need to review and sign the report within 60 days delayed the certification by the ethics officials. 2) Medical leave by two ethics officials responsible for reviewing 278s. Undermanned office did not have sufficient attorneys to reassign the review of 278s. 3) Turnover of supervisors and ethics officials led to delay in reviewing and certifying reports. 4) Unfamiliarity with Integrity e-filing system and closing out reports in the system. 5) Heavy workload of ethics officials
The DoD requires that supervisors review reports in addition to the command ethics counselor and DAEO or designee. In some cases, the multiple levels of review delays the DAEO final certification.
Staffing shortages competing workload priorities
In larger components, heavy workload of reviewers and certifying officials. In some components, ethics official turnover and shortage of reviewing officials and administrative error. EOIR: increase in filing positions, shortage of reviewers. EOUSA: significant number of reports and increase in the general complexity of reports resulted in fewer reports reviewed and certified in 60 days. USMS: exceptionally heavy workload.
In addition to seeking additional information some of the reports
staffing issues and other issues as described under delayed review.
Filers do not assiduously respond to questions or requests for clarification.
In one case, the initial review began shortly after the form was received. However, extensive research was required on a complex legal and fact pattern. The available OGE guidance online was conflicting and unclear, we had to seek assistance from OGE to be certain that there was no conflict-of-interest issue.
Specifically regarding the one uncertified Schedule C termination report, the filer's termination date was 12/21/22 so the 60 day threshold has not yet been met.
Two reports were certified after 60 days because additional information was being sought.
Reviewer and administrative support workload and vacancies.
60th day fell on a holiday. Report certified on next business day.

The report was not certified because the NLRB's Inspector General substantiated an allegation that the filer had participated in matters where the filer had a disqualifying financial interest.
See the explanation immediately above regarding reports that were reviewed more than 60 days after submission.
Required multiple meetings with the filer to clarify the reported information. Report was certified on the 62nd day.
This was ODNI's first year using Integrity. Due to IT issues, reviewers were unable to log into Integrity after July 2022. The issues have been identified, and we expect to have it resolved for the 2023 filing season.
As noted above, we need to increase staff on our Ethics Team in order to meet timeliness requirements. workload, change in DAEO and ADAEO personnel.
Agency head had difficulty accessing Integrity therefore the 278 was signed manually
Transition issues relating to an administrative staffing change at HUD contributed to delay in the certification of the 278 in 2022. Those issues have been resolved and a system has been put in place to ensure timely review and certification of reports when there are administrative staffing changes in the future.
High volume of filings, especially more complex new entrant reports which require significant guidance and follow-up.

Part 8 Comments

Question 36: The filer's previous government employer granted a 90-extension (which extended through the filer's ACUS appointment).
Q 32, 33, and 34 - Numbers are classified unless included.
RE Q.39: The 373 documents that the Bureau's Ethics Office released in 2022 were in response to two separate requests from one individual.
Additional comments corresponding to questions 38 and 39: 68 is an approximate number based on available tracking
#36: One filer paid two late filing fees associated with OGE Form 278-T Reports in CY 2022 related to reports filed in CY 2021. As the reports were not filed in the reporting period, they are not included in the totals reflected.
Regarding question 36, an extension was granted, and the fees were waived due to miscommunication and notification issues from the agency's Office of Human Resources (OHR). The filer was out-of-state working remotely due to COVID and the notification of termination, which is the responsibility of OHR as part of the exit procedures, did not occur properly. Therefore, the termination report was not assigned. When this matter came to the Ethics Office's attention, the report was assigned and completed. The DAEO waived the late fee in accordance with 5 CFR 2634.704.
Question 36b: As noted on DCSA's 2021 Agency Ethics Program Questionnaire, DCSA learned in late 2021 that three agency employees failed to timely submit periodic transaction reports for transactions that occurred in 2020 and 2021. Two of the employees were required to pay late filing fees for their late reports. The other employee was granted a waiver of the late filing fee for good cause shown.
We received a single FOIA request for financial disclosure documents... the same one that was sent DoD wide from the WSJ.
Questions 38 and 39. We received a FOIA request, but not a Form 201, so we declined to provide the information.
For Questions 33a and 34a, DTRA's data in this Questionnaire is slightly different than the Integrity Annual Data Extract. In 2022, we had an Air Force General Officer file a new entrant report and a Navy

<p>General Officer file an annual report. DTRA reviewed and certified their reports, but those reports are not reflected on the Integrity Annual Data Extract. This is likely due to the fact that the Air Force and Navy maintain visibility over their officers' 278 reports and they are accounting for those two reports in Integrity.</p>
<p>Q39 HQ Air Force received one request, but the request was not correctly completed. DoD requires that requestor include the names of the persons whose reports they want. Air Force asked requestor to fill out the OGE Form 201 with the names of the filers whose reports were requested and to resubmit the Form 201. No subsequent request was submitted to the Air Force, but may have been submitted to DoD. One field office that received 2 requests for reports did not know/did not track any release.</p>
<p>Q#34 for Army filers in non-Army DAEO Integrity groups: 2 non-career New Entrant reports, 1 timely reviewed and certified, the other untimely reviewed and certified 6 other New Entrant reports, all timely reviewed and certified 14 career Annual reports, 5 certified within 60 days, 11 initially reviewed within 60 days 89 other Annual reports, 76 initially reviewed within 60 days, 53 certified within 60 days 12 other Termination reports certified, all timely reviewed and certified but one which was neither timely reviewed or certified 2 career Termination reports, timely reviewed and certified. These reports were often delayed for non-US based organizations because the officer's financial records were back at the home of record, and it took time to retrieve them. Q#35-36 for Army filers in non-Army DAEO Integrity groups: 73 278-Ts, one of which received an extension of time to file (Q# 36b). No OGE 278e filer received an extension of time to file, nor were any granted a late fee waiver or paid a late fee (Q 36a).</p>
<p>#38 - the number of 201 requests remains in the average range however, the total number of named individuals and the types of reports requested was extremely high. Each of our 10 request listed on average 90-100 names with requests for ALL reports filed.</p>
<p>Q39. Approximate number of documents released.</p>
<p>Q33: At DO/HQ, Integrity numbers from the data pull may not be entirely accurate so we also relied on internal data. Q34: Remedial action including but not limited to recusal and divestiture. Q36: Integrity may reflect differences in late fee numbers for 278s and 278-Ts because these may have been incorrectly categorized e.g., waivers for a 278-T were noted on a 278 that was timely filed. Filers are not required to file separate 278-T reports after already reporting the transactions on their 278e reports. Q39: Answer is Don't know/Don't track per Word doc selection.</p>
<p>#39: The FCA did not have any responsive documents that were requested in the OGE Form 201 referenced in question #38.</p>
<p>#34 - Of the 3 new entrant reports filed by Others, 2 were late filings which were due in 2021.</p>
<p>36.a: One termination report granted filing extension due to technical issues preventing the employee from getting into Integrity both before and after the employee left Federal service.</p>
<p>#33 and #34 Data is not included/is classified.</p>
<p>Re: 36a - There was no notification that a detail to an SES position had ended. After OGC discovered the employee was no longer detailed and notified the employee of the termination requirement, the employee immediately filed. Re: 36b - The transaction waivers involved 13 employees. The majority of the waivers involved a spouse's brokerage account - and in two cases - spouse's who were day trading. The spouse's did not notify the filers of the transactions. Most errors were discovered during the review of annual 278e reports.</p>
<p>Question 36: The numbers reported are percentages. Actual numbers are made available to cleared OGE personnel when required.</p>
<p>Q38 and Q39: Numbers reported are for those requests relating only to OGE employees. In 2022, OGE also received a total of 12,358 requests for public reports and released 22,455 documents under EIGA relating to all executive branch employees.</p>

