

# ANNUAL PERFORMANCE REPORT

UNITED STATES  
OFFICE OF  
GOVERNMENT  
ETHICS

FISCAL YEAR

2018

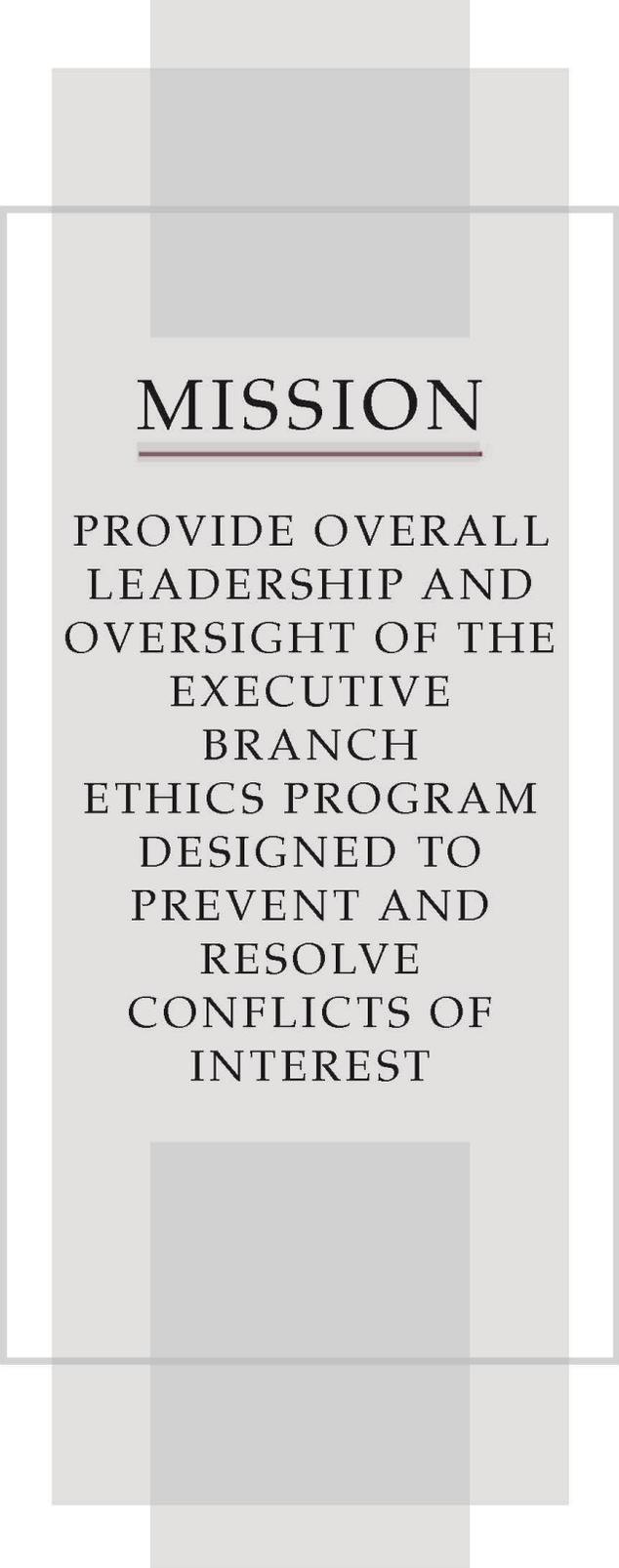
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## MISSION

PROVIDE OVERALL  
LEADERSHIP AND  
OVERSIGHT OF THE  
EXECUTIVE  
BRANCH  
ETHICS PROGRAM  
DESIGNED TO  
PREVENT AND  
RESOLVE  
CONFLICTS OF  
INTEREST



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## Section I – About OGE

The U.S. Office of Government Ethics (OGE), established by the Ethics in Government Act of 1978, provides overall leadership and oversight of the executive branch ethics program, which is designed to prevent and resolve conflicts of interest. OGE’s mission is part of the very foundation of public service. The first principle in the Fourteen General Principles of Ethical Conduct for Government Officers and Employees provides that “Public service is a public trust, requiring employees to place loyalty to the Constitution, the laws and ethical principles above private gain.”

Each day, some part of the ethics program is at work in every agency in the executive branch. The program ensures that Presidential appointees are aware of their ethical obligations and role in creating an ethical culture in their organizations as they begin government service. It ensures that public servants at all levels remain free from conflicts of interest and even the appearance of conflicts of interest, as they carry out the responsibilities the American people have entrusted to them. It ensures that employees who are seeking to leave the government avoid conflicts of interest and, after they leave, it ensures that they do not exercise undue influence over their former agencies on behalf of others. Above all, it is working to protect the public’s trust in government.

### Institutional Integrity in the Executive Branch

The Ethics in Government Act charges OGE with leading the effort to prevent conflicts of interest in the executive branch. OGE undertakes this important prevention mission as part of a framework comprising executive branch agencies and entities whose work focuses on institutional integrity. In addition to government ethics, this framework

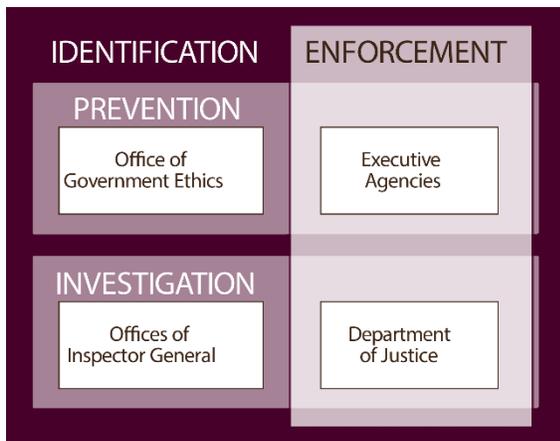


Figure 1: Institutional Integrity

includes merit system protections in the civil service; full and open competition in procurement; fiscal controls; transparency programs; investigation of waste, fraud, and abuse; and criminal, civil, and administrative enforcement. Potential violations of legal authorities established under this framework, including government ethics authorities, are primarily investigated by Inspectors General staff members across the executive branch. If they find evidence supporting a violation, they notify the Department of Justice, which has authority to prosecute individuals who violate ethics laws.

Within this framework, the ethics program works to ensure that public servants, with impartiality, carry out the governmental responsibilities entrusted to them, and serve as good stewards of public resources. Toward these goals, the mission of the ethics program centers on preventing conflicts of interest and the appearance of conflicts of

interest that stem from employees' financial interests; business or personal relationships; misuse of official position; official time or public resources; and the receipt of gifts.

Taken together, the systems in place to identify and resolve conflicts of interest establish a foundation on which to build and sustain an ethical culture in the executive branch.

## OGE and Executive Branch Agencies

The executive branch ethics program is a shared responsibility. As the supervising ethics office, OGE sets policy for the entire executive branch ethics program. The head of each agency is statutorily responsible for leading the ethics program in his or her agency. This responsibility includes creating an ethical culture by demonstrating a personal commitment to ethics and providing the necessary resources to implement a strong and effective agency ethics program.



Figure 2: OGE and the Executive Branch

The agency head is also responsible for selecting a Designated Agency Ethics Official (DAEO), the employee with primary responsibility for directing the daily activities of an agency's ethics program and coordinating with OGE. Usually, the support of additional professional ethics staff is necessary to effectively carry out ethics program responsibilities. Each agency's employees, supervisors, human resource officials, and Inspectors General also play a significant role in maintaining the integrity of government programs and operations.

## How OGE Provides Leadership and Oversight

To carry out its vital leadership and oversight responsibilities for the executive branch ethics program, OGE:

- promulgates, maintains, and advises on enforceable standards of ethical conduct for the more than 2.7 million employees in over 130 executive branch agencies, including the White House;
- offers education and training to the more than 5,000 ethics officials executive branch-wide;
- oversees a financial disclosure system that reaches more than 26,000 public and more than 380,000 confidential financial disclosure report filers;
- operates and maintains *Integrity*, a public financial disclosure management application required by the Representative Louise McIntosh Slaughter Stop Trading on Congressional Knowledge (STOCK) Act of 2012;

- monitors executive branch agency ethics programs and senior leaders compliance with applicable ethics laws and regulations;
- prepares for Presidential transitions and provides assistance to the President and Senate in the Presidential appointments process; and
- conducts outreach to the general public, the private sector, and non-governmental organizations; and makes ethics documents publicly available.



\*The Program Counsel also serves as the Chief of Staff and is the designated First Assistant

**Figure 3: OGE Organizational Chart**

OGE’s greatest resource is its multidisciplinary staff of attorneys, ethics and financial experts, and other key personnel. OGE is a lean organization, operating at fewer than its 80 authorized full-time equivalents (FTE). OGE is led by a Director who is appointed to a 5-year term by the President and confirmed by the Senate. As shown in the

organizational chart in Figure 3, in addition to the Office of the Director, OGE is divided into four divisions that work together to carry out OGE’s mission.

## Long-Term Strategic Goals



**Figure 4: Strategic Goals and Objectives Framework**

The public can have greater confidence in the integrity of executive branch programs and operations when government decisions are made free from conflicts of interest. OGE's four strategic goals for fiscal years 2018 through 2022 – uniformity, accountability, continuity, and engagement – reflect the long-term outcomes that OGE strives to achieve in order to prevent and resolve conflicts of interest.

