

U.S. OFFICE OF
GOVERNMENT
ETHICS

RESULTS FROM THE
2019 ANNUAL
AGENCY ETHICS PROGRAM
QUESTIONNAIRE

A
SNAPSHOT
OF THE EXECUTIVE
BRANCH ETHICS
PROGRAM

CY19

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Section 1 – Introduction

Every year, each agency within the executive branch is required to complete the Annual Agency Ethics Program 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 priorities and resource allocation.

This report combines and summarizes the 138 agency responses for calendar year 2019.

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 through the questionnaire.

Topics Covered

OGE uses the questionnaire to collect information about the following aspects of each agency 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 13770)
- Special Government Employees

Changes to the Questionnaire

In the 2019 questionnaire, OGE made several changes to the questionnaire by removing, modifying, and adding questions and response options. Specifically, OGE removed seven questions that were outdated or redundant and modified the wording of five questions, either to improve clarity or to align the question with existing regulations. OGE also modified the response options in 17 questions to allow OGE to more efficiently catalogue and summarize agency responses. Finally, OGE added seven new questions, including three questions that asked agencies to report on the timeliness of their review and certification

¹ See 5 U.S.C. app. § 401, et seq

of financial disclosure reports. Agencies were given advance notice of these new questions in October 2018 and again in June 2019.²

Methodology

In October 2019, OGE provided an advance copy of the questionnaire to every Designated Agency Ethics Official. OGE opened the survey on January 2, 2020, and agency responses were due on February 3.³ The questionnaire covered agency ethics program activity that occurred in calendar year 2019.

OGE allowed only one response per agency; accordingly, each agency's response reflects the numbers 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 set of selection criteria, including large changes from the previous year's response, internal inconsistencies of responses, and narrative responses that were unclear or incomplete.

Response Rate

100% (138 agencies)

Data Limitations

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

- Although OGE reviews agency responses for anomalies and follows up as necessary, based on a set of criteria, OGE does not independently verify the information submitted by each agency.
- Agency ethics officials may interpret the questions differently, which may result in data variation.
- The questionnaire asks for data that, for some agencies, is classified. Because a response is required for all questions, when the information is classified, agencies responded with a zero. Therefore, the aggregate number for certain questions⁴ may be higher than reported.
- The data quality of responses to three of the new questions asked in the 2019 survey ([Q35](#), [Q41](#), and [Q57](#)) may be unreliable. Some agencies reported being unable to implement the technology solutions and personnel training required to record and report the data.⁵ In addition, several agencies relied on an OGE IT system that used an incorrect formula to calculate the data for one of the sub-categories of filer (Presidentially appointed, Senate confirmed (PAS)).

² See the attachment to [PA-19-11](#), which uses track changes to show the substantive changes from the 2018 questionnaire.

³ See 5 C.F.R. § 2638.207. Because February 1 fell on a Saturday, responses were due February 3.

⁴ Questions 2, 17, 18, 21, 33-42, 54-59.

⁵ Several of these agencies indicated they would have improved tracking systems in place next year that will allow for more accurate reporting on these data points.

Section 2 – Key Highlights

This section highlights key data points from the aggregated responses of the 138 agencies. The data reflects agency responses for calendar year 2019.

Ethics Officials & Resourcing

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. The questionnaire responses show that in 2019 **most DAEOs (86%) were career employees**. Sixty-four percent (64%) of DAEOs had spent less than 5 years in their current position, and 69% had 5 years or more ethics experience. **Seventy-nine percent (79%) of DAEOs spent less than 25% of their time on ethics.** ([See Q3](#))

Across the country, more than 7,500 employees supported the ethics program either through substantive work, such as reviewing financial disclosures, or administrative support, such as providing human resources or information technology services. However, across the 138 agencies, **10%, or 782 individuals, performed ethics duties close to full time (31 to 40 hours a week).**⁶ The remaining 90% of employees supporting the ethics program worked on ethics anywhere from 1 hour per week to 30 hours per week as one of other responsibilities. Therefore, when accounting for the reported number of hours worked per week by each individual, **there were 2,303 full-time equivalent positions that supported the ethics program across the executive branch.** ([See Q5](#))

Of the 138 reporting agencies, 48 **(35%) reported needing more resources**. Agencies most frequently indicated needing additional resources in the area of human capital (42 agencies), followed by technology (35 agencies). ([See Q9](#))

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) and ethics officials. Specifically, HR officials must notify ethics officials within specified time frames regarding the status of employees as financial disclosure filers. Prompt notification is necessary for timely disclosure and screening for potential conflicts of interest. Most agencies met the time frames ([See Q27](#) and [Q28](#)):

⁶ Each agency is required to have a minimum of two ethics officials, the designated agency ethics official (DAEO) and the alternate (ADAEO). Larger agencies may dedicate additional staff to ethics.

- **91%** of the 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.
- **87%** of the 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.
- **88%** 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.⁷

Filing and Review

The 2019 questionnaire results demonstrate a high rate of employee compliance with the filing requirements:

- **99.6% of those required to file public financial disclosures did so:** 27,012 reports filed out of 27,133 required ([See Q34](#) and [Q56](#)).
- **98% of those required to file confidential financial disclosures did so:** 362,719 reports filed out of 370,361 required ([See Q40](#) and [Q56](#)).

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. In 2019, public filers submitted **15,373 periodic transaction reports**. ([See Q36](#))

In the 2019 questionnaire OGE asked agencies to report for the first time on the timeliness of the review and certification of financial disclosure reports ([Q35](#), [Q41](#), and [Q57](#)). Although most agencies were able to respond to the new questions, there are significant limitations on the data as reflected in the [Data Limitations](#) section on page 2.

Public Availability

In 2019, agencies reported a total of **1,984 requests for public financial disclosure reports**. ([See Q39](#)) The law requires that the financial interests of certain high-level officials are publicly available. This public availability promotes confidence in the integrity of the federal government by demonstrating that these officials are not compromised by personal or other outside interests.