OMB does not track the number of individual documents produced in response to public financial disclosure report requests.
ONDCP does not track the number of reports released. ONDCP received three request and fulfilled the request in full.
Questions 33 & 34: Breakdown of type of 278 filer (outside of PAS) is considered classified.
For questions 38 and 39: DAEO arrived in approximately late February, and ADAEO arrived in approximately mid-May. It is unknown if such requests received prior to DAEO's arrival. For question 36 part b, filer timely filed his 278-T form when he divested of an asset on or about November 2022. Accordingly, no filing extension was necessary.
#39: did not track number of documents released
Q38: Requests for public financial disclosure reports were centrally managed and tracked by the White House Counsel's Office, including requests for reports filed by OVP personnel, from January 2022 through July 2022. We are implementing procedures for tracking and collecting 201 requests for OVP personnel for the timeframe of August 2022 through end of year 2022. Q39: Do not track.
We received 201 request in November 2021, needed verification and documents were released in January of 2022.
39. Based on OGE 201 requests
We received two section 201 bulk requests.
#34 - TVA implemented several enhancements prior to the start of the 2023 filing season to improve timeliness: 1) bringing on an additional full-time ethics official to be responsible for the management of the OGE Form 450 reports (approximately 1,300 annual reports) 2) assigning a separate full-time ethics official the responsibility for the management of OGE Form 278 and OGE Form 278-T reports and 3) updating the escalation protocol to include a weekly report and follow up emails to those filers with outstanding reports that are due soon.
Q33: There are a few reports for which the filer type is mislabeled on the report, but the figures here reflect the correct filer types. Q34: Of the 38 reports filed in 2022, 36 were certified. One, due to an Integrity system error, lost its certification mark and was recertified in 2023. The other was a report timely filed during the final week of 2022 that was certified in early 2023. 6 OGE 278 reports were certified after 60 days due to ongoing consultations between the filers and ethics attorneys that required obtaining additional information. Q38. and 39.: These numbers are approximations as there are some requests and responses that were not tracked. In addition to WHO, these figures also reflect some requests for public financial disclosures reports of employees in the Office of the Vice President, the Council of Economic Advisors, the National Security Council, and the Office of the National Cyber Director.

Question 40 Table 1

CIA requires officers to file the Form 450, e.g., if they participate in contracting/procurement activities, or have Agency certifications to do so. one employee that held a certification did not file due to extended medical leave.
One employee designated as a confidential filer has been on extended leave and not returned as of the end of 2022.
One employee who was serving as a detailee to the agency was converted during the reporting period to a permanent employee. While still a detailee, they submitted a copy of their certified OGE Form 450 from the detailing agency however, due to an oversight, when the employee became a permanent employee, the employee was not requested by the ethics office to submit a new entrant OGE Form 450.

DCSA had three New Entrant OGE Form 450 filers whose reports were not required to be filed by December 31, 2022 [the reports were not due until January 2023], but who submitted their reports in December 2022.
We were not notified of two new hires that came on board in August and September until this month (January 2023). Therefore, there are two initial 450s that were required in 2022 but have not yet been filed.
Five new entrant reports assigned but not yet filed.
One filer submitted their report in January 2022 but an amendment was requested, and the filer was out on administrative leave until December 2022. The Ethics Program is working with the filer to ensure their report is updated.
Six reports are still pending filing.
These numbers reflect a successful filing rate of 99.9%. However, some employees failed to file due to transfers to other agencies, leaving government, or long term leave. A small number of employees simply failed to submit their reports despite being on duty and receiving more than 20 past due filing notices from the USDA Office of Ethics.
Filers are on long term administrative leave.
1) Administrative errors: Filers left before the filing season began and remained in the e-filing system. Some new entrant filers who were reassigned to another installation within a major command were given filer roles in the e-filing system, but 450s were not assigned to them. Problem identified in Dec 2022 and 450s were assigned to them. 2) Deployed filer took emergency leave and was delayed in filing report until 2023. 3) Some field ethics offices did not identify some persons as new entrant filers until late in the CY. Once the offices identified the filers, they assigned 450s and are working to collect the reports. 4) Filer forgot about his obligation to file. Ethics office did not have accurate contact information for filer until recently. Once the office had the correct contact information, filer was reminded to file. 5) Some filers ignored repeated reminders to file until after filing deadline had passed. Ethics offices working with supervisors to collect the reports.
HR office challenges with accurately or timely notify the servicing ethics offices of incoming financial disclosure report filers, combat zone extensions, inaccuracies in FDM filer list maintenance (such as employees assigned reports but departing the agency prior to filing and not being removed from the system).
The bulk of the outstanding reports are likely the result of ethics counselors not updating the filing system when a filer vacates a position. Office of the Assistant General Counsel (Ethics) is working with the other DDAEO organizations to identify which filers should be removed from the FDM system and ensure that the remaining filers complete their reports.
One filer was deployed to a non-combat zone and one filer departed after the due date without submitting.
One OGE 450 filer out on extended medical leave.
Virtually all required reports were filed. Of the remaining six required to be filed: (1) three filers are on military leave and (2) three filers received late notifications to file their new entrant reports.
Technological issues employee noncompliance.
The majority are filers who were on extended military, medical, or other leave and did not file. They remain on our books as employees and therefore retain their filing requirements. The remaining were those who did not file by the due date but have left the agency without filing during 2022.
HUD employee is under disciplinary proceedings for refusal to file.
Filers on extended leave (e.g., military, sick, bereavement and parental), administrative errors, technical failures, and staffing turnover and shortages. Note: line Assistant United States Attorneys (AUSAs) are required to file the OGE-approved alternative GCO-1 form for each matter/case assigned. Actual number

of forms is not tracked as they are retained in each case file. The reported data reflects the number of AUSAs who complied with the confidential financial disclosure reporting requirements.
Five new entrant filers neglected to file within the required 30 days. Sixteen other new entrants failed to file timely due to administrative error. Eight filers were absent from duty for an extended period of time. Four employees neglected to file.
Most of these New Entrant reports were due in fall/winter of 2022 of which eight were submitted in January 2023. Some filers continue to experience technical difficulties with FDM and are seeking additional support from IT. The Department of State's Ethics Office will continue to follow up on the remaining delinquent filers and refer for disciplinary action as appropriate.
The discrepancy between the number of employees who were required to file confidential financial disclosure reports and the number of employees who actually filed are attributable to a single new entrant filer filing a report after the extended deadline in late 2022. The report was filed in early 2023.
Some filers are on extended leave.
For most bureaus, employees were on extended admin/medical leave and deployed at one bureau, two employees on detail outside of agency who were required to file.
These are generally employees who left filing positions and Ethics did not receive notice from local HR offices.
With a decentralized ethics program, EPA experiences a certain amount of turnover in DEO and Assistant DEO positions. Newer officials don't always realize what their ethics programmatic responsibilities entail and don't follow up with their filers. To address this problem, EPA Ethics finetuned the DEO dashboard so that ethics officials can more readily see who hasn't yet filed.
One filer was on extended approved leave throughout 2022.
Five filers were on extended sick, administrative, or terminal leave. One filer did not complete a new entrant report due to an administrative error.
Employees left the Commission. Maternity leave, Military leave, Sick leave, deceased.
7 filers are on extended leave.
2 employees entered into the agency in 2022 and have not yet submitted the OGE 450.
Some employees have been out due to illness or have been unable to access the form, and some employees left the Agency and others were on extended leave and unable to file.
Two alternate financial disclosure filers were identified as not having completed the form in 2022 and the Agency is following up on the requirement.
The numbers reported above are percentages. Actual numbers are made available to cleared OGE personnel when required. For the small number of filers who have not submitted their reports, the ethics office is reviewing the individual circumstances and reaching out to filers and their supervisors to ensure the reports are submitted where required.
Employees supervisor has been contacted about past due filing.
Fifteen individuals (many of whom were detailees) joined OMB, were assigned a 450, and departed OMB prior to filing or finalizing their reports. Three employees have not yet filed their 450s. Two of these employees joined OMB in November 2022, and therefore their New Entrant Reports were due in December. OMB has followed up with these employees to ensure that they are filed promptly. One intermittent consultant has not yet filed an annual report, and will not perform work for OMB until that is complete.
One individual departed OSTP prior to filing their 450 form, and another individual departed OSTP and did not respond to OSTP's request to provide a copy of their 450 form.
One filer had tech issues gaining access to FDM and requested additional time to fulfill the requirement. Her extension has gone into 2023.