**Strategic Goal I: Advance a Strong, *Uniform* Executive Branch Ethics Program**

**Strategic Goal II: Hold the Executive Branch *Accountable* for Carrying Out an Effective Ethics Program**

**Strategic Goal III: Contribute to the *Continuity* of Senior Leadership in the Executive Branch**

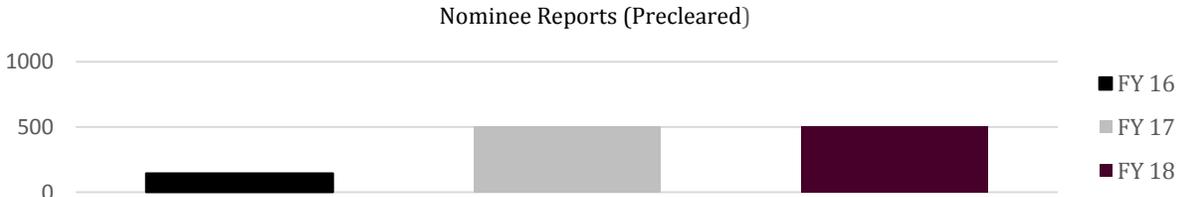
**Strategic Goal IV: *Engage* the Public in Overseeing Government Integrity**

Starting on page 5, this document describes OGE's Fiscal Year 2018 Performance Highlights. Page 6 describes OGE's performance in more detail and provides data related to the performance goals OGE used to measure its progress toward achievement of its strategic objectives.

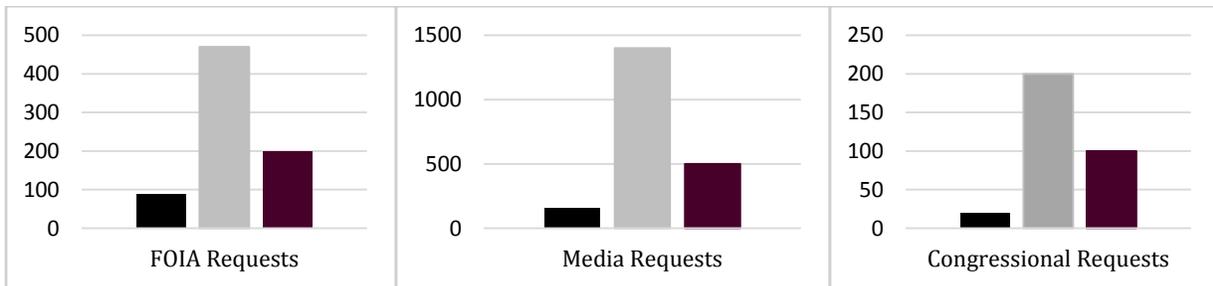
## Section II – Fiscal Year 2018 Performance Highlights

OGE’s services and expertise continued to remain in high demand in fiscal year 2018. In particular, OGE was actively engaged in its vital role of supporting the Presidential nominations process and responding to a continued demand for transparency and information about OGE’s work from the public, press, and Congress.

### Continuity: Presidential Nominations

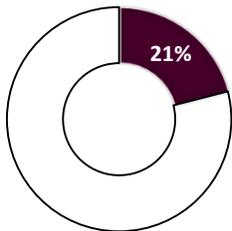


### Transparency: Continuing Public Interest



Despite an increased demand for its services and limited resources, and because of its dedicated staff and focus on continuous improvement, OGE continued to meet or exceed its multi-year performance targets in the following critical mission areas:

#### Accountability: Agency Ethics Program Reviews



- Reviewed (FY18)
- To be Reviewed (FY19- FY22)

#### Uniformity: Ongoing Work to Advance a Strong Program

**Guidance:** 16 legal and program advisories issued.

**Expert Support:** More than 1,600 requests for assistance answered.

**Training:** Over 11,000 OGE training products viewed.

**Annual Financial Disclosure:** Nearly 1,500 public financial disclosures analyzed.

## Section III – Fiscal Year 2018 Performance Report

OGE strives to ensure the integrity of government programs and operations and to increase public confidence in the impartiality of government decision-making. This important mission is translated into OGE’s strategic goals and objectives. OGE’s success in achieving these goals and objectives is measured by its progress on established performance goals.

This section highlights OGE’s major accomplishments and progress toward achieving its strategic objectives in fiscal year 2018, as measured by its performance goals.<sup>1</sup>

### Strategic Goal 1: Advance a strong, uniform executive branch ethics program

OGE has identified three strategic objectives to achieve its strategic goal of advancing a strong, uniform executive branch ethics program. These objectives are: (1.1) provide expert guidance and support to stakeholders; (1.2) strengthen the expertise of officials who are integral to the executive branch ethics programs; and (1.3) continuously refine ethics policy and issue interpretive guidance.

#### Strategic Objective 1.1: Provide expert guidance and support to stakeholders

OGE provided quality Desk Officer services and effective assistance to a wide variety of key stakeholders, including Congress and Inspectors General. OGE also continued to share relevant information and to create opportunities for ethics practitioners to engage with OGE and each other. Key highlights of OGE’s work are described below.

#### *Assisted and supported agency ethics officials*

OGE provides necessary support to agency ethics officials so they can provide uniform and effective ethics guidance to the nearly 3 million federal employees in the executive branch who serve the American people. OGE provides timely, expert advice on applying ethics laws and regulations, and disseminates up-to-date ethics information ethics practitioners need to do their jobs effectively. OGE’s Desk Officers assist agencies in resolving difficult ethics issues requiring expertise that only the supervising ethics office can provide. In fiscal year 2018, OGE Desk Officers and attorneys responded to approximately 1,600 requests for assistance from agencies. Twenty-one percent of those requests were related to public financial disclosure. Desk Officers also proactively engaged with agency ethics offices through in-person meetings to provide expertise and support, and to raise awareness of the range and availability of OGE’s services. On several occasions, OGE Desk Officers met

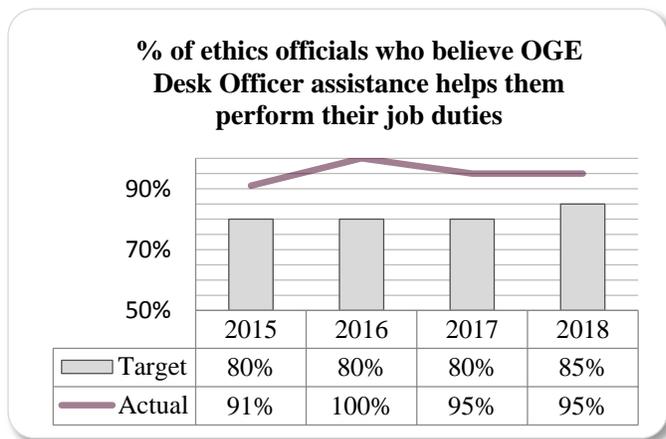
*“My desk officer provides exemplary service.”*  
- Ethics Official

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<sup>1</sup> The performance goals are based on statistical data from a variety of sources, including post-training evaluations, an annual agency ethics program questionnaire, Google Analytics, and an annual survey of ethics officials to assess satisfaction with OGE’s services and products.

with new ethics officials to provide an overview of the requirements of the ethics program and to introduce them to the services provided by OGE.

**Performance Goal:** OGE measured the performance of the Desk Officer program by



surveying ethics officials who requested assistance during fiscal year 2018. Ninety-five percent of survey respondents indicated that Desk Officers helped them to perform their job duties.

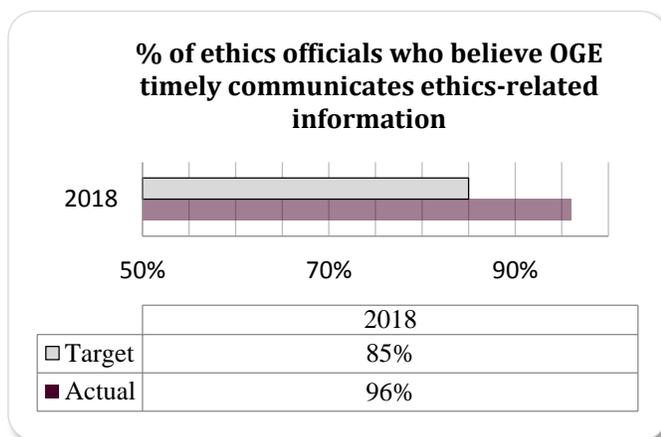
*Engaged ethics officials and other external stakeholders to share information and shape policy*

OGE continued its efforts to timely communicate ethics-related information to ethics officials and other external stakeholders. To support this

**Figure 5: Desk Officer Assistance**

effort, OGE used an email listserv and its website to provide timely and relevant information to the ethics community.

In fiscal year 2018, OGE also organized numerous meetings, conference calls, focus groups, and webinars to inform and collaborate with senior executive branch ethics officials on OGE’s initiatives. For example, OGE’s Director continued the practice of holding live quarterly meetings for senior agency ethics officials, followed by telephone sessions to recap subjects covered during the meetings for those who could not attend in person. At these meetings, which were frequently attended by over 80 senior ethics officials, OGE’s senior leaders shared information critical to managing an effective ethics program, encouraged discussion of current ethics issues facing the executive branch, and consulted with agency ethics officials regarding contemplated changes in OGE’s policies and regulations. In response to OGE’s annual survey of ethics officials, 89 percent of respondents indicated that they felt more informed as a result of attending these quarterly meetings.