Technology

Agencies continue to use technology to support their financial disclosure programs. As required by regulation, **all 138 agencies used Integrity, OGE's executive branch-wide electronic filing system**, for at least some of their public disclosure reports. In addition, 63 agencies reported using other electronic filing systems for other public reports and/or confidential reports. ([See Q29-Q31](#))

⁷ Confidential financial disclosure filers do not file a termination report.

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 guidance and support for making ethical decisions.

Overall, the results from the questionnaire demonstrate a high rate of employee compliance with the core training requirements ([See Q17](#), [Q18](#), [Q21](#), and [Q55](#)):

- **95% of new Senate-confirmed Presidential appointees timely received their initial ethics briefing.**
- **95% of new employees timely received the required initial ethics training.**
- **95% of public and confidential financial disclosure filers received required annual ethics training** (excluding Special Government Employees).
- **99.6% of Special Government Employees** serving on a board, commission, or committee **received initial ethics training** before or at the first meeting.

With respect to assessing risk and effectiveness, **80% of agencies reported assessing risk** to inform the content, format, and/or timing of ethics education and **75% 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 official help ensure that their agencies' decisions are made in the public's interest and are not unfairly influenced by personal financial interests. **Employees most frequently sought guidance on: (1) gift acceptance, (2) outside employment/activities, and (3) financial disclosure reporting.** ([See Q24](#))

All employees must recuse from government matters that affect the financial interest of someone with whom they are seeking employment. 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. In 2019, these **senior officials filed 1,887 notifications regarding negotiations for employment.** ([See Q25](#))

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. The law is intended to be prophylactic, and its scope is quite broad. In order to mitigate the impact of section 208, Congress included two provisions that permit an agency to issue a waiver of the prohibition in individual cases. In 2019, **agencies issued**

231 such waivers to regular employees and 228 such waivers to special Government employees serving on federal advisory (FACA) committees. ([See Q26](#))

Ethics Pledge

Executive Order 13770 requires certain individuals appointed to an executive branch agency on or after January 20, 2017, to sign an Ethics Pledge (“Pledge”).⁸ 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.

Agencies reported **1,332 appointees in 2019**. Of those, **1,243 signed the Pledge**, which includes 5 appointees who should have signed the Ethics Pledge in 2019 but signed in 2020. The **remaining 89 were not required to sign**, for the following reasons ([see Q48-49](#)):

- 72 were appointed without a break in service after serving in another position for which the Pledge had already been signed
- 17 were appointed to an exempt, non-policymaking position

Appointees who were registered lobbyists 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 2019, agencies reported that **2% were registered lobbyists during the two years prior** to their appointment. ([See Q50](#))

The Executive Order provides a mechanism for the President or his designee to waive any of the restrictions contained in the Pledge. **The White House granted 22 waivers to 20 individuals across 10 agencies**. The White House most frequently waived paragraph 6 of the Pledge, which requires appointees to recuse for two years from certain matters related to former employers or clients. ([See Q51](#))

With regard to **violations of the Pledge**, one (1) agency reported violations of the Pledge.⁹ ([See Q52-53](#))

Enforcement

Although OGE takes actions to ensure agency compliance with ethics program requirements, each agency is responsible for investigating and taking action against an employee who potentially has violated an ethics rule or law. Agencies may take corrective or disciplinary action under applicable Government-wide regulations or agency

⁸ The following advisories, located on [OGE’s website](#), provide detailed guidance regarding the appointees subject to the Ethics Pledge: LA-17-03, DO-09-003, DO-09-005, DO-09-010, and DO-09-020.

⁹ See the Environmental Protection Agency’s response to Q52 and Q53. Individual agency responses are available on [OGE’s website](#).

procedures. If misconduct is potentially criminal, the agency must refer the matter to the Department of Justice.

Thirty-eight (38) agencies reported taking **1,012 disciplinary actions based wholly or in part upon violations of the Standards of Conduct** (multiple actions could be taken for one individual). **Just over half (57%) of the disciplinary actions involved misuse of position.** ([See Q43](#))¹⁰

Fifteen (15) agencies reported taking **24 disciplinary actions based wholly or in part upon violations of criminal or civil statutes** (multiple actions could be taken for one individual). **Just under half (46%) of those actions were for violations of 18 U.S.C. § 208**, a criminal statute that prohibits taking official action that can affect a personal interest. ([See Q44](#))¹¹

Twenty-eight (28) agencies reported a total of **62 referrals to the Department of Justice** concerning potential violations of the criminal conflict of interest statutes. ([See Q45](#))

¹⁰ Although the questionnaire does not provide an option for agencies to indicate that they do not know or do not track this information, agency comments from past questionnaires indicate this is sometimes the case.

¹¹ Although the questionnaire does not provide an option for agencies to indicate that they do not know or do not track this information, agency comments from past questionnaires indicate this is sometimes the case.

Section 3 – Compilation of Agency Responses

For each question, the **bold, red** number is the aggregated response for all 138 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: **138 (100% response rate)**
2. Number of full-time agency employees as of December 31, 2019: **3,580,568**
3. Information about the Designated Agency Ethics Official (DAEO):

a. Vacant (as of December 31, 2019)?	<input type="checkbox"/> Yes (<i>skip to #4a</i>) 4 (3%) <input type="checkbox"/> No 134 (97%)
b. Time in current DAEO position	<input type="checkbox"/> Less than 1 year 26 (19%) <input type="checkbox"/> 1-4 years 60 (45%) <input type="checkbox"/> 5-9 years 23 (17%) <input type="checkbox"/> 10 or more years 25 (19%)
c. Total years performing ethics duties	<input type="checkbox"/> Less than 1 year 7 (5%) <input type="checkbox"/> 1-4 years 35 (26%) <input type="checkbox"/> 5-9 years 28 (21%) <input type="checkbox"/> 10 or more years 64 (48%)
d. Percent of time spent on ethics	<input type="checkbox"/> 0-25% 106 (79%) <input type="checkbox"/> 26-50% 11 (8%) <input type="checkbox"/> 51-75% 4 (3%) <input type="checkbox"/> 76-100% 13 (10%)
e. Is the DAEO a career employee or a political appointee?	<input type="checkbox"/> career employee 115 (86%) <input type="checkbox"/> political appointee 19 (14%)
f. Number of reporting levels between the DAEO and the agency head.	<input type="checkbox"/> 0 (the agency head is the DAEO) 6 (4%) <input type="checkbox"/> 1 101 (75%) <input type="checkbox"/> 2 21 (16%) <input type="checkbox"/> 3 6 (4%) <input type="checkbox"/> 4 or more 0