One new entrant was assigned late and report was due much earlier in 2022 than extensions available. This report was still pending filing as of 12/31/2022, however, it has been submitted as of the filing of this report. The one other report was assigned per supervisor determination, however, filer requested a review of that determination to determine the appropriateness of filing and action was still pending for this determination as of 12/31/2022.
Could not get 450s from 2 who were supposed to file, but left the agency. One was terminated and the other left under poor circumstances. Neither chose to file.
One filer's employment ended immediately after the 450 annual report due date, and the filer did not submit a report prior to their departure.

Question 41 Table 1

Some reports were certified after 60 days due to volume of work to include the volume of reports and staffing shortages.
At the time, the agency had only one Ethics official, and there were competing priorities, including Nominee document review, which was extensive and had to be completed quickly.
Two reports required additional information before they were certified. Additionally, IT-related issues caused a delay in the certification of one report.
Reviewer's schedule was otherwise occupied with other urgent legal matters that resulted in initial review of some reports after 60 days.
One individual was given a maternity leave extension.
Due to changes in supervisors, not all supervisors were aware of reports for their review, and therefore the supervisor review was extended. DCAA has implemented measures to ensure that filer organization points of contact timely inform the certifying official of changes so the correct supervisor receives the report. The Department of Defense, Joint Ethics Regulation Supplement, requires supervisor reviews. In addition, filers with complex reports required additional reviews and supervisors and certifying officials sought additional information. At DCAA, supervisors also use the OGE 450 for data to assist with determining whether an auditor has a threat to independence under Generally Accepted Government Auditing Standards (GAGAS), a compliance standard that applies to government auditors.
reports were not signed by supervisors timely and manpower/staffing.
12 OGE450 reports were not certified within the 60-day requirement. Supervisors' timely review and certification of reports subsequently delayed the ethics program's final certification timeline. Additional information was also required from filers.
These were primarily due to counsel not diligently tracking new entrants. We have instructed our paralegals to help monitor our Financial Disclosure Management system throughout the year to ensure all reports are timely reviewed and certified.
We had one OGE 450 new entrant report that was in review for 64 days while the supervisor was determining whether the filer should be required to submit the report.
At current staffing levels, each financial disclosure reviewer in the Office of Ethics is responsible for reviewing an average of nearly nine hundred (900) OGE-450 reports each year, in addition to providing ethics advice and training to their clients (OE advisors perform all three functions.) This very large report volume combined with a very large client population (~5,000 employees per advisor) makes 100% timely review of reports very challenging. With a ratio of only 1 Ethics Officer for every 5,000 USDA employees, USDA's Office of Ethics is one of the least resourced Ethics Offices of any Executive Branch Department.
Filers were on extended leave.

<p>1) Personnel turnover and lack of continuity in the ethics office at several field ethics offices delayed initial review. 2) Personnel shortages at several field ethics offices delayed initial review. 3) Ethics personnel in one major command were diverted to process the high volume of requests for exemption (over 2,000) from the COVID-19 vaccination requirement. Delayed initial review of 450s. 4) Ethics officials sought additional information from filers and filers did not respond within 60 days. 5) Encountered difficulty in getting supervisors to review and sign reports. 6) Technical issue with FDM not recognizing the proper initial review date resulted in a late initial review date being recorded for some 450s even when the initial review was actually concluded within 60 days. 7) Technical issue with FDM the dashboard screen that should display how many reports are open does not correctly display all open reports. Ethics officials relying on this page missed 450s that were still open. Ethics officials now use an alternate method to locate open 450s. 8) Heavy workload in Civil Law division, which includes the Ethics section, delayed initial review</p>
<p>DoD requirement of supervisory review, mandated by the Joint Ethics Regulation, necessarily adds to total review time. Also, requests for additional information or clarification, extremely large volume of reports, difficulty of keeping track of individual New Entrant reports filed after the annual reporting season, late supervisory review, spotty oversight, ethics personnel shortfalls, and combat zone extensions contributed to slow processing.</p>
<p>The DoD requires that supervisors review reports in addition to the OGE 450 certifier. In some cases the dual level of review delays the OGE 450 certifier's initial review. Furthermore, it is likely that some of the OGE 450 certifiers completed their initial review within the 60-day time period but did not end initial review on the report. While the Office of the Assistant General Counsel (Ethics) has issued program guidance on when and how to end initial review, the fact that many of the OGE 450 certifiers change from year to year impacts the corporate knowledge on the proper use of the FDM system.</p>
<p>Generally, delays were due to lack of manpower/turnover in ethics offices and delays in supervisory reviews.</p>
<p>Some reports reviewed more than 60 days after submission due to human capital and staffing challenges. However, the vast majority of these reports were reviewed shortly after the 60-day time period.</p>
<p>Over 90% of reports were initially reviewed within 60 days of submission. The remaining reports were reviewed late because of competing priorities of the reviewers.</p>
<p>Staffing shortages administrative oversight additional information needed filers on extended leave new ethics officials taking longer to review while learning.</p>
<p>Due to significant staff turnover, some reports were initially reviewed more than 60 days after submission.</p>
<p>HUD: Some reports took more time because there were additional questions and a couple were due to new reviewers forgetting to check the New Entrant queue. OIG: There were 5 reports that were filed but not certified within the first 60 days after filing. Some of these reports went uncertified because of employees on extended leave, OLC was awaiting employee responses, or because there were potential conflicts of interest involving real estate holdings.</p>
<p>Reviewer workloads, technical failures, administrative errors, and staffing turnover and shortages.</p>
<p>One filing was not timely submitted, due to oversight.</p>
<p>In many cases additional information was being sought.</p>
<p>Certain reports were reviewed more than 60 days after submission because of inadvertent oversights in tracking the 60-day review timeframe for submitted reports.</p>
<p>In most cases, additional information was being sought from the filer. In some cases, there were short-term employee resource constraints that have been resolved. Some reports involved complicated</p>