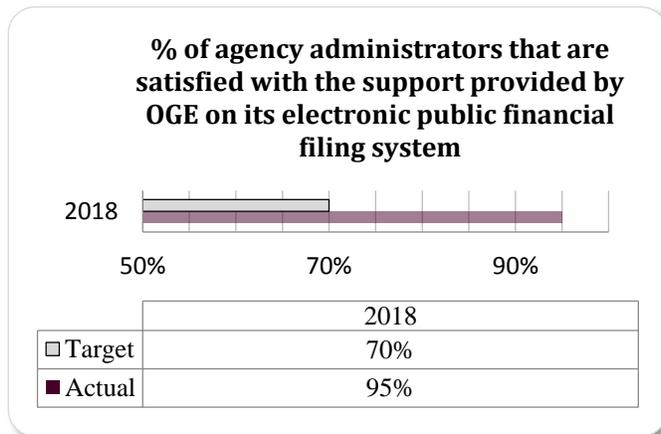
**Figure 6: Timely Communication**

**Performance Goal:** OGE exceeded its goal for the percent of ethics officials who believe OGE timely communicates ethics-related information.

## Integrity Support

OGE continued to support agencies' use of *Integrity*, OGE's executive branchwide electronic public financial disclosure filing system. Use of the system expanded to more than 15,000 filers currently using the system and continued to be fully adopted for filing by the highest-level executive branch officials. OGE continued to provide necessary help desk services and user resources, including written, online tools, and live orientations and training. Additional information about *Integrity* can be found on page 32.

*"I also am very satisfied with the Help Desk e-mail and telephone line. Service is prompt, helpful, easy to understand. I am very grateful for that." – Integrity Administrator*



**Figure 7: Integrity Support**

ethics program. OGE works to build congressional understanding of the executive branch ethics program and to inform congressional oversight and revisions to ethics laws. Notably, OGE responded to 12 complex inquiries from Members of Congress and provided 86 telephone consultations in response to requests for technical assistance on draft legislation and on a wide variety of executive branch ethics issues. OGE also provided briefings, upon request, to staffers from 10 Senate committees. Additionally, OGE provided significant expertise and support to the Government Accountability Office on two of its substantive reviews.

OGE also represented the executive branch ethics community by providing ethics expertise on 60 requests for comments on legislative materials and 6 requests for comments on Executive Orders and Presidential Memoranda circulated by the Office of Management and Budget (OMB). OGE achieved a 100 percent success rate for timely responding to all of the requests it received.

For additional information on the numerous requests OGE receives from outside entities see page 26.

**Performance Goal:** OGE exceeded its goal for the percent of agency administrators who are satisfied with the support provided by OGE on its electronic public financial filing system.

### *Assisted other key stakeholders*

In addition to assisting executive branch ethics officials, OGE responded to requests for assistance from other key stakeholders, including Congress. OGE serves as the legislative liaison on behalf of the entire executive branch

### *Supported the vital work of the ethics enforcement communities*

OGE continued to support the vital work of the ethics enforcement communities, which include Inspectors General and employee relations personnel, who are responsible for holding agency employees accountable for abiding by the ethics laws. During fiscal year 2018, OGE staff provided direct support to approximately 25 investigators from Inspectors General offices and federal prosecutors who requested assistance with the interpretation and application of federal conflict of interest laws and ethics regulations in connection with live enforcement matters.

In fiscal year 2018, OGE continued to serve as a standing member of the Council of the Inspectors General on Integrity and Efficiency (CIGIE), participating in CIGIE's meetings, attending its annual conference, and supporting its Integrity Committee. For additional information on the training OGE provides to enforcement communities, see page 13.

### *Shared information with foreign delegations and supported anti-corruption efforts*

OGE's international program supports U.S. anti-corruption foreign policy primarily in three ways. OGE assists the State Department in ensuring the U.S. meets its international anti-corruption obligations, supports U.S. participation in international organizations which shape international anti-corruption norms and good governance policies, and supports other countries' efforts to effectively manage conflicts of interest.

### *OGE helped the U.S. meet its international anti-corruption obligations*

As a signatory to the Inter-American Convention against Corruption (IACAC), the U.S. participates in a peer review mechanism, known as the Mechanism for Follow-Up on the Implementation of the Inter-American Convention Against Corruption (MESICIC) that monitors states' compliance with the treaty obligations. In fiscal year 2018, the United States began its review as part of the Fifth Round of peer review. This round focused on ethics education and training, and OGE was a significant contributor to response questionnaires furnished as part of the review. OGE has also continued to be successful in translating international obligations into domestic policy, for example, by instituting new regulatory provisions aimed at ethics program functions to better align with international best practices.

### *OGE shaped international anti-corruption norms and good governance policies*

During fiscal year 2018, OGE reviewed and commented on a variety of documents which were ultimately adopted by several inter-governmental anti-corruption working groups and entities. For example, OGE provided input on a number of Organization for Economic Co-operation and Development public governance reviews, including the recently released *Behavioral Insights for Public Integrity: Harnessing the Human Factor to Counter Corruption*.

OGE has also been significantly involved in assisting the State Department in reviewing proposed G20 anti-corruption measures, including reviewing proposed High Level Principles on Conflicts of Interest and providing insight into how OGE encourages public sector adherence to anti-corruption measures through our compliance division and program reviews. In addition, OGE's Chief of the Ethics Law and Policy Branch served as a technical expert in the fourth round review of Sweden under the Council of Europe's peer review mechanism known as the Group of States against Corruption (GRECO) .

OGE has also continued to shape international anti-corruption norms and good governance policies through less formal avenues. For example, OGE provided input on a draft paper prepared by the World Bank on the use of electronic filing systems for financial disclosure. OGE also presented at the American University Washington College of Law's annual Anti-Corruption Law Program. OGE also met with representatives of various international organizations and non-profit organizations to discuss OGE's work and to build relationships, including hosting a presentation by financial disclosure experts from the World Bank.

*OGE supported other countries' efforts to effectively manage conflicts of interest*

During fiscal year 2018, OGE assisted the State Department in a number of ways aimed at increasing resilience against corruption in other nations. For example, OGE assisted in the desk review of Italy under the second round implementation review of the United Nations Convention against Corruption (UNCAC). OGE further supported the establishment and maintenance of anti-corruption programs in other countries through bilateral technical assistance. Of specific note, OGE's Acting Director hosted the President and staff of the Brazilian Public Ethics Committee in December 2017 to discuss similarities and differences between our systems and to provide input into the U.S. model. OGE also began preparations to assist the U.S. State Department in technical assistance to an Eastern European country in relation to its preparation of a new code of ethics.

OGE also continued to meet with foreign public and private sector groups through the State Department's International Visitor Leadership Program and similar programs. Through these programs, foreign delegations come to OGE to learn about the executive branch ethics program and how that program fits into the broader context of anti-corruption, good governance, and transparency. In fiscal year 2018, OGE briefed 28 foreign delegations comprising 390 individuals representing 170 countries.

## Strategic Objective 1.2: Strengthen the expertise of officials who are integral to the executive branch ethics program

In fiscal year 2018, OGE continued to focus on strengthening the expertise of officials who are integral to the executive branch ethics program. Key highlights of OGE's work are described below.

### *Conducted frequent online distance-learning events*

OGE delivered a variety of distance learning events in fiscal year 2018. OGE continued to use its YouTube page to broadcast these distance-learning events free of charge to anyone with an internet connection. Training delivered through YouTube increases transparency by permitting public access to the professional development training that OGE offers to ethics officials throughout the U.S. and around the world.

Learning events offered during fiscal year 2018 dealt with significant regulatory and policy changes as well as seasonally appropriate refreshers on ethics fundamentals, such as financial disclosure review. A typical event reaches more than 170 officials during the live broadcast, and is available on-demand for viewing after the event. In 2018, OGE offered six virtual events. More than 700 ethics officials registered for these events, and 91 percent of respondents to a course evaluation reported that participating in these events made them better able to do their jobs.

In addition to the distance-learning series, OGE developed and delivered one Massive Open Online Course (MOOC) on confidential and public financial disclosure and widely attended gatherings. MOOCs enable large numbers of ethics officials to experience content OGE typically delivers through half-day live-training workshops. These multi-session presentations bring the feel of in-person classroom training to the online classroom by incorporating lectures, practical exercises, and self-assessments. Over 250 officials participated in the single MOOC presented in fiscal year 2018, with 88 percent of respondents to a course evaluation reporting that attendance made them better able to do their jobs.

### *Conducted in-person training*

In fiscal year 2018, OGE provided four one-day orientation sessions to new DAEOs and ADAEOs to introduce them to their roles and responsibilities as ethics program leaders

*"I left the training feeling supported by OGE and by being part of a community of ethics officials. I'm looking forward to additional (training) by OGE on specific ethics topics." - Ethics Official*

and advocates. Approximately 40 newly appointed DAEOs and ADAEOs participated in the program. As a follow-on to the orientations, OGE conducted nine critical in-person trainings for new DAEOs and ADAEOs, with an intensive curriculum in ethics. The trainings consisted of nine half-day sessions covering conflicts of interest, impartiality, PAS nominee processing, gifts from outside sources, travel and

related benefits, and outside activities. Approximately 20 officials participated in these training sessions.