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

a. Vacant (as of December 31, 2019)?	<input type="checkbox"/> Yes (<i>skip to #5</i>) 5 (4%) <input type="checkbox"/> No 133 (96%)
b. Time in current ADAEO position	<input type="checkbox"/> Less than 1 year 40 (30%) <input type="checkbox"/> 1-4 years 58 (44%) <input type="checkbox"/> 5-9 years 15 (11%) <input type="checkbox"/> 10 or more years 20 (15%)
c. Total years performing ethics duties	<input type="checkbox"/> Less than 1 year 12 (9%) <input type="checkbox"/> 1-4 years 34 (25.6%) <input type="checkbox"/> 5-9 years 34 (25.6%) <input type="checkbox"/> 10 or more years 53 (39.8%)
d. Percent of time spent on ethics	<input type="checkbox"/> 0-25% 69 (52%) <input type="checkbox"/> 26-50% 21 (16%) <input type="checkbox"/> 51-75% 12 (9%) <input type="checkbox"/> 76-100% 31 (23%)
e. Is the ADAEO a career employee or a political appointee?	<input type="checkbox"/> career employee 131 (98%) <input type="checkbox"/> political appointee 2 (2%)

5. Number of employees, including the DAEO and ADAEO, who performed ethics program duties in 2019 (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	742	806	231	117	594	2,490 (33%)
b. Outside the D.C. Metro area	1,600	2,641	567	152	188	5,148 (67%)
TOTAL	2,342 (31%)	3,447 (45%)	798 (10%)	269 (4%)	782 (10%)	7,638

*FTE = Full Time Equivalent

6. In what areas did contractors support the ethics program? Select all that apply.
- Not applicable (no contractors supported the ethics program) **87**
 - IT services (e.g., developing or supporting electronic filing systems, applications, websites, and/or databases, etc.) **44**
Please describe the IT support (optional): [See Q6 Table 1](#)
 - Administrative support (e.g., tracking filing or training requirements, sending reminders, data entry, etc.) **20**
Please describe the administrative support (optional): [See Q6 Table 2](#)
 - 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): [See Q6 Table 3](#)
 - Other (please describe) **5** [See Q6 Table 4](#)
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 **27**
Please provide the name of the federal agency or entity: [See Q7 Table 1](#)
Describe the services or support received: [See Q7 Table 2](#)
 - No **111**
8. Did your agency **provide** ethics program services or support for any board, commission, or agency that is independent of your agency?
- Yes (please provide the names of the board, commission, or agency): **16**
 - No **122**
9. Does your agency's ethics program need additional resources? Check all that apply.
- No additional resources needed **90**
 - Budgetary **23**
 - Human Capital **43**
 - Technology **35**
 - Other (specify) **1** [See Q9 Table](#)
10. Did the agency head meet with the ethics staff to discuss the strengths and weaknesses of the ethics program in 2019?
- Yes **102 (75%)**
 - No **34 (25%)**
 - Not applicable (specify why) **2**¹² [See Q10 Table](#)

¹² The percentage calculation in this question excludes agencies that answered "not applicable."

11. Did your agency (e.g., ethics office, Inspector General, General Counsel, etc.) evaluate any aspect of the ethics program in 2019 (5 C.F.R. 2638.104(c)(16))?

- Yes **85 (62%)**
- No (*skip to #14*) **53 (38%)**

12. To whom were the results reported? Select all that apply.

- Agency Head **44**
- DAEO **67**
- General Counsel **36**
- Inspector General **9**
- Other (specify) **24** [See Q12 Table](#)

13. What kind of changes resulted from the assessment?

- Programmatic changes (please describe) **62**
- Policy changes (please describe) **21**
- No changes resulted (specify why not) **14**
- Not applicable (specify why) **2** [See Q13 Table](#)

14. 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)) **136**
- Issuance of notice of ethical obligations in written offers of employment (5 C.F.R. 2638.303) **120**
- Provision of initial ethics training (5 C.F.R. 2638.304) **130**
- Issuance of ethics notice to new supervisors (5 C.F.R. 2638.306) **112**
- None **1**

ADDITIONAL COMMENTS FOR PART 4. Please indicate the question number to which the comment corresponds. [See Part 4. Additional Comments](#)

PART 5. EDUCATION AND TRAINING

15. 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 **81**¹³
 - All of the offices provided the written confirmation to the DAEO (skip to #17) **45 (82%)**
 - Some of the offices provided the written confirmation to the DAEO (explain why not all offices then skip to #17) **7 (13%)**
 - None of the offices provided the written confirmation to the DAEO (explain why not all offices skip to #17) **3 (5%)**
[See Q15 Table](#)
 - Written confirmation not required because the DAEO's office is responsible for issuing ethics notices to prospective employees (skip to #17) **2**
16. 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 **57 (81%)**
 - Some of the written offers included the required information (please explain why not all offices) **4 (6%)**
 - None of the written offers included the required information (please explain why not all offices) **9 (13%)**
 - Not applicable because no offers of employment were made **6**¹⁴
 - Not applicable for another reason (please explain) **5** [See Q16 Table](#)

¹³ The percentage calculation in this question excludes agencies that answered "not applicable."

¹⁴ The percentage calculation in this question excludes agencies that answered "not applicable."