conflicts questions that took additional time to resolve. Some reviewers experienced short-term technical issues accessing the e-filing system.
In DO/HQ, overall, filers' supervisors change/supervisors leave between the time of report submission and report review we are not always made aware of the changes and need to manually route the report to the correct supervisor, once that person is made known to us. New supervisors often have inquiries about identifying and resolving conflicts issues. Staffing changes in the Ethics office also led to fewer reminders to supervisors about the need to review and certify reports. (Although we have automated the reminder function, supervisors do not always receive those messages because they are filtered out by the email system or they go to a Spam folder.) Technical difficulties with e-filing program may also result in delayed reviews supervisors don't always alert us timely if they encounter technical issues, and their review may have been close to the 60-day mark at that time. For many bureaus, additional information sought from filers who were delayed in responding for other bureaus, staffing/competing priorities and volume of reports administrative oversight or other errors and delay in obtaining form from prior agency for a filer who started late in the year accounted for delays. Note: At one bureau, an attorney was recently hired who will assist with the review of financial disclosure reports.
Reviewer caseloads seeking additional information from filers.
Under EPA's decentralized ethics program, more than 100 DEOs oversee the confidential financial disclosure system, not EPA Ethics. Even so, over 98% of e450s were initially reviewed within 60 days and over 88% were certified within that timeframe.
Most reports not certified within 60 days involved filers who owned assets that presented potential financial conflict of interests with matters in their assigned workload. Additional time was needed to review records maintained in the field to determine whether there were any actual financial conflicts. The other reports involved filers whose reports required additional information or clarification regarding assets and thus these reports could not be certified until all necessary information had been provided by the filers.
Administrative delay by the agency delays were new entrant reports in system outside of prime filing season.
Last year was the first year of our use of FDonline and we encountered some initial difficulty with ensuring that the necessary information was included in the new portal. So even though we timely reviewed the vast majority of the reports, we did not certify some of them until the full suite of information was uploaded into FDonline. Additionally, we encountered some delays in certification while familiarizing our staff with the new platform review process during a time when we were severely short-staffed.
Reports with initial reviews completed more than 60 days after submission were due to workload-related delays and tracking inaccuracies when reviewers inconsistently record timely initial review completion, resulting in timely initial reviews that appear late based on the final certification date.
Additional information was being sought.
Reviewer missed a report in January when it was submitted and did not realize that it was missing until May.
Hundreds of reports are reviewed and certified by supervisory managers in offices and divisions throughout the FTC. Despite repeated reminders from the Ethics Team, inevitably a small number of managers fail to timely review and certify reports.
14 reports were overlooked.
We had 28 promotions in 2022. All employees were notified of their new filing status. Some of the filers completed an expired form and some were nonresponsive to the request to file a report.
Reviewer and administrative support workload and vacancies.

<p>Prior to November 2022, NCUA's Regional Office OGE 450s were reviewed within each respective Regional Office (3 total). Pressing programmatic needs prevented some of these 450 reports from being reviewed within 60 days. To address work-volume issues, OEC has now assumed full responsibility for reviewing all Regional and Central Office OGE 450 reports and added staffing resources for these purposes.</p>
<p>In the two cases where review was not possible, technical review and conflicts analysis could not be completed because the filer had not provided sufficient information, but was endeavoring in good faith to provide that information.</p>
<p>Additional information was being sought.</p>
<p>The numbers reported above are percentages. Actual numbers are made available to cleared OGE personnel when required. Some reports were reviewed more than 60 days after submission due to a lack of resources. While we note that the percentage of reports reviewed and certified within 60 days in 2022 generally improved from the corresponding percentages reported in NSA's 2021 Questionnaire, we also emphasize that the Office of the General Counsel has taken concrete steps to address this and is implementing changes for the 2023 filing season. Following the example of other large agencies that have a high volume of filers, this year we are assigning attorneys in all practice groups within the Office of the General Counsel to review financial disclosure reports, rather than relying exclusively on the small number of attorneys within the practice group in which the ethics office resides.</p>
<p>We have one confidential financial disclosure report that was certified past 60 days, on day 68. Initial review was completed within the 60-day timeframe, but additional information was sought and not received until after the 60th day due to the unavailability of the filer.</p>
<p>In limited circumstances, filers communicated with ethics counselors regarding their form outside of Ethics Gateway and thus the review time was not properly tolled. Instructions have been provided to ethics counselors to ensure proper process for review in Ethics Gateway is followed.</p>
<p>One was not closed because we needed to have further conversations about a covered relationship. It has since been certified.</p>
<p>OMB experienced ethics resource limitations during the 450 review period due to staff departures and an unexpected, extended leave. OMB hired additional ethics staff and returned to full resource level in the summer of 2022. Additionally, it is likely that some reports were reviewed during the 60 day period but an initial review date was not identified.</p>
<p>Two staff persons owned extensive stock market portfolios, one which included more than 80 assets. ADAEO investigated multiple pharmaceutical stocks held and drugs marketed to citizens to identify any potential conflict of interest with agency mission, and multistate opioid litigation.</p>
<p>OSTP had a high volume of onboarding staff members in 2022 with a very limited legal team to help support the agency. Additionally, OSTP legal team had frequent management turnover, including two General Counsel changes within a year, and OSTP OGC team with different detailee ethics attorneys every few months. Moreover, OSTP had high number of detailees and they provided copies of their certified 450s, and these reports would not have been certified by OSTP OGC given they were already reviewed and certified by their home agencies. OSTP OGC reviewed but did not certify the 450s detailees had on file with their home agencies.</p>
<p>Staffing shortage.</p>
<p>Filers submitted before ADAEO was appointed.</p>
<p>Two reports were issued in December 2022 and certified in 2023.</p>

Sixty percent of the reviews/certifications that took longer than 60 days were 1-3 days late. A few of the forms certified after the 60 days were returned to the filer for additional information. Nearly half of the late reviews/certifications had intermediate office reviewers which imposed delay for the final certifier. About 40% of the reviews/certifications taking more than 60 days were attributable to one individual reviewer who had been on leave.
One OGE 450 filer neither reviewed within . Justification: In the past, we did not require the contracting officer (CO) to complete an OGE 450. But after review, we determined that the CO should file. Although the request was sent within the 60-day window, CO was unable to complete because of other tasks until after 60 days expired60 days nor closed within 60 days.
Additional information required, extended leave, increase in workload due to the pandemic.
Additional information was being sought.
Due to competing priorities and workload challenges, the reports were reviewed more than 60 days after submission.
One was certified the first business day after the 60 day due date, so it was closed at 61 days by system calculation. The other was not closed in 60 days due to personnel staffing issues.
Due to a technological error, a small number of reports were temporarily "lost" in the electronic filing system.
Transition issues relating to an administrative staffing change at HUD contributed to delay in the review of the 450 in 2022. Those issues have been resolved and a system has been put in place to ensure timely review and certification of reports when there are administrative staffing changes in the future.
Insufficient manpower to dedicate to the task within 60 days.
High volume of filings and a significant increase in inquires related to the end of COVID (gifts, travel, etc.) which required the ethics office to shift resources.
Two reports required more than 60 days to review due to a personnel change involving the reports' reviewers.