**Figure 8: Training Events**

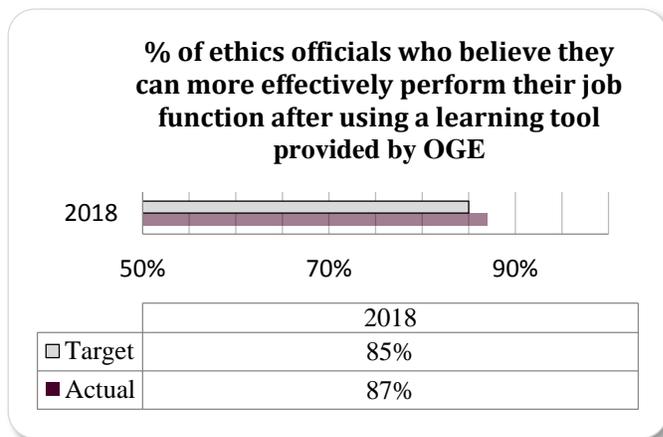
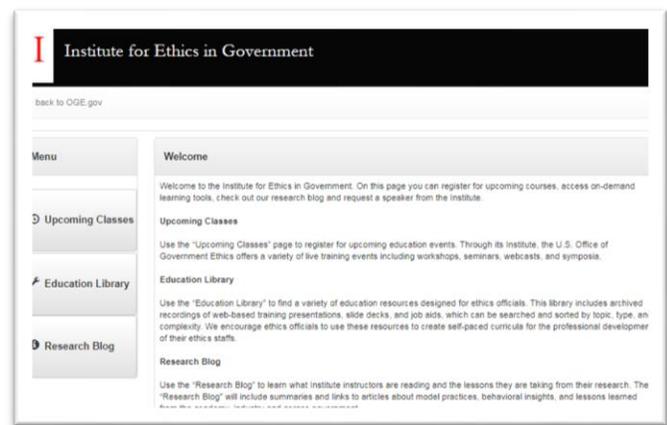
exceeded its goal for the percent of ethics officials who believed they could more effectively perform their job function after participating in an OGE training event.

*Launched a new learning portal*

OGE’s Institute for Ethics in Government (IEG) learning portal was successfully launched in fiscal year 2018 and made publicly available on OGE’s website. Through its portal, the IEG announced courses for ethics officials, made available on-demand learning tools, and shared research findings to help ethics officials perform their duties more effectively. The IEG learning portal is an efficient way for agency ethics officials to obtain the educational materials that are most pertinent to their

During fiscal year 2018, OGE was able to accommodate high-return requests from agencies to provide speakers for distance learning and in-person training events. For example, OGE was able to accommodate requests from the Office of Special Counsel and the General Accountability Office.

**Performance Goal: OGE**



**Figure 9: Learning Tools**

particular needs. OGE makes available all of the video and audio recordings of its distance-learning events as well as the informational slide decks, job aids, and reference materials created to support those events. OGE frequently encourages ethics officials to use these on-demand courses and materials to train their own staffs and agency employees.

**Performance Goal: OGE**

exceeded its goal for the percent of ethics officials who believed that

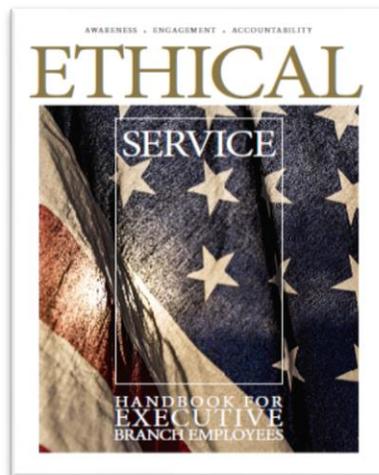
after using a learning tool provided by OGE, they can more effectively perform their job functions.

*Encouraged and supported ethical leadership throughout the executive branch*

Ethical culture begins with ethical leadership throughout an organization. OGE sought more opportunities to engage agency leaders on the importance of ethics and to sensitize federal managers to ethics issues. OGE engaged with senior leadership directly and indirectly through its external communications, its involvement in nominee financial disclosure reports and ethics agreements, its publications, and its education program. For example, OGE sent a memorandum to agency heads about the importance of ethical leadership and highlighted examples of “Leadership in Action” on its Twitter account. OGE also published a director’s note titled “Keeping Our Oath,” calling on executive branch employees to keep their oath and earn the public’s trust, and addressing the fact that “those who are doing things that undermine the public’s trust, even if they don’t violate a rule, need to stop.” Through ongoing research and partnerships with others, OGE discovered and shared tools and tactics for leaders to use to effectively communicate the ethical expectations for their organizations.

*Provided resources to support an ethical federal workforce*

OGE recognizes that maintaining ethical standards across the executive branch is the shared responsibility of every employee who takes the oath of office. To support the ethical service of all executive branch employees, OGE maintains a collection of training resources for new and current federal employees, shared model practices for communicating about ethics within organizations, and leveraged opportunities to directly discuss ethical standards with groups of federal employees.



*Supported training for enforcement communities*



To ensure that executive branch ethics laws can be effectively enforced, OGE provides advice and training to the various enforcement communities, including the Department of Justice’s criminal and civil divisions, Inspectors General, and employee relations professionals. OGE routinely assisted Inspectors General and prosecutors in understanding the complexities of the ethics laws and regulations involved in ethics-related investigations. OGE provided an array of training to Inspectors General in fiscal year 2018. For example, OGE instructors provided well-received training to 100 attendees at the Inspector General Criminal Investigator Academy, focusing on investigating ethics-related matters and working with

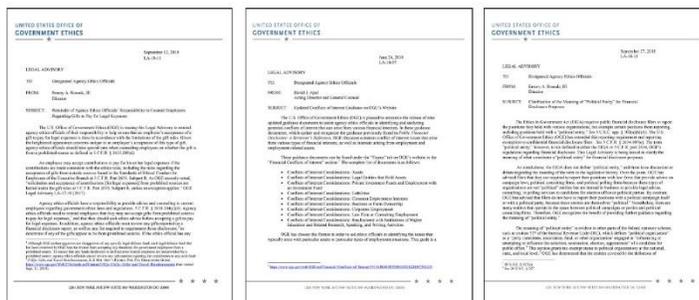
ethics officials. This particular training is an integral part of the Academy’s curriculum and complements a web-based training module OGE developed for Inspectors General investigators.

### Strategic Objective 1.3: Continuously refine ethics policy and issue interpretive guidance

In fiscal year 2018, OGE continued to provide timely legal and program guidance, work on modernizing its ethics regulations to ensure their continued effectiveness and applicability, and issue supplemental agency ethics regulations in consultation with individual executive branch agencies. Key highlights of OGE’s work are described below.

#### *Provided agencies with important legal and program guidance*

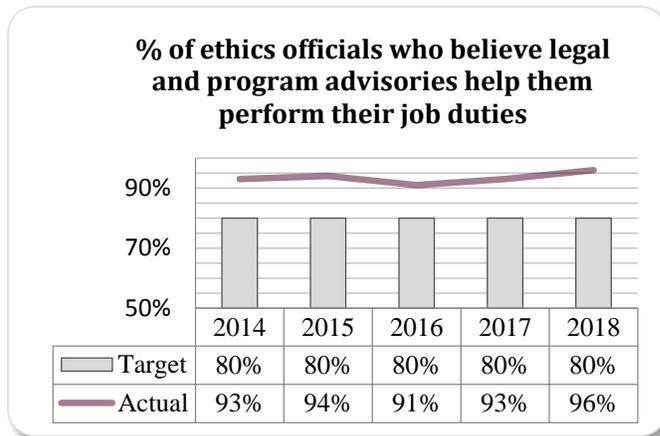
In addition to providing day-to-day assistance through the Desk Officer program, OGE issues legal and program advisories to disseminate critical information to the executive branch ethics community and to promote uniform interpretation of ethics laws, regulations, and policies. Executive branch ethics officials rely on advisories as an integral component of the body of interpretive and programmatic guidance maintained by OGE.



In fiscal year 2018, OGE issued fourteen legal advisories providing guidance on emerging ethics issues and in response to agency ethics officials on specific questions from employees. For example, OGE issued a legal advisory on reporting virtual currency, which clarified that, for purposes of

financial disclosure reporting, virtual currency is property held for investment or the production of income and must be reported on employees’ financial disclosure reports. It also noted that ethics officials should review virtual currency holdings for potential conflicts of interest. Finally, OGE also issued a legal advisory announcing the issuance of guidance to assist ethics officials in identifying and analyzing potential conflicts of interest that can arise from various financial interests.

In addition to legal advisories, OGE issued two timely and informative program advisories, covering ethics program requirements. In developing legal and program advisories, OGE continued to draw upon the expertise of agency ethics officials by consulting with key members of the ethics community. OGE solicited views, convened focus groups, and obtained feedback on draft advisories. With this community input, OGE increased its ability to effectively mitigate risks, reduce inconsistencies in the application of ethics laws, and address current issues confronting executive branch ethics officials. Anecdotal feedback from agency ethics officials reflects that OGE’s approach of involving ethics officials in the development of advisories over the past few years has increased their satisfaction with both the process used and the advisories produced.



**Figure 10: Advisories**

exemptions. OGE expects to draft and publish a proposed regulation modernizing these rules in fiscal year 2019.