17. How many new agency leaders, as defined in 5 C.F.R. 2638.305(a), were required to receive ethics briefings by December 31, 2019? **224**

a. How many of those leaders received their briefing within 15 days of their appointment?	197
b. How many of those leaders received their briefing beyond the 15-day requirement?	27¹⁵
c. How many of those 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. [See Q17 Table](#)

18. How many employees, **including SGEs**, were required to receive Initial Ethics Training (IET) by December 31, 2019 (5 C.F.R. 2638.304)? Include employees who were excluded, under 5 C.F.R. 2638.304(a)(2), from the requirement to receive the interactive portion of the IET. **363,106**

a. How many of those employees received IET within the 3-month requirement?	343,394 (94.5%)
b. How many of those employees received IET beyond the 3-month requirement?	13,522 (3.7%)
c. How many of those employee have not received IET as of today?	6,190 (1.7%)

If applicable, please explain why some employees received IET beyond the 3-month requirement or have yet to receive IET. [See Q18 Table](#)

¹⁵ Of these 27 leaders, 16 were are Special Government Employees who serve on the National Council on the Humanities. These SGEs received their initial ethics briefing prior to their first Council meeting, consistent with 5 CFR 2638.305(b)(2)(ii). Accordingly, 95% of leaders received their initial ethics briefing by the deadlines established by regulation was and 5% received if after the deadline.

19. 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 **66**
- All of the offices provided the written confirmation to the DAEO **21 (77.8%)**
- Some of the offices provided the written confirmation to the DAEO (explain why not all offices) **5 (18.5%)**
- None of the offices provided the written confirmation to the DAEO (explain why not all offices) **1 (3.7%)** [See Q19 Table](#)
- Written confirmation not required because all IET was provided by an office under the DAEO's supervision **45**

20. Did the head of the agency complete either initial ethics training and/or annual ethics training in 2019?

- Yes **134 (99%)**
- No (specify why) **1 (1%)**
- Not applicable (specify why) **3¹⁶** [See Q20 Table](#)

21. 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)	49	48 (98%)
b. All other public filers (OGE Form 278e)	22,175	21,603 (97%)
c. Confidential filers (OGE Form 450 and OGE-approved alternative confidential financial disclosure forms)	343,535	325,106 (95%)
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.)	40,945	40,525 (99%)
TOTAL	406,704	387,282 (95%)

¹⁶ The percentage calculation in this question excludes 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: [See Q21 Table](#)

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 **73**
- Discussed upcoming work and agency priorities with senior staff **64**
- Talked to program managers about risks inherent in their work **59**
- Conducted surveys to identify common and emerging ethics risks **15**
- Talked to employees about the ethics concerns they encounter in the workplace. **90**
- Other (please specify) **21** [See Q22 Table](#)
- My agency did not assess risk **27**

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 **80**
- Administered post-training evaluations to assess participants' perceptions of the Training **35**
- Reviewed advice logs for increased activity after training presentations and Communications **48**
- Held discussions with agency leaders and employees to evaluate whether the training and communications they received supported them in managing ethics risks **54**
- Other (please describe) **21** [See Q23 Table](#)
- My agency did not evaluate the effectiveness of ethics education **34**

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

[See Part 5. Additional Comments](#)

PART 6. ADVICE, COUNSELING, AND REMEDIES

24. From the list below, select the three topics that your employees most **frequently** sought guidance on in 2019. Please rate them in order, such that the first topic was the topic on which employees sought guidance the most frequently.

Conflicting financial interests Most frequent topic: 16 agencies Second most frequent topic: 12 agencies Third most frequent topic: 5 agencies This topic was selected a total of 33 times
Gift acceptance Most frequent topic: 38 agencies Second most frequent topic: 35 agencies Third most frequent topic: 28 agencies This topic was selected a total of 101 times
Financial disclosure reporting Most frequent topic: 27 agencies Second most frequent topic: 22 agencies Third most frequent topic: 24 agencies This topic was selected a total of 73 times
Impartiality in performance of official duties Most frequent topic: 8 agencies Second most frequent topic: 7 agencies Third most frequent topic: 5 agencies This topic was selected a total of 20 times
Misuse of position, government resources, and information Most frequent topic: 1 agencies Second most frequent topic: 7 agencies Third most frequent topic: 6 agencies This topic was selected a total of 14 times
Outside employment/activities Most frequent topic: 31 agencies Second most frequent topic: 26 agencies Third most frequent topic: 29 agencies This topic was selected a total of 86 times
Post-employment restrictions Most frequent topic: 9 agencies Second most frequent topic: 16 agencies Third most frequent topic: 23 agencies This topic was selected a total of 48 times
Travel, subsistence, and related expenses from non-federal sources Most frequent topic: 7 agencies

Second most frequent topic: **13** agencies
 Third most frequent topic: **16** agencies
 This topic was selected a total of **36** times

Other (specify) [See Q24 Table](#)
 Most frequent topic: **1** agencies
 Second most frequent topic: **0** agencies
 Third most frequent topic: **2** agencies
 This topic was selected a total of **3** times

25. Number of notification statements of negotiation or recusal under section 17(a) of the STOCK Act submitted to the ethics office in 2019 (see 5 C.F.R. 2635.602(a)): **1,887**
26. Number of 18 U.S.C. 208 waivers granted in 2019:

	Number Granted in 2019	Number Sent to OGE
a. 208(b)(1) waivers	231	196¹⁷
b. 208(b)(3) waivers	228	217¹⁸

If applicable, please explain discrepancies between the number of waivers granted and the number provided to OGE. [See Q26 Table](#)

ADDITIONAL COMMENTS FOR PART 6. Please indicate the question number to which the comment corresponds.
[See Part 6. Additional Comments](#)

¹⁷ OGE subsequently received all waivers required to be submitted.

¹⁸ The Department of Health and Human Services provides waivers to OGE in batches, so there is a lag in waivers issued versus waivers sent to OGE.