Question 41 Table 2

One filer's report was inadvertently returned and, due to technical issues, the filer needed assistance from the Agency's IT department to resubmit. Two reports required additional information and edits before being certified.
The primary certifier was on extended leave at the end of the calendar year and returned one day after the certification deadline, which fell on a federal holiday.
One individual was given a maternity leave extension.
Some reports were not certified within 60 days because the reviewing official had to wait for the filer's supervisor to review and sign the report before it could be certified (paragraph 7-306 of the DoD Joint Ethics Regulation, DoD 5500.-7-R, requires that all OGE Form 450 reports must be reviewed and signed by the filer's supervisor).
Above reason, reports were not signed by supervisors timely and manpower/staffing. Approximately 20 were delayed due to an ethics reviewer's lack of familiarity with the intricacies of the FDM reporting system and was unaware he had to access a particular category of reports that the system had designated for his specific action. Additional training was conducted.
1) Personnel turnover and lack of continuity at several field ethics offices delayed certification. 2) Personnel shortages at several field ethics offices delayed certification. 3) Ethics personnel in one major command were diverted to process the high volume of requests for exemption (over 2,000) from the COVID-19 vaccination requirement. Delayed certification of 450s. 4) Ethics officials sought additional

<p>information from filers and filers did not respond within 60 days. 5) Supervisor of a 450 filer was not identified until after 60 days had passed. 6) Problems with obtaining signatures of supervisors - supervisors were deployed or did not respond to requests of ethics officials to sign 450s. When they did sign the 450s, more than 60 days had passed, causing ethics officials to certify 450s after they were 60 days old. 7) New supervisor was not familiar with FDM. Led to delay in supervisor review. 8) Technical issue with the FDM filing system prevented some ethics offices from being able to see their 450s. Offices reviewed and certified 450s as soon as they could after problem was corrected. 9) Heavy workload in Civil Law division, which includes the Ethics section, delayed certification</p>
<p>The DoD requires that supervisors review reports in addition to the OGE 450 certifier. In some cases the dual level of review delays the OGE 450 certifier's final certification.</p>
<p>One OIG employee submitted an initial 450 Form without signature and re-submitted the signed form late.</p>
<p>Staffing shortages administrative oversight new ethics official learning curve</p>
<p>Reports that were closed/certified more than 60 days was due to supervisor delays conducting their reviews. This caused quite a few reports to be certified over 60 days.</p>
<p>OIG: OLC needed to determine its stance regarding cannabis investments.</p>
<p>Reviewer workloads, technical failures, administrative errors, and staffing turnover and shortages.</p>
<p>Filings were certified or closed more than 60 days after submission due to: new entrants as well as certifying officials that were new to the role needed clarification on requirements, one new entrant filing raised unique issues that required additional examination before it could be certified, two filings were not provided to the final reviewing official timely, and administrative error.</p>
<p>as explained for delay in review, above.</p>
<p>Our e450 system requires specific names in the DEO/ADEO roles. Whenever an incumbent leaves a position or is otherwise unavailable, then any pending forms are "stuck" in the system. We are working on educating ethics officials to notify EPA Ethics whenever there are changes to the DEO/ADEO to keep the system moving fluidly. Another issue we identified is that some ethics officials and filers fail to follow up assiduously, so uncertified forms languish in the system.</p>
<p>Administrative delay due to complex assets or new entrant reports submitted outside of prime filing season.</p>
<p>2022 was the first year FHFA used FD Online so there was a bit of a learning curve for both filers and reviewers/certifiers.</p>
<p>Reviewer missed a report in January when it was submitted and did not realize that it was missing until May.</p>
<p>Hundreds of reports are reviewed and certified by supervisory managers in offices and divisions throughout the FTC. Despite repeated reminders from the Ethics Team, inevitably a small number of managers fail to timely review and certify reports.</p>
<p>14 reports were overlooked but are now certified or closed.</p>
<p>We had 28 promotions in 2022. All employees were notified of their new filing status. Some of the filers completed an expired form and some were nonresponsive to the request to file a report.</p>
<p>Reviewer and administrative support workload and vacancies.</p>
<p>As noted above, prior to November 2022, NCUA's Regional Office OGE 450s were reviewed within each respective Regional Office (3 total). Pressing programmatic needs prevented some of these 450 reports from being reviewed within 60 days. To address work-volume issues, OEC has now assumed full responsibility for reviewing all Regional and Central Office OGE 450 reports and added staffing resources for these purposes.</p>

In some cases - other than those where additional information was being sought - reports were not certified due to administrative oversights. All reports except for one, where a filer had a significant but good faith delay in obtaining information about their personal finances, were certified within 66 days of receipt.
See the explanation immediately above regarding reports that were reviewed more than 60 days after submission.
OSTP had a high volume of onboarding staff members with a very small number of staff on the legal team. Additionally, in 2022, OSTP OGC had temporary GCs who stayed with the agency and departed within few months of their start date at the agency. The frequent management turnovers and minimal support on the legal team with high volume of onboarding staff members created difficulty in addressing all 450 reports in a timely manner. Moreover, OSTP had high number of detailees and they provided copies of their certified 450s, and these reports would not have been certified by OSTP OGC given they were already reviewed and certified by their home agencies. OSTP OGC reviewed but did not certify the 450s detailees had on file with their home agencies.
Staffing shortage.
Filers submitted reports before new ADAEO was appointed which delayed certification of those reports.
Sixty percent of the reviews/certifications that took longer than 60 days were 1-3 days late. A few of the forms certified after the 60 days were returned to the filer for additional information. Nearly half of the late reviews/certifications had intermediate office reviewers which imposed delay for the final certifier. About 40% of the reviews/certifications taking more than 60 days were attributable to one individual reviewer who had been on leave.
Agency ethics program was experiencing reduced staffing in reviewers at this time.
Transition issues relating to an administrative staffing change at HUD contributed to delay in the review of the 450 in 2022. Those issues have been resolved and a system has been put in place to ensure timely review and certification of reports when there are administrative staffing changes in the future.
high volume of filings, especially more complex new entrant reports which can require significant guidance and follow-up.

Part 9 Comments

Two confidential filers resigned in 2022 but filed all required financial disclosure reports in a timely fashion.
Q 40 and 41 - Numbers are classified unless included.
RE Qs 40 & 41: The Bureau's Ethics Office did not certify one employee's OGE Form 450 because that employee was not in compliance. That employee resigned during the 2022 program year after determining in consultation with the Ethics Office that they could not come into compliance.
Questions 41 and 42: Of the 438 reports required to be filed, only 436 were certified in 2022. The two reports were filed in December 2022, but certification is not due until February 2023.
9. One individual was given a maternity leave extension.
Question 42: In most cases, filing extensions were granted to New Entrant filers because the filer received late notice to file his or her OGE Form 450. The filers received late notice because the agency could not add them as filers to the FDM electronic filing system until they had received a Common Access Card (CAC) and had a functioning DCSA email address, which often occurred several days or weeks after the employees' appointment date and prior to the employees assuming their duties.
Q41: Best estimates reported based on information available. Some components and offices are unable to precisely track/report due to administrative error, technical failures, and decentralized program administration.

Due to PIV card issues and FDM server difficulties, a number of extensions were granted. Q.42 153 extensions were granted for OGE-450. The Alt-450 is used only for vetting proposed VA Research projects for conflicts. The information disclosed on these reports may disclose the need for a waiver under 18 USC 208(b)(1), which is coordinated with OGE.
#40 and #41 - Data not included/is classified.
Question 42: The numbers reported above are percentages. Actual numbers are made available to cleared OGE personnel when required.
Q 42 -- OMB does not grant extensions after the filing date, leading to more reports showing as late.
41. As noted above, we have a human capital issue. There is only one attorney reviewing these, and they have significant additional duties outside their ethics responsibilities. We are working to better prioritize a timely review of these reports, including adding a new member to our Ethics Team to help with preliminary reviews of these reports. The outstanding reports remained uncertified during 2022.
The CO mentioned above was granted an extension.
#41 - TVA implemented several enhancements prior to the start of the 2023 filing season to improve timeliness: 1) bringing on an additional full-time ethics official to be responsible for the management of the OGE Form 450 reports (approximately 1,300 annual reports) 2) assigning a separate full-time ethics official the responsibility for the management of OGE Form 278 and OGE Form 278-T reports and 3) updating the escalation protocol to include a weekly report and follow up emails to those filers with outstanding reports that are due soon.
One employee who was on extended leave out of the country attending to a family situation through the end of 2021 and into early 2022 was granted an extension, which the employee ended up not fully using since the 450 report was ultimately filed on February 16, 2022.