In fiscal year 2018, OGE published a final rule amending its regulations that govern executive branch financial disclosure, qualified trusts, and certificates of divestiture, found at 5 C.F.R. part 2634. The final rule incorporated the reporting requirements imposed by the Stop Trading on Congressional Knowledge Act and updated the definition of “widely diversified” for excepted investment fund purposes. The rule also made changes to the confidential disclosure filing requirements, added and updated examples, and ensured that the language of the regulation conformed more closely to the Ethics in Government Act. OGE also published a final rule implementing inflationary adjustments to each of the five civil monetary penalties provided in the Ethics in Government Act.

*Changes to agency-specific ethics regulations and separate component designations*

OGE consults with agencies to publish agency-specific supplemental ethics regulations and separate component designations that tailor ethics program requirements to meet specific agency needs. In fiscal year 2018, OGE jointly issued one agency supplemental regulations with the Postal Regulatory Commission. This agency supplemental ethics regulation included, among other things, prohibited financial interests, notice of disqualification when seeking employment, prohibited outside employment, and prior approval for outside employment. Agency-specific supplemental ethics regulations calibrate ethics restrictions to the unique needs of employees of individual agencies.

In fiscal year 2018, OGE also updated component designations (5 C.F.R. Part 2641, Appendix B) based on agency recommendations for the purpose of applying the post-government employment ethics restrictions to former employees of specific components of executive branch agencies. These separate component designations ensure that the post-employment rules are appropriately focused on ensuring that former federal employees do not make unfair use of their prior federal employment to influence government, without

**Performance Goal: OGE**  
exceeded its goal for the percent of ethics officials who believe advisories helped them perform their job duties.

*Published final and proposed rules*

OGE continued its work to modernize the Standards of Conduct in fiscal year 2018 by publishing a proposed regulation and began an in-depth review of the existing regulation governing financial disclosure conflict of interest

overreaching indiscriminately to extend the restriction to separate components over which they lacked influence while serving in the government.

### *Forms Renewal*

OGE continually works to ensure its forms are up to date and accurate. OGE sought and received OMB approval for a three-year renewal of the Executive Branch Personnel Public Financial Disclosure Report (OGE Form 278e) and the Executive Branch Confidential Financial Disclosure Report (OGE Form 450). The renewal included minor modifications to improve the instructions, make the form more user-friendly and reflect changes the financial disclosure regulation (5 C.F.R. part 2634), which went into effect on January 1, 2019. OMB also approved non-substantive changes to OGE Form 278e to reflect the increase, applicable as of January 1, 2017, of the threshold for the reporting of gifts, reimbursements, and travel expenses. OGE also submitted requests to OMB to make changes to the Privacy Act Statements that appear on the OGE Forms 278e and 450.

### *Collecting feedback on OGE: Paperwork Reduction Act*

As part of a federal government-wide effort to streamline the process to seek feedback from the public on service delivery, in fiscal year 2018, OGE obtained OMB approval of a generic clearance to collect qualitative feedback on our products and services under the Paperwork Reduction Act. Collecting this information will provide vital feedback from stakeholders on the agency's services.

## Strategic Goal 2: Hold the executive branch accountable for carrying out an effective ethics program

As the supervising ethics office of the executive branch, OGE is responsible for conducting oversight to ensure compliance across the more than 130 federal agencies.

OGE has developed two strategic objectives to achieve its strategic goal of holding the executive branch accountable for carrying out an effective ethics program: (2.1) monitor agency compliance with executive branch ethics program requirements; and (2.2) monitor senior leaders' compliance with individual ethics commitments.

### **Program Review Reports (Plenary and Inspections) Published in Fiscal Year 2018**

African Development Foundation  
American Battle Monuments Commission  
Appalachian Regional Commission  
Appraisal Subcommittee  
Arctic Research Commission  
Barry M. Goldwater Scholarship Foundation  
Central Intelligence Agency  
Commission for the Preservation of America's Heritage Abroad  
Commission on Civil Rights  
Commodity Futures Trading Commission  
Consumer Financial Protection Bureau  
Corp. for National and Community Service  
Defense Intelligence Agency  
Denali Commission  
Department of Agriculture  
Department of Commerce  
Department of Homeland Security  
Department of Housing and Urban Development  
Department of Labor  
Department of the Treasury  
Federal Deposit Insurance Corporation  
Federal Housing Finance Agency  
Federal Reserve System Board of Governors  
Federal Trade Commission  
Harry S. Truman Scholarship Foundation  
International Boundary and Water Commission  
International Trade Commission  
Japan-U.S. Friendship Commission  
National Aeronautics and Space Administration  
National Geospatial-Intelligence Agency  
National Transportation Safety Board  
Nuclear Regulatory Commission  
Office of Navajo and Hopi Indian Relocation  
Office of Special Counsel  
Office of the Director of National Intelligence  
Securities and Exchange Commission  
Surface Transportation Board  
U.S. Trade and Development Agency

### **Strategic Objective 2.1: Monitor agency compliance with executive branch ethics program requirements**

In performing its oversight function, OGE ensures that executive branch agencies are held accountable for carrying out effective ethics programs. Through its program review, data collection, and financial disclosure review activities, OGE evaluates the processes and systems in place at the agency level to ensure consistent and successful ethics program management.

### *Reviewed agency ethics programs for compliance*

As part of OGE's strategy to maintain high standards of accountability and compliance with applicable ethics requirements throughout the executive branch, in fiscal year 2018 OGE began a new five-year cycle of conducting a program review of every agency in the executive branch. OGE updated

its review procedures to ensure they incorporated recent regulatory changes governing how an agency ethics program should be administered.

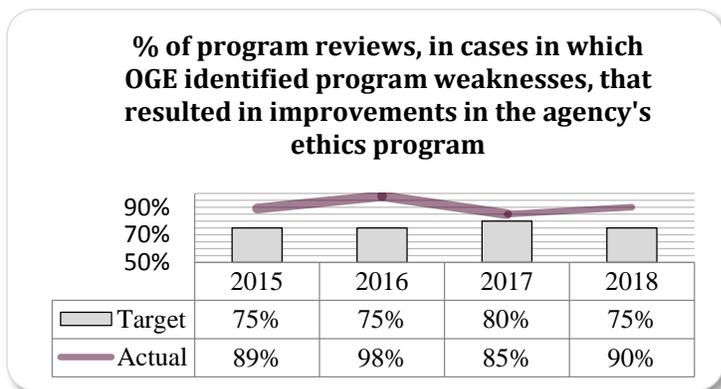
Through agency ethics program reviews — plenary, inspection, and follow-up reviews — OGE ensures consistent and sustainable agency ethics program compliance with established executive branch ethics laws, regulations and policies, and provides recommendations for meaningful program improvement. All three types of reviews are designed to identify and remediate systemic risks in agency ethics programs. They include an examination of agency ethics program materials, such as financial disclosure reports, documentation of ethics advice provided to employees, training records, and ethics agreement compliance tracking.

Generally, OGE conducted plenary reviews at cabinet-level departments and at the largest executive branch agencies. Inspections were largely limited to smaller agencies, but also served as effective risk management tools for agencies of any size. If an inspection identified systemic risks associated with an agency’s ethics program, OGE determined whether it was necessary to conduct a subsequent plenary review to further assess and mitigate those risks. OGE conducted appropriate follow-up reviews to evaluate agencies’ progress in implementing any recommendations made by OGE in its program review reports.

In fiscal year 2018, OGE conducted 28 program reviews and published a total of 37 program review reports. OGE also conducted 37 follow-up reviews and published 22 related reports.

**Milestone:** OGE met its milestone to review 20% of executive branch agencies.

*Issued recommendations to improve compliance*



**Figure 11: Program Review Recommendations**

When an ethics program review identifies a deficiency, the resulting report includes a corresponding recommendation directing the agency to take actions necessary to correct the deficiency. In fiscal year 2018, OGE issued 134 recommendations through program reviews. OGE’s recommendations for program improvement have significant impact. For example, one agency ethics program review identified

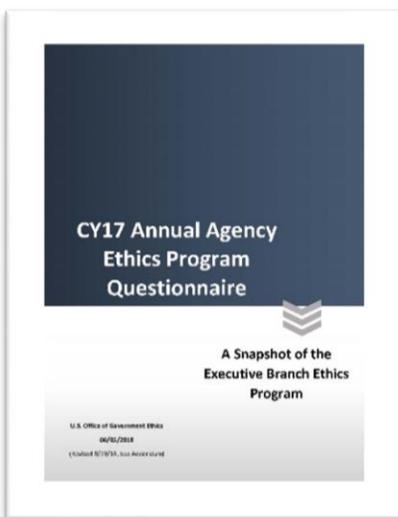
that only 59% of new entrant confidential financial disclosure reports were being filed timely and that only 64% of all confidential reports were being certified timely. These deficiencies increased the possibility that employees might take official actions that could

affect their personal financial interests, in contravention of the conflict of interest rules. As a result of OGE's review of the agency's ethics program and its recommendations for improvement, the timeliness of both filing and certification of confidential reports improved to 100%. These improvements strengthened the integrity of the agency's financial disclosure program and allowed ethics officials to more timely identify potential conflicts of interest and advise individual employees how to avoid them.

**Performance Goal:** In cases in which OGE identified a program weakness during a program review, OGE exceeded its target for the percentage of program reviews that resulted in improvements in the agency's ethics program.