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	56 (52.8%)	40 (37.7%)	5 (4.7%)	5 (4.7%)	32¹⁹
b. Confidential Filers	51 (49%)	40 (38%)	8 (8%)	5 (5%)	34

If not applicable, specify why. [See Q27 Table 1](#)

If “never” or “in some cases,” please explain further: [See Q27 Table 2](#)

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 (51.9%)	38 (35.8%)	7 (6.6%)	6 (5.7%)	32²⁰

If not applicable, specify why.

If “never” or “in some cases,” please explain further: [See Q28 Table](#)

29. Did your agency use an electronic financial disclosure filing system (e-filing system) in calendar year 2019? Note: This includes *Integrity*.

- Yes **138 (100%)**
- No (*skip to Additional Comments for this Part*) **0**

¹⁹ The percentage calculation in this question excludes agencies that answered “not applicable.”

²⁰ The percentage calculation in this question excludes agencies that answered “not applicable.”

30. Which system did your agency use?

- Integrity* ONLY (skip to Additional Comments for this Part) **75 (54%)**
- Integrity* and Other (specify) **63 (46%)** [See Q30 Table](#)
- Other ONLY (specify) **0**

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

- Public Financial Disclosure (OGE Form 278e) **29**
Provide the name of the other system:
- Periodic Transactions (OGE Form 278-T) **16**
Provide the name of the other system:
- Confidential Financial Disclosure (OGE Form 450 or OGE-approved alternative form) **59**
Provide the name of the other system:

32. Indicate your FY 2019 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	Total
a. Amount paid to a non-federal vendor in FY 2019	\$994,449 (of the 29 agencies, 5 did not know or did not track)	\$5,047,081 (of the 59 agencies, 9 did not know or did not track)	\$6,041,530
b. Amount paid to a federal agency in FY 2019	\$231,917 (of the 29 agencies, 3 did not know or did not track)	\$1,981,851 (of the 59 agencies, 6 did not know or did not track)	\$2,213,768
c. Amount for all internal costs associated with operating an e-filing system (e.g., FTE, overhead, etc.) in FY 2019	\$85,727 (of the 29 agencies, 9 did not know or did not track)	\$3,715,189 (of the 59 agencies, 6 did not know or did not track)	\$3,800,916
Total FY 2019 actual costs	\$1,312,093	\$10,744,121	\$12,056,214

33. Indicate the number of filers who filed electronically in fiscal year 2019.

	Public (excluding filers in <i>Integrity</i>)	Confidential
Number of financial disclosure filers, not reports, who filed electronically in FY 2019	8,864	281,234

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

[See Part 7. Additional Comments](#)

PART 8. PUBLIC FINANCIAL DISCLOSURE

34. Report the number of public financial disclosure reports (OGE Form 278e) required to be filed by December 31, 2019, **excluding SGEs**, and the number of reports actually filed (i.e., received) by December 31, 2019.

OGE Form 278e Reports		PAS ²	Non-Career SES ³	Career SES ³	Schedule C	Other ⁴	TOTAL
a. Nominee/ New Entrant	Required	235	223	1,285	591	1,701	4,035
	Filed	235	221	1,276	591	1,691	4,014 (99.4%)
b. Annual	Required	575	654	9,231	1,063	8,673	20,196
	Filed	575	654	9,216	1,060	8,666	20,171 (99.8%)
c. Termination	Required	77	136	973	242	992	2,420
	Filed	76	132	938	231	975	2,352 (97%)
d. Combination ¹	Required	22	25	223	32	180	482
	Filed	22	25	219	32	177	475 (99%)
Total	Required	909	1,038	11,712	1,928	11,546	27,133
	Filed	908 (99.8%)	1,032 (99%)	11,649 (99%)	1,914 (99%)	11,509 (99.7%)	27,012 (99.6%)

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.

If applicable, please explain discrepancies between the number of reports required to be filed and the actual number of reports filed. [See Q34 Table](#)

35. Note the number of public financial disclosure reports certified or otherwise closed 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 full technical review and conflicts analysis. See 5 C.F.R. 2634.605.

OGE Form 278e Reports		PAS ²	Non-Career SES ³	Career SES ³	Schedule C	Other ⁴
a. Nominee/ New Entrant	How many reports were certified or closed in 2019?	*	188	1,190	561	1,555
	Of those certified/closed in 2019, how many were initially reviewed within 60 days?	*	154	930	479	1,334
	Of those certified/closed in 2019, how many were certified or closed within 60 days?	*	157	868	457	1,083
b. Annual	How many reports were certified or closed in 2019?	*	644	8,573	1,017	8,085
	Of those certified/closed in 2019, how many were initially reviewed within 60 days?	*	516	6,631	825	6,884
	Of those certified/closed within 2019, how many were certified/closed within 60 days?	*	456	6,677	813	5,850

c. Termination	How many reports were certified or closed in 2019?	*	123	904	279	1,496
	Of those certified/closed in 2019, how many were initially reviewed within 60 days?	*	119	692	254	825
	Of those certified/closed within 2019, how many were certified/closed within 60 days?	*	101	728	240	743
d. Combination ¹	How many reports were certified or closed in 2019?	*	22	200	29	147
	Of those certified/closed in 2019, how many were initially reviewed within 60 days?	*	19	172	26	142
	Of those certified/closed within 2019, how many were certified/closed within 60 days?	*	19	170	27	128

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.

* Several agencies relied on a specific report in *Integrity*, the electronic filing system administered by OGE, to produce the data regarding public filers. However, that report relied on an incorrect formula to calculate the data for the Presidentially appointed, Senate-

confirmed appointees. Because the data may be incorrect, OGE has omitted it from this summary report.