Question 46 Table 1

Q#45(c): On 8 April 22, the U.S. Army Center of Military History (CMH) removed a Museum Curator, GS-1015-13/10 from Federal service based on violations of ethics provisions. Specifically, the Curator admitted to soliciting a CMH contractor for a WWII-era rifle-mounted grenade launcher, and on another occasion accepting a Revolutionary War era replica sword from a different CMH Contractor.
Q#46: No OGE Form 202 was filed because the Department of Justice officials decided not to accept this case for prosecution via an informal discussion with the Army Criminal Investigation Division office.
OGE advised OIG that it was not required as employee was an Administratively Determined position.
Submission is pending.
Per current DOI OIG policy, DOI OIG staff report accepted referrals. Accordingly, it is likely that OGE was not notified of all 2022 referrals via OGE Form 202. DOI OIG is reviewing the current policy and practice to improve future reporting compliance.
OIG: Open investigation. Referral to Department for administrative action pending.
Disposition pending, employee resigned.

Part 10 Comments

Q#45(c): On 8 April 22, the U.S. Army Center of Military History (CMH) removed a Museum Curator, GS-1015-13/10 from Federal service based on violations of ethics provisions. Specifically, the Curator admitted to soliciting a CMH contractor for a WWII-era rifle-mounted grenade launcher, and on another occasion accepting a Revolutionary War era replica sword from a different CMH Contractor.

Q#46: No OGE Form 202 was filed because the Department of Justice officials decided not to accept this case for prosecution via an informal discussion with the Army Criminal Investigation Division office.
OGE advised OIG that it was not required as employee was an Administratively Determined position.
The DOI Office of Inspector General initiated a referral (which did not involve 18 U.S.C. § 207) to the Department of Justice, as reflected in response to Q#45a, #45b, and #45c(v). Because the OIG has not shared information about this referral with agency leadership authorized to make determinations on disciplinary or corrective action as of December 31, 2022, the DOI's response to #45c(i-iv) is reflected as 0. This answer correctly reflects the fact that a determination is not currently pending before any authorized agency official with the ability to make a determination as to whether disciplinary or corrective action will be taken.
Regarding the foregoing referral: the employee in question was referred to DOJ on account of failing to file their Termination report but, to date, the agency has not received notice or confirmation from DOJ as to the disposition of the matter.
Q.43. For last year's AQ, the Ethics Specialty Team attempted to obtain information Department-wide on disciplinary actions based on Standards of Conduct violations. We concluded, however, that the number we obtained from that process is likely very inaccurate. We are currently in the process of developing a more reliable way to track and compile that information. In the meantime, we are reporting zero disciplinary actions this year for Q43 rather than provide a number with no actual informational value. Q.44. VA does not track this information. Q.45. The DOJ referral was for failure to fully disclose information on a public financial disclosure report. After DOJ filed suit, the filer complied with the requirements and DOJ dismissed the case.
Please note the case referenced in Question 45(c)(iii) is ongoing and has not been referred to the agency yet for action.

Question 48 Table 1

OVP had one full-time employee who was anticipated to serve less than 3 months. White House Counsel's Office and OVP Counsel determined the employee was not required to sign the Ethics Pledge due to the anticipated short term of service.

Question 48 Table 2

The Office of the National Cyber Director was established in June 2021 and was not required to file an OGE Annual Questionnaire covering that period. In 2021, ONCD had 1 PAS who signed the pledge.
Filer signed the Ethics Pledge late.
All Executive Office of the President and Senate OVP staff are required to sign the pledge. OVP had one full-time employee who was anticipated to serve less than 3 months. White House Counsel's Office and OVP Counsel determined the employee was not required to sign the Ethics Pledge due to the anticipated short term of service.
Not required to sign the Pledge because occupied an exempt non-policymaking position.
Enhanced recordkeeping has been implemented to document Pledge collection and reduce delays in Pledge collection.
Due to miscommunication between the personnel office and the Ethics Law Division regarding which division would obtain signed pledges in 2022, there was a delay in getting some signatures.
All appointees have signed the ethics pledge.

Question 49 Table 1

Maureen Elias received an ethics pledge waiver. See below
The two appointees, Shiva Goel and Hannah Lepow, who were registered lobbyists or registered under the FARA prior to coming on board are not Senate-confirmed appointees and do not have specific ethics agreements, but have received counseling regarding the Ethics Pledge and understand their obligations.
Elizabeth Eurgubian, a non-PAS Schedule C appointee, was issued a limited ethics pledge waiver for Paragraph 3. This waiver does not permit Ms. Eurgubian to participate in any party-specific matters directly affecting the financial interests of her former employer, or former clients, that she personally served as an agent, attorney, or consultant within two years prior to her appointment at the NCUA, including but not limited to contracts or grants.
Leidy Perez-Davis does not have an ethics agreement addressing obligations under paragraph 3 of the Ethics Pledge because she was granted an Ethics Pledge Waiver for paragraph 3.

Question 52 Table 1

The DAEO briefed the White House Counsel's Office. At the direction of the White House Counsel's Office, the individuals were counseled on their obligations under EO 13989.
In 2022, to the extent that a determination was made by either the DOI Office of Inspector General (OIG) or agency leadership that an employee violated the Executive Order 13989 Pledge, enforcement actions included verbal counseling, requiring employee review of updated ethics guidance, and attendance at ethics training sessions.

Part 11 Comments

50. The Ethics Pledge waivers for Andrea Delgado and Gail Greenman prepared by the USDA Office of Ethics and were timely provided to OGE and were also timely publicly posted on USDA's Ethics website (at www.usda.gov/ethics).
Q49 – OSD has over 150 political appointees. Neither the Ethics Pledge Form nor the OGE 278 provides a location for this specific information to be disclosed. HR requires all political appointees to sign the Ethics Pledge Form provided by OGE and the White House. While that Pledge form does not elicit disclosure of prior lobbying or FARA registration status, individual guidance is provided to appointees based upon information concerning prior employment and compensation contained in the OGE 278. Additionally, Ethics Pledge restrictions are addressed during live training sessions provided to new political appointees.
48. These numbers include individuals who signed the pledge in anticipation of appointment, but who were not yet on-boarded as of December 31, 2022. 49. Prior lobbying and FARA registrations are not tracked, but all appointees receive guidance on these issues. No ethics agreements have specifically addressed Pledge paragraph 3, because conflicts with appointees' duties have not been likely.
Additional Comments Question #51: The DOI OIG issued a report in 2022 that described instances where a DOI employee did not comply with the requirements of the Ethics Pledge. Please see the OIG's website at www.doioig.gov for additional information. Furthermore, DOI has received certain information indicating that Ethics Pledge violations may have occurred in 2022 and is currently reviewing available information to determine whether there were any violations of the Ethics Pledge. Additional Comments Question #52: As general practice, the requirements of Executive Order 13989 are covered in Initial

Ethics Training, Annual Ethics Training, and individual ethics guidance materials provided to political appointees. Furthermore, DOI leadership facilitated a supplemental ethics briefing in 2022 for all political appointees which covered the requirements of Executive Order 13939, and have provided targeted reminders emphasizing the importance of personal compliance with all applicable ethics obligations.
Q48: One political appointee signed the Pledge as a Non-Career SES in 2022, but was later confirmed and appointed as a PAS official (also in 2022, no break in service). As such, he is counted in both line i and line v.
#47: The chairman of the board of directors of the FCA serves on the board of the FCSIC. The two other board members of the FCA also serve on the board of FCSIC, and one of those two also serves as FCSIC's chairman. Because the board members are shared between the two agencies it would be double counting to account for their financial disclosure reports on both FCA and FCSICS Annual Ethics Program Questionnaire. To avoid overcounting, the board members' financial disclosure reports are accounted for under the FCA's responses to the 2022 Annual Agency Ethics Program Questionnaire.
For Question 51, there is no awareness of any violation, however, DAEO did not onboard until February 2022 and ADAEO did not onboard until May 2022.
Q48: As a matter of policy, all OVP employees, whether funded by the U.S. Senate or the Executive Branch are required to abide by the Ethics Pledge. Senate-funded staff are reflected in the "Other" category.
Q48v.: Some White House Office appointees were required to sign the Ethics Pledge in a previous position at another agency. However, we only record whether an employee has signed the Ethics Pledge, and do not track whether the employee provided a copy of a previously-signed Pledge from another position or if the employee re-signed the Pledge upon beginning their position at the White House Office.