*Collected and analyzed program data from executive branch agencies*

OGE collects ethics program data from each of the more than 130 executive branch agencies through its Annual Agency Ethics Program Questionnaire (Annual Questionnaire). This data collection assures that each agency does a year-end assessment of its ethics program. Agency responses to the Annual Questionnaire give OGE a snapshot view of each agency's ethics program. Further, the compiled data provides OGE with an annual overview



of the entire executive branch ethics program. In fiscal year 2018, OGE administered the Annual Questionnaire using an electronic application developed by OGE specifically for collecting Annual Questionnaire data. Use of this application has improved OGE's ability to analyze information collected and has made the data collection process more efficient. Notably, 100% of agencies complied with the requirement to submit their ethics program data.

In fiscal year 2018, OGE continued to share key highlights from its Annual Questionnaire with ethics officials and the public by posting on its website a report summarizing highlights and trends ascertained from collected data as well as each agency's responses to the Annual Questionnaire. Having access to this data allowed ethics officials to compare aspects of their programs with those of other agencies, including how best to allocate ethics program resources. Access to this program data also helps the public gain a better understanding of the scope and impact of the executive branch ethics program.

*Collected information on potential ethics violations by executive branch employees*

Agencies are required to concurrently notify OGE's Director when any matter involving a potential violation by an executive branch employee of 18 U.S.C. §§ 202-209 is referred for investigation or prosecution. Agencies use OGE Form 202 (Notification of Conflict of Interest Referral) to submit these notifications and information regarding the disposition of the matter. OGE tracks and follows up on conflicts of interest referrals to the

Department of Justice to ensure that agencies are considering disciplinary or other corrective action in the event of declinations of prosecution.

OGE also published its annual survey of prosecutions involving the conflict of interest criminal statutes (18 U.S.C. §§ 202-209) and other related statutes for the period January 1, 2017 through December 31, 2017. Information on 11 new prosecutions by the U.S. Attorneys' offices and the Civil Division and Public Integrity Section of the Department of Justice was provided to OGE with the assistance of the Executive Office for United States Attorneys. OGE encourages agencies to use these reported cases as examples when conducting training.

#### *Responded to agencies' requests to tailor their financial disclosure programs*

OGE supports agencies' efforts to tailor their financial disclosure programs to hold employees accountable for compliance with ethics rules and to deploy resources where they will be most effective. OGE has authority to grant an agency's request to extend the coverage of public financial disclosure requirements to any position upon a finding that the position is of "equal classification" to positions whose incumbents are required to file public financial disclosure reports. OGE also has authority to grant an agency's request to exclude a position from the coverage of public financial disclosure requirements upon a finding that the position is of a confidential nature and has no policymaking role. In fiscal year 2018, OGE evaluated equal classification requests from one agency and evaluated three requests for exclusions from coverage of public financial disclosure requirements.

#### **Strategic Objective 2.2: Monitor senior leaders' compliance with individual ethics commitments**

OGE monitored senior government leaders' compliance with individual ethics commitments to ensure that executive branch officials conducted the government's business impartially. Key highlights of OGE's work are described below.

#### *Monitored compliance with commitments made by incoming agency leaders to resolve conflicts of interest*

OGE continued working to ensure that executive branch leaders appointed by the President and confirmed by the Senate (PAS) remained free of conflicts of interest after taking office. OGE identifies and resolves potential conflicts of interest on the part of PAS nominees by establishing written ethics agreements with them prior to confirmation. OGE then monitors PAS ethics agreement compliance through the collection and review of documentation provided by agency ethics officials. These Certifications of Ethics Agreement Compliance require appointees to attest to their ethics agreement compliance. OGE continued the practice of posting these certifications on its website.

In fiscal year 2018, 379 PAS appointees were required to document timely compliance with their ethics agreements. Agency ethics officials reported that 94 percent of these appointees complied with their ethics agreements within the required time frame.

### *Reminded leaders of their responsibilities*

OGE continued to present to new Senior Executive Service members about the importance of ethics and their vital role in maintaining the public's trust.

OGE also issued a memo to agency heads about the importance of ethical leadership. The memo encouraged agency leaders to redouble their commitments to ethics in government, and provides a sample of actions they might take to strengthen their agencies' ethical cultures.



### *Reviewed the public financial disclosure reports of top officials*

OGE also helps ensure that senior officials remain free from conflicts of interest by timely reviewing the annual, termination, and periodic transaction financial disclosure reports of PAS officials as well as new entrant and other public financial disclosure reports filed by Designated Agency Ethics Officials (DAEOs) and certain White House officials. In fiscal year 2018, OGE reviewed nearly 1,400 public financial disclosure reports (new entrant, annual, termination, and periodic transaction reports).

**Performance Goal:** In fiscal year 2018, OGE completed 93 percent of its reviews of public financial disclosure reports, including new entrant, annual, termination, and periodic transaction reports required to be submitted to OGE, within 60 days of receipt.

### *Reviewed requests for Certificates of Divestiture (CDs)*

Executive branch agencies or OGE can direct an executive branch employee to sell, or otherwise divest, an asset in order to comply with a Federal conflict of interest statute, regulation, rule, or executive order. If selling the asset will result in a capital gain, certain individuals may be eligible for a Certificate of Divestiture (CD) to offset the tax burden. In fiscal year 2018, OGE reviewed 196 requests for CDs and timely published all CDs that were issued.

*Consulted with agencies regarding the issuance of waivers to the primary criminal conflict of interest law, 18 U.S.C. § 208*

The primary criminal conflict of interest law, 18 U.S.C. § 208, requires an employee to be disqualified (“recused”) from a particular matter if the matter would have a direct and predictable effect on the employee’s own financial interests or on certain financial interests that are treated as the employee’s own, such as those of the employee’s spouse or a prospective employer. In some cases, a waiver to these restrictions may be appropriate. OGE continued to consult with agencies prior to the issuance of such waivers and collected copies of final waivers.

### Strategic Goal 3: Contribute to the continuity of senior leadership in the executive branch

OGE has a vital role in supporting the President's constitutional duty to nominate and appoint officers to the executive branch, and to prevent the highest officials in government from having conflicts of interest.

To achieve its strategic goal of contributing to the continuity of senior leadership in the executive branch, OGE has developed two strategic objectives: (3.1) prepare for a Presidential transition; and (3.2) provide assistance to the President and the Senate in the Presidential appointment process.

#### Strategic Objective 3.1: Prepare for a Presidential transition

OGE must prepare for the possibility of new executive branch leadership after a Presidential election every four years. To prepare for a Presidential transition, OGE participates in federal transition councils, collaborates with other transition service providers, updates necessary resources, publishes legal advisories on relevant topics, and provides training on transition-related topics. OGE also works with the representatives of Presidential candidates in connection with their financial disclosure reports and supports early transition efforts of a newly elected President. Key highlights of OGE's work are described below.

##### *Participated in meetings, developed training plans, and reviewed resources*

In fiscal year 2018, OGE participated as a member of working groups focused on how to prepare and improve future transitions. OGE developed and implemented a comprehensive training plan for OGE staff to build internal capacity to handle the surge in volume of nominee financial disclosure reports associated with a transition. OGE also developed plans for training agency ethics officials on nominee financial disclosure. In addition, OGE reviewed and updated key resources such as the Nominee Ethics Guide, the Transition Guide, the Ethics Agreement Guide, and the Public Financial Disclosure Guide. As part of its review, OGE sought input from the ethics community. OGE refined and streamlined internal processes based on its experience from the 2016 Presidential transition.

**Milestone:** OGE met its milestone to attend meetings preparing for and executing presidential transitions.

#### Strategic Objective 3.2: Provide assistance to the President and the Senate in the Presidential Appointment Process

Following a Presidential election and throughout an administration, OGE continuously assists the President and the Senate in the Presidential appointment process.

In fiscal year 2018, OGE provided an independent review of the financial disclosure reports of individuals being considered for the highest-level positions in the executive branch: Presidentially appointed, Senate-confirmed nominees. OGE continued to work with the White House and executive branch agencies to make sure that these individuals have complied with the extensive requirements for financial disclosure under the Ethics in Government Act. When potential financial conflicts of interest were detected, OGE identified remedies to resolve them so that the President’s appointees could carry out their duties free from those conflicts. Key highlights of OGE’s work are described below.

*Provided expert, second-level review of financial disclosure reports of nominees to the highest-level executive branch positions*

In fiscal year 2018, OGE continued to use a substantial portion of its staff to analyze and resolve potential conflicts of interest of the highest-level, incoming executive branch leaders. OGE’s review of nominees’ disclosures presented a critical opportunity to evaluate their financial interests for potential conflicts of interest and introduced top leaders to the importance of ethical leadership. OGE’s staff approached this function from the perspective of managing risk. To that end, OGE required nominees to reduce the potential for conflicts in the first place, and prescribed mechanisms for addressing conflicts of interest if issues arose. In evaluating potential risks, OGE consulted with agency ethics officials who were familiar with their agencies’ programs and activities. Based on these consultations, OGE and agency ethics officials prepared an ethics agreement that describes the steps a particular nominee would take to avoid conflicts of interest. After confirming with the agency that there were no unresolved conflicts of interest, OGE transmitted the review package, consisting of the financial disclosure form and ethics agreement, directly to the Senate following a Presidential nomination. In addition, OGE continued providing agency ethics officials with guidance and instruction to improve their review of financial disclosure reports. Key highlights of OGE’s nominee financial disclosure work are as follows:

- In fiscal year 2018, OGE reviewed the reports of nominees for approximately 46 percent of the PAS positions.
- OGE cleared 93 percent of the nominee reports it received in fiscal year 2018.