If applicable, please explain why some reports were reviewed more than 60 days after submission. [See Q35 Table 1](#)

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

- additional information was being sought **60**
- remedial action was being taken **11**
- other (specify) **31** [See Q35 Table 2](#)

36. Number of periodic transaction reports filed, *excluding those filed by SGEs* **15,373**
37. 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	4,525	253	46
b. Number of OGE Form 278-T Reports	400	429	126

38. Number of public financial disclosure filers reported in calendar year 2019 to the Attorney General for failure to file: **3**
39. How many requests for public financial disclosure reports did you receive in 2019? Count each OGE Form 201 as one request, even if it contains a request for documents for multiple individuals. **1,984**

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

[See Part 8 Table](#)

PART 9. CONFIDENTIAL FINANCIAL DISCLOSURE

40. Report the number of confidential financial disclosure reports required to be filed by December 31, 2019, **excluding SGEs**, and the number of reports actually filed by December 31, 2019.

	a. Required	b. Filed	
		450	331,580
		OGE-approved alternative form	31,139
Total	370,361		362,719 (98%)

If applicable, please explain discrepancies between the number of reports required to be filed and the actual number of reports filed. [See Q40 Table](#)

41. Note the number of confidential financial disclosure reports certified or otherwise closed 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 full technical review and conflicts analysis. See 5 C.F.R. 2634.605.

	How many reports were certified or closed in 2019?	Of those certified/closed in 2019, how many were initially reviewed within 60 days?	Of those certified/closed within 2019, how many were certified/closed within 60 days?
a. 450 and OGE-approved alternative	347,821	320,857	301,721

If applicable, please explain why some reports were reviewed more than 60 days after submission. [See Q41 Table 1](#)

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

additional information was being sought **48**

remedial action was being taken **18**

other (specify) **35** [See Q41 Table 2](#)

42. Number of OGE 450 or OGE-approved alternative forms granted filing extensions in 2019: **33,184**

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

[See Part 9 Table](#)

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

43. Number of disciplinary actions taken in 2019 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: **1,012**

Of those, how many were disciplinary actions were taken wholly or in part upon violations of:

- Subpart A (General Provisions) **211**
- Subpart B (Gifts from Outside Sources) **26**
- Subpart C (Gifts Between Employees) **3**
- Subpart D (Conflicting Financial Interests) **14**
- Subpart E (Impartiality in Performing Official Duties) **30**
- Subpart F (Seeking Other Employment) **4**
- Subpart G (Misuse of Position) **578**
- Subpart H (Outside Activities) **75**
- Agency's supplemental Standards of Conduct **94**

44. Number of disciplinary actions taken in 2019 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), a civil matter 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: **24**

Of those, how many were disciplinary actions taken based wholly or in part upon violations of:

- 18 U.S.C. section 203 (Compensation in Matters Affecting the Government) **2**
- 18 U.S.C. section 205 (Claims Against and Matters Affecting the Government) **2**
- 18 U.S.C. section 208 (Acts Affecting a Personal Financial Interest) **11**
- 18 U.S.C. section 209 (Supplementation of Salary) **3**
- 5 U.S.C. app. section 104 or 18 U.S.C. section 1001 (Failure to file or filing false public financial disclosures) **8**
- 5 U.S.C. app. section 501 (outside earned income) **1**
- 5 U.S.C. app. section 502 (outside activities) **2**

45. Number of referrals made to the Department of Justice of potential violations in 2019 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), a civil matter involving outside earned income (5 U.S.C. app. section 501) or outside activities (5 U.S.C. app. section 502): **62**

DOJ Referrals

- a. How many of those referrals were accepted for prosecution **10**
- b. How many of those referrals were declined for prosecution **41**
- c. How many of those referrals were pending DOJ's decision as of December 31, 2019 **11**

Disciplinary Action

- a. How many of those referrals resulted in disciplinary or corrective action **8**
 - b. How many of those referrals resulted in a determination not to take disciplinary or corrective action **10**
 - c. How many of those referrals are pending a determination as to whether disciplinary or corrective action will be taken **25**
 - d. How many of those referrals involved employees who left the agency before the agency determined whether or not to take disciplinary action **15**
46. Did your agency submit all referral(s) and disposition(s) of the referral(s) to OGE via OGE Form 202 (as required by 5 C.F.R. 2638.206(a))?
- Yes **27**
 - No (specify why) **3**²¹ [See Q46 Table 1](#)
 - Not applicable because no covered referrals were made to DOJ **86**
 - Not applicable (specify why) **22** [See Q46 Table 2](#)

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

[See Part 10 Table](#)

²¹ Two (2) of the three (3) agencies indicated that they made no relevant referrals to DOJ. One (1) agency indicated that its submitted one referral in 2020 and that another was pending submission to OGE.

PART 11. ETHICS PLEDGE ASSESSMENT

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, 2019?

- Yes **68 (49%)**
- No (*skip to #51*) **70 (51%)**

Note: For guidance on what constitutes a full-time non-career appointee for purposes of the Ethics Pledge, see [LA-17-03](#) available at www.oge.gov.

48. For each category of appointee, provide the number of full-time non-career appointees appointed between January 1 and December 31, 2019, and indicate the number who did and did not sign the Ethics Pledge. Note: Please include all appointees who did not sign, regardless of whether or not they were required to sign. Additional explanatory information is requested in the next question.

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 01/01/2019 – 12/31/2019	159	23	211	743	196	1,332
i. Signed the Ethics Pledge in 2019	142	20	195	696	185	1,238
ii. Required to sign the Pledge in 2019 but signed in 2020	0	1	0	3	1	5
iii. Did not sign the Ethics Pledge	17	2	16	44	10	89

If applicable, please explain discrepancies between the number appointed and the number who signed or did not sign the Pledge. [See Q48 Table](#)

If all appointees signed, skip to #50

49. For each appointee who did not sign the Ethics Pledge, find the appropriate rationale(s) and indicate the total number of appointees who fit into that category.