Question 54 Table 1

The Human Resources appointment process for USDA FACA and non-FACA SGEs made it extremely difficult for the Office of Ethics to receive timely information needed to notify filers of the training requirement and track completion thereof. We are working to address this.
Discrepancies resulted from end of year appointments, where the committees did not meet, but are expected to in 2023, before which the members will receive IET. One committee did not get trained due to inadvertent oversight due ethics official turnover.
SGE was non-responsive to both 450 Program Manager and designated federal officer. SGE no longer with AF.
One Agency board DFO misunderstood the requirement. That Agency has taken steps to correct this.
SGEs who received IET in 2022 after the first meeting were previously on an annual training schedule that did not coincide with the first meeting of the year. DOE has changed that practice starting in 2023. Regarding the sole SGE who has not yet received IET training, ethics staff is working with the DFO to resolve the situation.
One office's process was to train new committee members prior to the first meeting, and to train incumbent committee members after the first meeting but prior to the second meeting.
We have and will continue to follow-up with this SGE to get them to take IET.

Certain SGEs completed IET after the first meeting because of a breakdown in tracking of training requirements for SGEs appointed to multi-year terms of service or because internet connectivity disruptions in a remote location made it impossible to complete IET before the first meeting.
One SGE member was appointed late in the calendar year.
17 SGEs will receive IET at the first meeting in CY 2023.
The President appointed two new Commission members (PAs and SGEs) on 11/10/22. Both new members attended their first Commission meeting on 12/1/22. Because all SGE Commission members receive annual ethics training prior to the first meeting of the year (1/5/23), I ensured the two new members received their initial and annual training simultaneously. The two new members both completed their ethics training requirements on 1/4/23.
Due to COVID restrictions, two Board Members received their briefing just after their first virtual Board Meeting.
There are 21 Commission Members. There were 14 new appointments in 2022. However, the first 7 were appointed in January 2022 and the Members they replaced were terminated and did not complete the ethics program. The other new Members were appointed in May and September. The Members they replaced completed the 450 but not the annual ethics training form. All 28 received some portion of training of the USCPAHA ethics program.
All SGEs received ethics training in 2022, but all SGEs returned to DFC as a part of a mutli-year appointment and are past their first meeting.

Question 55 Table 1

One SGE has not yet filed his OGE 450.
Four filers were granted filing extensions and as of January 1, have not yet submitted their OGE-450. Those reports will be counted in the agency's response, to be filed in 2024. The other two filers have been contacted and will file soon (one is out of the country and the other is having difficulty accessing relevant financial records).
Despite repeated filing notices and follow ups from Office of Ethics leadership, some SGEs failed to complete their OGE 450 reports as required.
2 reports are outstanding but are in progress.
One SGE did not respond to requests to file. No longer an SGE.
Faulty oversight.
1 PVIAP member was non-compliant 2 NAGB Members where non-compliant.
Of the reports that were not filed: (1) two confidential report filers left their filing positions in 2022 (2) one public report and seven confidential reports were submitted in 2023 (3) ethics staff is continuing to work the DFOs to ensure timely filing in 2023.
Noncompliance. SGEs who do not submit financial disclosures are not permitted to participate in Department business.

We onboarded nine new SGEs Dec 1 of 2022 and had expected to be able to have them file electronically. However, we faced technical issues, and will be collecting the forms in paper form. These new SGEs have not provided advice to the government and also have not attended any committee meetings. We will be sure to collect and certify the reports prior to the first committee meeting in the Spring (March or April) of 2023.
The committee member departed prior to the office's collection of members' reports.
The delinquent Expert/Consultant report was filed in January. Several Fulbright board members appointed in prior years have not filed report and have been unresponsive, despite numerous reminders of their obligation to file a report each year.
One SGE was not initially assigned a report due to tracking error but was assigned a report when the error was discovered in late 2022 and one SGE provided information but refused to file an assigned report. Ethics officials are continuing to follow up in an effort to ensure that required reports are submitted.
Technical issue that has been resolved.
One report is outstanding. Efforts are being made to prompt the filer to complete it.
Detailee ethics attorneys advised few consultants did not need to file 450s. Additionally, by the time some consultants were determined as individuals who needed to file a 450, they had already departed.
SGE was granted an extension and is in the process of filing report.
One Commission Member has not submitted a 450 in several years. We have requested that she be replaced for the last few years. She was finally replaced this year.
Two SGEs were not notified to file their 450 when reappointed to the Advisory Board. EAC will notify the SGEs and note the administrative error.

Question 56 Table 1

The number of reports certified and closed in 2022 is marked as zero because an extension was granted and the report was submitted in 2023. FDM cannot issue an account that the SGE can log in using a username or password because the SGE does not have a CaC. FDMs recommendation was to have the SGE complete a paper OGE 450, submit it to our office for review, and mark in FDM that the member signed outside of FDM. The SGE submitted their completed OGE 450 New Entrant Report to the Ethics Office on 1/20/2023. The report was forwarded to the CoS the same day for their review and signature as the supervisor. Waiting to receive the report back.
At current staffing levels, each financial disclosure reviewer in the Office of Ethics is responsible for reviewing an average of nearly 900 OGE-450 reports each year, in addition to providing ethics advice and training to their clients (OE advisors perform all three functions.) This very large report volume combined with a very large client population (~5,000 employees per advisor) makes 100% timely review of reports very challenging. With a ratio of only 1 Ethics Officer for every 5,000 USDA employees, USDA's Office of Ethics is one of the least resourced Ethics Offices of any Executive Branch Department. In addition, a Senior Advisor from the area responsible for reviewing reports for the non-FACA advisory committee members was detailed out of the department for three months, leaving an already short-staffed office even more short handed.
1) Reports were not received from supervisor within 60 days. 2) Supervisor absences/lack of awareness of the need to review and sign the 278s within 60 days delayed the initial review by the ethics official. 3) Turnover of supervisors and ethics officials led to delay in reviewing 278s. 4) Unfamiliarity with Integrity e-filing system and reviewing reports in the system.