**Performance Goals:** OGE exceeded both of its performance goals related to the nominee financial disclosure work. See the chart below for additional details.

	Target	Actual
Initial comments on draft financial disclosure reports of Presidential nominees for Senate confirmed appointments are provided to the agency within established time frames.	85%	97%
Final financial disclosure reports of Presidential nominees for Senate confirmed appointments are certified by OGE within seven business days of receipt from the agency.	90%	99%

## Strategic Goal 4: Engage the public in overseeing government integrity

OGE's prevention mission involves engaging the public to inform them about the systems in place to detect and resolve conflicts of interest of their government leaders. This, in turn, allows the public to engage in overseeing the integrity of its government.

To achieve its strategic goal of engaging the public in overseeing government integrity, OGE has developed two strategic objectives: (4.1) inform the public about OGE and the executive branch ethics program; and (4.2) make ethics information publicly available.

### Strategic Objective 4.1: Inform the public about OGE and the executive branch ethics program

OGE has informed the public and other key stakeholders about OGE and the executive branch ethics program to raise awareness of the important work of the program. In fiscal year 2018, OGE continued to maintain its external communications efforts to increase understanding of the executive branch ethics program generally and OGE's work in particular. Key highlights of OGE's work are described below.

*Provided relevant, understandable information to enable citizens to hold their government accountable*

It is critical that the public have confidence in the impartiality of government decision-making. Therefore, OGE has a responsibility to communicate effectively about the ethics program to its stakeholders. OGE has a wide spectrum of external stakeholders ranging from the media and government watchdogs to its major federal partners and the public. OGE continued to create communications that were accurate, compelling, relevant, and tailored to each targeted audience, and delivered through effective communication channels.

Using social media (Twitter and YouTube), OGE created content to help citizens understand the structure of the ethics program, learn how to access various ethics documents, and contribute to government accountability. For example, in recognition of Sunshine Week, OGE published a series Twitter threads with illustrations and instructions for accessing financial disclosure reports, conflict of interest waivers, and documents that OGE has released under the Freedom of Information Act.

*Refined OGE's website to clarify how to access key documents*

OGE's website is its primary tool for communicating with its external stakeholders and is a valuable tool for building confidence in the systems designed to detect and resolve conflicts of interest in the federal executive branch. Based on numerous press inquiries, OGE reviewed and modified its web pages to provide answers to frequently asked

questions about how to access financial disclosure reports. See page 27 for additional information about the posting of key ethics documents on OGE’s website.

**Performance Indicator:** An indicator of OGE’s success in expanding its outreach efforts is the number of pageviews of webpages targeted to the public on OGE’s website (436,000) as well as OGE’s Twitter engagement rate (1.2%).

*Collaborated with and engaged a broader array of stakeholders*

Ethics in government is a shared concern across all segments of society. OGE sees value in sponsoring public forums where diverse stakeholders can openly discuss ideas and share information to help inform OGE’s efforts.

To share information and foster valuable collaboration, OGE continued to participate as a member of private sector, state, and local ethics organizations such as the Council on Governmental Ethics Laws (COGEL) and the Association for Practical and Professional Ethics (APPE), in addition to federal interagency groups. OGE also accepted speaking invitations to address its external audiences, including professional associations and international anti-corruption groups, on topics including conflicts of interest, ethical leadership, and program management. For example, OGE presented at COGEL’s and APPE’s annual conferences on the use of behavioral insights.

OGE also organized in-person meetings with ethics practitioners and the leadership of good governance and government watchdog groups in fiscal year 2018. These meetings created opportunities to collaborate and share resources and information that enhanced the executive branch ethics program. Further, through OGE-initiated “three branch meetings,” OGE continued to collaborate with the most senior ethics practitioners from the legislative and judicial branches of the federal government on topics of common interest in the field of government ethics, such as conflicts of interest and financial disclosure. These meetings resulted in a greater understanding of approaches taken to address common issues and the differences in the role of each branch’s ethics program.

**Performance Indicator:** OGE conducted twenty-four outreach activities during the fiscal year.

*Timely responses to external requests for information and assistance*

OGE responded to a large volume of requests for information and assistance from its external stakeholders on topics such as conflicts of interest, enforcement, public financial disclosure, gifts from outside sources, and post-employment. In many cases, a request was related to an issue that fell outside of OGE’s jurisdiction. In those instances, OGE made an effort to direct citizens to the appropriate resource.

In fiscal year 2018, OGE responded to nearly 500 requests for assistance from the press. These interactions resulted in more accurate reporting about the ethics laws and

regulations and OGE's work. These interactions also multiplied OGE's ability to reach the public to promote further understanding of the executive branch ethics program and its role in ensuring government integrity. OGE also responded to requests for assistance from other stakeholders, including 140 requests from private citizens. This engagement promoted understanding of the executive branch ethics program and related ethics laws and regulations.

**Performance Indicator:** In fiscal year 2018, OGE received approximately 2,400 requests from non-government, external stakeholders. In addition, over 1,600 media articles highlighted the work of OGE during fiscal year 2018. This coverage helped the public understand the framework for government ethics in the executive branch.

#### Strategic Objective 4.2: Make ethics information publicly available

It is important that ethics information be publicly available to assure the American public that decisions made by senior leaders are based on the interests of the public rather than their own personal financial interests. Ethics information includes public financial disclosures, program review reports on agency ethics programs, and written policy guidance. Key highlights of OGE's work are described below.

#### *Timely made ethics documents available online*



In fiscal year 2018, OGE continued to timely make ethics documents available on its website. These documents included public financial disclosure reports and ethics agreements, program review reports on agency ethics programs, reports on payments for travel received from non-federal sources in connection with attendance of employees at certain meetings, and written policy guidance.

Of significance, in fiscal year 2018, OGE processed requests from the public, news media, and

government to inspect approximately 4,800 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.

**Performance Goal:** OGE exceeded its target to timely post 85% percent of ethics documents online within established time frames.

### *Administered a strong Freedom of Information Act (FOIA) program*

In fiscal year 2018, OGE continued to grapple with a backlog of FOIA requests due to a 400 percent increase in FOIA requests in fiscal year 2017. In addition, OGE continued to receive a higher than average number of new FOIA requests in fiscal year 2018. OGE has no full-time dedicated FOIA staff, and relies on five cross-functional staff with competing demands. Nevertheless, OGE was able to process a significant number of its oldest and more complex requests to address the backlog while keeping pace with the newer requests. Most notably, despite an extremely challenging FOIA workload and limited staff resources, OGE received the highest possible score on an array of important measures from DOJ's Office of Information Policy in its annual assessment of agency progress in implementing the Attorney General's FOIA Guidelines for 2018. These included having an effective system in place for responding to FOIA requests, increasing proactive disclosures, utilizing technology, improving timeliness in responding to requests, and applying a presumption of openness in responding to FOIA requests.

OGE also continues to conduct regular self-assessments of its FOIA processing procedures and response templates and, when appropriate, makes changes to increase efficiency, improve search processes, increase transparency, and otherwise improve the operation of OGE's already strong FOIA program. In addition, OGE continued to engage in outreach and collaboration with the FOIA community. OGE's FOIA team was involved with the development of the National FOIA Portal, providing a small agency's perspective to system developers.

## **Section IV – Managing for Results**

This section describes OGE's accomplishments related to its management objectives and the steps OGE has taken to maintain a culture of performance.

### **Management Objectives**

OGE devotes significant resources toward promoting professional development opportunities for its staff and improving its processes. These two efforts are critical to OGE achieving its mission-focused strategic objectives. Organized by management objective, this section highlights major accomplishments that OGE achieved in fiscal year 2018, and provides data on OGE's success in achieving its management objectives and performance goals during fiscal year 2018.

#### **Management Objective 5.1: Sustain a strong culture of performance management**

OGE is committed to sustaining a strong culture of performance management by providing professional development opportunities and frequent internal communication.

OGE meets its employees' professional development needs by providing significant education and training opportunities and support through the dedication of time and

resources. In fiscal year 2018, all OGE employees participated in the OGE Employee Development Plan (EDP) program. The EDP identifies specific formal training, mentoring, self-study, and/or on-the-job training activities that the employee will complete in the covered period. Significantly, the EDP also identifies objective measures for assessing the employee's acquisition of the targeted knowledge or skills. In addition to these significant investments in internal opportunities for professional development, OGE supported its employees in enhancing their knowledge and skills by sponsoring their participation in external training programs. These programs included classes at the Graduate School USA and the Treasury Executive Institute as well as events hosted by the federal performance, legal, IT, and communications communities.

In fiscal year 2018, OGE pursued efforts to increase employees' understanding and commitment to a performance culture using a variety of internal communications methods. For example, OGE continued to conduct regular "all hands" meetings with the entire OGE staff to discuss progress toward meeting agency goals and to promote an understanding of OGE's priorities and direction. OGE also held regular executive and senior staff meetings to discuss agency goals, priorities, and the status of significant program activities. OGE held supervisors accountable for ensuring ongoing communication regarding OGE goals and priorities with all staff. In addition, OGE held a mid-year Strategic Objective Review to review progress on each of the agency's strategic objectives established by OGE's strategic plans. This review informed OGE's strategic decision-making, budget formulation, and near-term agency actions as well as preparation of the Annual Performance Plan.