Rationale for Not Signing the Ethics Pledge	Number and Type of Full-Time Non-Career Appointees Who Did Not Sign the Ethics Pledge					
	PAS	PA	Non-career SES	Schedule C	Other	Total
a. Occupy an exempt non-policymaking position (Schedule C or other comparable authority)	0	0	0	17	0	17
b. Appointed without break in service after serving in another position for which the Ethics Pledge was already signed	17	2	16	27	10	72
c. Other (please explain)	0	0	0	0	0	0

If other, please explain. **No agency selected "other"**

50. How many appointees appointed between January 1 and December 31, 2019, and subject to the Ethics Pledge were registered lobbyists during the two years prior to their appointment? **29 (2%)**

51. Section 3 of Executive Order 13770 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 2019, the names of those individuals granted waivers in 2019, 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	0	
c. Paragraph 3	0	
d. Paragraph 4	0	
e. Paragraph 5	1	David Slade
f. Paragraph 6	20	Aimee k. Jorjani; Rita Baranwal; William Bookless; Richard Grenell (x2); Morgan Ortagus; Monica Crowley; Bernard McNamee; Brittany Biles; Pasquale Cippollone; Jennifer Dickey; Brian Miller; Patrick Philbin; Brook Rollins; Andrew Varcoe; Jamest Faist Brian Benczkowski (x2) William Barr William Levi
g. Paragraph 7	1	Kyle Liske
h. Paragraph 8	0	
i. Paragraph 9	0	
j. Other (please explain)	0	

If other, please explain. [See Q51 Table](#)

52. Were there any violations of the Ethics Pledge during 2019?

Yes **1 (1%)**

No (*skip to Additional Comments for this Part*) **137 (99%)**

53. Please provide information on enforcement actions taken as a result of violations of the Pledge. [See Q53 Table](#)

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

[See Part 11 Table](#)

PART 12. SPECIAL GOVERNMENT EMPLOYEES (SGEs)

- 54. How many Special Government Employees (SGEs) did your agency have, in total, during calendar year 2019? **34,862** (if zero, skip to Additional Comments for this Part)

- 55. How many SGEs who was 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, 2019 (5 C.F.R. 2638.304(b)(2))? **21,285**

a. How many of those SGEs received IET before or at the beginning of the first meeting?	21,202 (99.6%)
b. How many of those SGEs received IET after the first meeting?	34 (0.2%)
c. How many of those SGEs have not received IET as of today?	86 (0.4%)

If applicable, please explain why some SGEs received IET after the first meeting or have yet to receive IET. [See Q55 Table](#)

56. Report the number of SGE public and confidential financial disclosure reports required to be filed by December 31, 2019, and the number of reports actually filed by December 31, 2019.

Public Reports (OGE Form 278e)	Confidential Reports (OGE Form 450 or OGE- Approved Alternative Form)		Public Reports (OGE Form 278e)	
	Required	Filed	Required	Filed
a. Advisory Committee Members (FACA)	23,841	23,309 (98%)	15	15 (100%)
b. Advisory Committee Members (non-FACA)	445	427 (96%)	0	0
c. Experts/Consultants	2,271	2,257 (99%)	31	30 (99%)
d. Board Members	199	187 (94%)	28	27 (99%)
e. Commissioners	116	110 (95%)	15	15 (100%)
f. Other	792	773 (98%)	44	44 (100%)
TOTAL	27,664	27,063 (98%)	133	131 (98%)

If applicable, please explain discrepancies between the number of reports required to be filed and the actual number of reports filed. [See Q56 Table](#)

57. Note the number of SGE disclosure reports certified or otherwise closed 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 full technical review and conflicts analysis. See 5 C.F.R. 2634.605.

	Confidential Reports	Public Reports
a. How many reports were certified or closed in 2019?	26,484	126
b. Of those certified/closed in 2019, how many were initially reviewed within 60 days?	26,300	122
c. Of those certified/closed within 2019, how many were certified/closed within 60 days?	25,877	115

If applicable, please explain why some reports were reviewed more than 60 days after submission. [See Q57 Table 1](#)

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

- additional information was being sought **13**
- remedial action was being taken **1**
- other (specify) **19**

[See Q57 Table 2](#)

58. Number of SGEs excluded from all or a portion of the confidential filing requirements per 5 C.F.R. 2634.904(b): **7,612**

59. 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	26	3	1
b. Number of OGE Form 450 or OGE-Approved Alternative Forms	764		

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

[See Part 12 Table](#)

ADDITIONAL QUESTIONNAIRE COMMENTS:

[See Additional Comments Table](#)

Appendix

Q6 Table 1

Some offices use administrative support for the purpose of tracking filing or training requirements, sending reminder, data entry, etc.
Assisted in creating Integrity and Financial Disclosure Management System Accounts (FDM). created OGE-278 and OGE-450 Tracking spreadsheets for management to know status of reports.
Two agency components use contractors for general administrative support.
FERC's IT contractors help by setting up and maintaining the database that keeps track of which employees have and have not taken the ethics training. Administratively, every Monday during ethics training season, the IT contractors provide the DAEO a list of who has and hasn't taken ethics training.
The admin support receives and assigns OGE Form 450 reports.
In addition to data input, some center ethics officials have contractor support for tracking financial disclosure filing, sending notifications reminders, etc., and scheduling training sessions and meetings.
Assisted in creating Integrity and Financial Disclosure Management System Accounts (FDM). created OGE-278 and OGE-450 Tracking spreadsheets for management to know status of reports.
Two agency components use contractors for general administrative support.
FERC's IT contractors help by setting up and maintaining the database that keeps track of which employees have and have not taken the ethics training. Administratively, every Monday during ethics training season, the IT contractors provide the DAEO a list of who has and hasn't taken ethics training.
In addition to data input, some center ethics officials have contractor support for tracking financial disclosure filing, sending notifications reminders, etc., and scheduling training sessions and meetings.
Assisted in creating Integrity and Financial Disclosure Management System Accounts (FDM). created OGE-278 and OGE-450 Tracking spreadsheets for management to know status of reports.