All public SGE reports are for SM HQEs within the Office of the Joint Chiefs of Staff. That office indicated that they were delayed in reviewing due to manpower/workload issues. DoD SOCO is working with them to improve processes.
Staffing shortages seeking additional information and guidance.
Filers needed to provide more supplemental information in their filing. One particular filer did not submit their signed Ethics Agreement and the ethics official preferred to certify reports upon receipt of an ethics agreement.
Additional information sought from filers and technical issue with e-filing system notifications that has been resolved.
Supervisor delay.
Additional information sought, completion of initial review by committee designated federal officer, and reviewer and administrative support workload and vacancies.
Due to a lack of resources (an issue that is being addressed - see response to Question 12), NSA did not review its SGE reports within 60 days in 2022. However, the advisory board on which these SGEs serve is intentionally structured in such a manner as to avoid having members participate in particular matters. Further, members sign an agreement stating that they will not participate in official matters that may affect an entity with which they have an affiliation or financial interest. Thus, regardless of any interests disclosed on a report, it would not affect the manner in which they performed their SGE duties.
In limited circumstances, filers communicated with ethics counselors regarding their form outside of Integrity and thus the review time was not properly tolled. Instructions have been provided to ethics counselors to ensure proper process for review in Integrity is followed.
OMB had a single SGE, who departed in February 2022 prior to filing a financial disclosure report. This SGE had filed a financial disclosure report in a prior year.
Not applicable.
One Board Member was late in filing - late fee was assessed.
The agency was without a DAEO from 1/28 to 6/8 thus 3 of the confidential reports were not signed until 6/9/22
Staffing shortage
This was our first year using FD Online. Several Commission Members were resistant to using the online technology and we needed to work with them to upload supplemental documentation. There was quite a bit of back and forth this year and a few reports were "reopened" after they were submitted to add in additional information. 11 were closed within 60 days. 21 were closed within 70 days. The longest report to close took 5 months. All reports were certified.

Question 56 Table 2

1) Reports were not received from supervisor within 60 days. 2) Administrative error – certifying official thought she certified 278 on 60th day instead she had certified on 61st day. 3) Supervisor absences/lack of awareness of the need to review and sign the 278s within 60 days delayed the certification by the ethics official. 4) Turnover of supervisors and ethics officials led to delay in certifying 278s. 5) Unfamiliarity with Integrity e-filing system and closing out reports in the system
Staffing shortages
Board members are not required to file annual reports.

Completion of initial review by committee designated federal officer, and reviewer and administrative support workload and vacancies.
20 advisory committee reports were reviewed timely but certified after 60 days because of administrative errors. The remaining two reports were certified after 60 days because follow-up information was being sought.
See the explanation immediately above regarding reports that were reviewed more than 60 days after submission.
One Board Member was late in filing - late fee was assessed.
The agency was without a DAEO from 1/28 to 6/8 thus 3 of the confidential reports were not signed until 6/9/22
high volume of filings

Part 12 Comments

A filing extension was granted for the SGE's 2022 OGE 450 New Entrant Report was granted in December 2022 due to the SGE not having a CaC and not being able to access FDM. The extension was granted to allow the ethics program time to work with FDM on a course of action or an alternative way to submit their filing.
Q53. This year's response reports more SGEs than last year's response. The number of SGEs is greater for these reasons: a) this year's numbers include FACAs that were inactive in CY 2021 but active in CY 2022, b) offices doing a better job of tracking the experts/consultants, c) offices doing a better job of recording the SGE status of Air Force Reserve general officers in Integrity.
Q57-While most reserve officers meet the definition of SGE, the DAEO excluded them from the financial disclosure filing requirement unless their job duties meet the filing requirement. Any reservist that is required to file an OGE 450 report is covered in Part 9.
Q57 Most excluded SGEs are those on boards advising on internal personnel matters such as sexual assault prevention and military family/personnel issues, or providing part time skilled services such as teaching and language interpretation.
Q57: One component maintains a pool of SGEs ready to serve on FACA committees. These SGEs are exempt from confidential financial disclosure filing requirements until they are actually placed on a committee. Other exempt SGEs are primarily employed through the National Disaster Medical System (NDMS) to respond to major disasters.
One SGE was a former federal employee of another agency and an annual confidential filer there. They are now a DOJ annual confidential filer.
#53: Includes SGEs appointed in 2022 or serving at end of the year. SGEs from previous years who were not reappointed in 2022 are not counted.
Additional Comments for Question #53 and #54. DOI reported 124 total SGEs in response to this question because 124 a number of individuals were appointed to serve as SGEs in prior years to multi-year or open-ended terms of appointment. Eighteen individuals who were expected to serve as SGEs in 2022 did actually not perform any duties of an SGE, including attending meetings or advising the DOI in 2022 and were subsequently omitted from the response to Question #54 as required to receive IET in 2022.
Q53. This number reflects SGEs on Parent Committees and on some Merit Review Boards/subcommittees.

In February 2022, EPA Ethics issued an advisory about the ethical obligations of SGEs that was sent to all DEOs and Designated Federal Officers. We also provide ethics training to DFOs and, upon request, to FACA committees.
The NEA employs a large number of SGEs on FACA committees to fulfil its grantmaking functions. This year, there were 641 SGEs on the Arts Advisory Committee, and 5 SGEs on the Federal Advisory Council on International Exhibitions. Each of these employees serves 1 day a year, and is not permitted to participate without undergoing IET and completing an OGE-approved 450 alternative form. The National Council on the Arts is a FACA committee consisting of PAS SGEs. They fill out 450s during their nomination, and an OGE-approved alternative form before each meeting. This year, there were 25 total NCA members - 7 current members, 10 new members, 3 members who were replaced before the first meeting of the year, 7 who were replaced before the second meeting of the year, and 1 who left without being replaced. (Continued in Additional Questionnaire Comments)
Q 58: SGE Filer was granted an extension and will have report filed in under 30 days.
53. We had 38 Intermittent Experts at the agency during CY22. They were all expected to serve 130 days or less during the calendar year. Due to the nature of their duties, they were all exempted from the filing requirement. We are analyzing whether they actually qualify as SGEs.
Comment related to question 57: The SGEs who were excluded from the confidential filing requirements were paid student interns. Pursuant to authority at 5 CFR 2634.904(b), the DAEO made a categorical determination that the student interns' duties raise only a remote possibility of any real or apparent conflict of interest. Moreover, the student interns are highly unlikely to have a substantial role in the formulation of agency policy or serve on a Federal Advisory Committee. In addition, their work is heavily supervised. Thus, the DAEO determined it was appropriate to exempt the student interns from the confidential filing requirements.
More than half of the Commission Members requested extensions for filing the 450 in 2022.
After resolution of the disagreement between the Postal Service and the Office of Government Ethics, the employee who had not filed an OGE-278 in 2021, did so in 2022.
58. The Commission has one SGE Commissioner who is also blind and requires special assistance in filing the OGE 450. The Commissioner was offered an extension as an accommodation, along with other supports, but the extension was ultimately not needed and the report was filed by February 15.
Q.53 No SGEs were serving on a board or commission in 2022. All SGEs received Initial Ethics Training.

Overall Comments

Cont from Comments to Part 12 - NCA members occasionally undertake ad hoc duties representing the NEA in public-facing matters. As such even if they did not perform FACA duties in CY2022 or a day of public-facing service in 2022, because their appointments extended into CY2022 we include them in the count of active SGEs. Q55 - this total includes all AAC and FACIE reports, nominee reports for all incoming NCA members (including reports certified in CY2021, per additional comments to section 12 of last year's Annual Ethics Questionnaire), and OGE-approved 450 reports required to be provided by NCA members before each of this year's 3 NCA FACA meetings. If an NCA member does not attend a meeting, they are not required to provide a form. As such the total here represents the following required reports: 641 AAC + 5 FACIE + 10 NCA nominee reports + 12 required March NCA reports + 13 required June NCA reports + 16 required October NCA reports = 697 required reports. Q56 - Total is same as noted above, less the two omitted reports (per comment to Q55) and the 10 nominee reports (which were certified the previous year)
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