To evaluate its progress in maintaining a culture of performance, OGE participated

**OGE has the most engaged workforce in the executive branch**

in the executive branchwide Federal Employee Viewpoint Survey (EVS) in fiscal year 2018, achieving a 77 percent participation rate. The results show that OGE has a highly engaged workforce. OGE had an 89 percent score on the engagement index score which looks at questions related to leadership, supervisors, and intrinsic

work experiences. Notably, OGE's score is the highest amongst government agencies and significantly higher than the government-wide average.

Further evidence of OGE's success at maintaining a culture of performance is its 98 percent positive rating for employees knowing how their work relates to the agency's goals and priorities. Notably, 95 percent of employees indicated a willingness to do what it takes to achieve these goals and 94 percent of employees expressed an understanding that they are held accountable for achieving results. Overall, OGE's 2018 EVS results recognized 67 items identified as strengths (65 percent positive or higher) and one item identified as a challenge (35 percent negative or higher).

**Performance Goal:** OGE exceeded its performance target of 80% by nine percentage points on the Employee Engagement Index score on the Employee Viewpoint Survey.

### *Continuously reviewed and improved OGE's operating procedures*

In an effort to work smarter in fiscal year 2018, OGE continued to review its processes and procedures for ways to make improvements in programs that support the ethics community and OGE's internal operations. OGE continued to streamline and standardize internal processes. In fiscal year 2018, OGE developed or updated 15 standard operating procedures in each of its key program areas.

**Performance Goal:** OGE exceeded its performance goal to create or revise 4 standard operating procedures for key agency programs.

### *Management Objective 5.2: Strengthen organizational compliance and fiscal stewardship*

OGE continued to strengthen its organizational compliance and fiscal stewardship by continuously evaluating its practices and systems to identify areas in need of improvement. OGE remained a good steward of taxpayer dollars as reflected by its existing track record of strong financial management. In fiscal year 2018, OGE continued to pursue efficiencies, such as the economies of scale received from using shared service centers for a significant number of support services.

OGE also ensured that employees received required annual training in the following program areas: ethics, cybersecurity, privacy, records management, No FEAR Act, Hatch Act, and whistleblower protection. In fiscal year 2018, OGE successfully renewed its Certificate of Compliance under the Office of Special Counsel's Certification Program. OGE successfully deployed a new program for handling Controlled Unclassified Information (CUI) as part of its records management policies. OGE also continued to strengthen its privacy program by updating its systems of records notices and updating key privacy policies.

**Performance Goals:** OGE exceeded its goal for the number of employees that took required training. (i.e., records management, cybersecurity, privacy, and ethics training). OGE also met its performance goal of receiving an unqualified opinion on its annual financial report from an independent auditor.

### *Records*

OGE took significant steps to enhance its records management program in order to ensure agency records are available to the public and OGE staff, and to comply with records management requirements. These enhancements include: annual records management training; designation of records liaisons and file custodians for each OGE division/branch; improved records file plans for each OGE division; new records management guidance materials; transfer of permanent records to NARA for permanent preservation; updated retention schedules to comply with new NARA requirements; implementation of the Controlled Unclassified Information (CUI) Program; and providing assistance to OGE staff

to ensure OGE materials posted on its website are Section 508 compliant and accessible to individuals who are visually impaired.

### Management Objective 5.3: Continuously enhance OGE's information systems and processes

OGE continued to prioritize its activities to continuously enhance and secure its information systems and processes. These systems and processes include OGE's maintenance of the executive branchwide electronic filing system, *Integrity*, as well as numerous internal applications. These efforts also include OGE's maintenance of previously redesigned and streamlined workflows for agency programs that increased the use of technology, enhanced management practices, and strengthened compliance activities.

#### *Refreshed IT infrastructure*

OGE maintains a strong, secure IT infrastructure, which is necessary to allow OGE to conduct its mission-critical work every day. OGE upgraded this infrastructure to mitigate the risk of potential failure, to address evolving technology, and to prevent security breaches. As potential security threats against automated systems grow and become more complex, OGE remained proactive to ensure that any threats are reduced and mitigated, if not eliminated. In fiscal year 2018, OGE completed a full life-cycle replacement of OGE's information technology equipment as well as enhanced its network security. This crucial effort included upgrades to OGE's network infrastructure, laptops, and related peripherals and software as well as tripling internet bandwidth to facilitate enhanced productivity. All of these services, equipment, and software were necessary for the security and efficiency of OGE's ongoing daily operations. In particular, OGE ensured a safe and secure IT environment that protected the privacy and integrity of financial information provided to OGE by agency ethics officials and the most senior officials of the executive branch as part of the financial disclosure review process.

#### *Conducted agencywide cybersecurity risk assessment and mitigation plan*

In addition to a comprehensive replacement of OGE's IT infrastructure, OGE undertook a complete assessment of the cybersecurity risks associated with the agency's network, website, and internal applications. OGE used the results of this assessment to develop mitigation strategies that are tracked and managed through a Plan of Action and Milestones (POAM) process. Also, in fiscal year 2018, OGE scheduled an independent, third-party review of its systems and efforts at mitigation to ensure OGE meets cybersecurity compliance targets.

**Performance Goal:** OGE met its performance goal of managing risk for the majority of categories on the Cybersecurity Risk Management Assessment.

*Successfully operated Integrity and used the system to review and analyze the financial disclosure reports submitted during the Presidential transition*

Fiscal year 2018 was a time of significant demand for *Integrity* due to the continuation of the Presidential transition. As a result, OGE focused on ensuring high quality system operations and support for *Integrity* for the heavy use by new, incoming PAS nominees, many of whom had extremely complex financial disclosure filings.

The system assisted filers in reporting information more easily and more accurately. OGE also continued to provide a high level of support for agency administrators and reviewers through its Help Desk services and online tools, including a comprehensive online user guide and on-demand video tutorials, as well as regular biweekly *Integrity* webinars during the annual filing season. In its annual user survey, 95% of agency administrators who responded ranked the *Integrity* support provided by OGE as very satisfactory or satisfactory.

While OGE’s focus remained primarily on steady-state operations, bug-fixing, and targeted enhancements, in March 2018 OGE launched the *Integrity* Advisory Council to seek input from agencies that use the system. Composed of representatives from agencies with a large *Integrity* user community, the Council is tasked with making recommendations to OGE about desired changes. Through this feedback, OGE is able to consider the views of the user community in determining how best to use available resources for *Integrity* enhancements. In order to increase speed and system efficiency, OGE planned and undertook a significant server upgrade for the latter part of the fiscal year.

Overall, in fiscal year 2018, OGE continued to successfully operate *Integrity*.

**Performance Goal:** OGE met its goal related to the percent of non-maintenance downtime of *Integrity*, OGE’s network, and website. See the table below for additional information.

Performance Goal	Target	Actual
Percent of non-maintenance downtime of <i>Integrity</i> , OGE’s network, and website.	<i>Integrity</i> = Establish Baseline Network and Website = <1.0%	<i>Integrity</i> Baseline = Non-maintenance downtime in FY18 was 1.49 hours total. Network and Website =<1.0%

*Developed and launched new technological solutions*

In fiscal year 2018, OGE developed or refined several web applications and automated tools that enable the agency to conduct business with greater efficiency and effectiveness. The table below provides a few examples of the technological solutions that OGE implemented during the fiscal year.

<b>Application</b>	<b>Enhancement</b>	<b>Benefit</b>
Financial Disclosure Tracking System (FDTS): Established processing of agency requests for consultations on 18 USC § 208(b) waivers through FDTS	Eliminates the need for paper processing of waiver consultations and allows for consolidated electronic filing in a more comprehensive electronic database	Increases efficiency of processing as well as creating a more reliable database leading to more uniform advice to agency ethics officials.
Financial Disclosure Tracking System (FDTS): Established processing of agency requests for Certificates of Divestiture (CD) through FDTS	Eliminates the need for paper processing of CD consultations and allows for consolidated electronic filing in a more comprehensive electronic database	Increases efficiency of processing as well as creating a more reliable database leading to more uniform advice to agency ethics officials/employees.
Financial Disclosure Tracking System (FDTS): Tracking Function	Created a new function in FDTS to count the number of days a nominee report is with OGE.	Improves OGE's ability to ensure that we are working as efficiently as possible. It also improves our ability to respond to questions from Congress about the nominee process.
Web Apps Development Request Form	New application	Improves OGE's ability to submit and track web apps development process

*Maintained Internal Applications and Streamlined Data Collection*

In recent fiscal years, OGE developed and/or redesigned numerous internal applications that streamlined workflows for agency programs, made data more retrievable, enhanced management practices, and strengthened compliance activities. These applications supported internal operations such as requisition, budget formulation, and equipment tracking, as well as major programs, such as the desk officer and financial disclosure programs. In fiscal year 2018, OGE devoted resources toward maintaining these various applications, which have become critical to agency operations.

In addition, in fiscal year 2018, OGE explored ways to further streamline and reduce inefficiencies in the collection and the posting of ethics information. OGE sought input from ethics officials on these initiatives. By modernizing the collection process, OGE increased efficiency and is in a position to better use the data in support of its oversight, education, and support roles. OGE is continuously looking for ways to leverage technology to improve its program.

UNITED STATES OFFICE OF  
**GOVERNMENT ETHICS**



Preventing Conflicts of Interest  
in the Executive Branch

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