Q6 Table 2

Primarily databases, websites, and document/workflow sharing sites.
Computer Programmer revising financial tracking system used by L/Ethics.
One agency component uses a contractor to assist with DOT's online learning portal which the agency component uses to implement its online ethics training.
The IT Support services completed our New FDOonline electronic financial disclosure filing system in December 2019 and we launched in January 2020.
The Ethics Program Tracking System (EPTS) has contractor support for data input and other administrative responsibilities. Some center ethics officials have administrative contractor support.

The Bureau requires its confidential financial disclosure (OGE Form 450) filers to submit their reports via FDOonline, which is an online electronic filing system. Outside contractors created and continue to support this electronic filing system for several executive branch agencies, including the Bureau.
We contract for use of a system to process 450 reports.
Use FDOonline for public filers (other than DAEO)
IT support services are for maintenance of the Ethics Management Tracking System ("EMAT") used the collection and review of Confidential Financial Disclosure Reports.
Financial Disclosure Management (FDM) System - tracking all 450 and some 278 and training. Learning Management System (LMS) for computer interactive training and tracking IET training.
Primarily databases, websites, and document/workflow sharing sites.
Computer Programmer revising financial tracking system used by L/Ethics.
One agency component uses a contractor to assist with DOT's online learning portal which the agency component uses to implement its online ethics training.
For the first time, EPA Ethics utilized contractor support to develop an electronic filing system for confidential financial disclosure reports and to begin work to develop a web-based system for submitting and approving requests for approval of ethics travel. The previous electronic system had been developed in-house using a platform that is no longer supported by the Agency. In addition, for the second year in a row, EPA Ethics used the Agency's e-learning platform to host annual ethics training, which includes some contractor costs.
Provide support for internal electronic filing systems and applications (e.g., Sharepoint).
The IT Support services completed our New FDOonline electronic financial disclosure filing system in December 2019 and we launched in January 2020.
Electronic filing for the (OGE Form 450) Confidential Financial Disclosure Report
NA
The Ethics Program Tracking System (EPTS) has contractor support for data input and other administrative responsibilities. Some center ethics officials have administrative contractor support.
Contractors assisted OMB with the continued development and maintenance of an electronic system through which OMB employees submit OGE Form 450 reports, seek clearance for invitations/speaking engagements, and record ethics training received by OMB personnel.
Provides troubleshooting support to OSC's online ethics orientation course, when needed.
Providing electronic filing systems and updating internal applications and forms as necessary
FD online
I asked our IT team (all contractors) to create a new ethics@ustda.gov email inbox when I became ADAEO, which they did for me quickly. I then educated all staff to send me ethics Q's to that inbox. So, while the IT contractor support was minimal last year, they did support me nonetheless.
N/A
As part of overall system support for any access to Integrity for 3 employees
Primarily databases, websites, and document/workflow sharing sites.

Computer Programmer revising financial tracking system used by L/Ethics.

Q6 Table 3

DRA's ethics contractor Jeffrey Harrington with the Department of Commerce provided the review for the 1 financial disclosure for the PAS. He also provided information regarding a few ethics questions throughout the year.

Q6 Table 4

Contract attorney assists in answering ethics questions received by the Office of General Counsel helpdesk on her assigned duty day. The contractor provides assistance in consultation with the ADAEO or DAEO.

Contractors provided assistance with FOIA requests for ethics program records.

Human Resources support

NARA uses a USG shared services provider (through an IAA) for certain Human Capital services. For example, the provider prepares and sends offer letters and includes ethics information in those letters.

Ethics program hired a retired TVA attorney who served as a deputy ethics official to assist with the review of the agency's policy for financial disclosure reporting.

Q7 Table 1

Department of Defense

Army

White House Counsel's Office

Department of Justice Office of Inspector General (DOJ OIG).

Office of Administration (OA) White House Counsel's Office (WHCO)

U.S. Office of Special Counsel

Office of Government Ethics

DoD Standards of Conduct Office

Department of Commerce

Department of the Army

Army

Farm Credit Administration

Department of Commerce, and the Office of Special Counsel.

Department of Commerce

U.S. Department of State

DOI

Department of the Army

Inter-American Foundation (IAF)

Marine Corps Office of Counsel for the Commandant

1. Bureau of the Fiscal Service-Treasury

DOD and OA

CIA

White House Ethics Office

OSC

We use ARMY's Financial Disclosure Management System. Our ethics officials review the reports however, not ARMY. ARMY just provides the filing system.
Office of Special Counsel (OSC)
U.S. Department of Housing and Urban Development

Q7 Table 2

Ehtics Counseling
The ASBCA's GS employees are hired via the Army's civilian personnel system. Therefore, Army provides prospective employees with the required ethics notices.
General
DOJ OIG provides supplemental legal services to the agency, including ethics services. The ADAEO is an employee of DOJ OIG.
The Council on Environmental Quality (CEQ) is a component of the Executive Office of the President (EOP). These two other offices within the EOP provided general ethics support to CEQ in 2019.
CSOSA partnered with the U.S. Office of Special Counsel to provide a training to all CSOSA/PSA managers and supervisors on November 13, 2019. The training was titled Whistleblower Protection Training for Supervisors: Responding to Employees Alleging Violations of Whistleblower Protections.
Performed Periodic Agency Ethics Program Review
Used as a sounding board for advice and provided personnel to assist with training on how to use FDM to conduct OGE 450 reviews.
The Department of Commerce provided the review for the 1 financial disclosure for the PAS and also provided information regarding a few ethics questions throughout the year.
Financial Disclosure Management System
Financial Disclosure Management System (FDM) for e-filing of OGE 450 reports.
The FCA ethics staff runs both the FCA and FCSIC ethics programs, on a contract basis. We are housed in the same building, and FCSIC contracts with FCA for many of its services, such as Human Resources, Information Technology, Ethics, and FOIA.
The Department of Commerce provided annual ethics training to our agency. Hatch Act training was provided by the Office of Special Counsel.
Public and Confidential Financial Filing support, General Advice support
IJC employees utilize the distance learning ethics training provided by the Department of State
Provide all personnel and HR services for the James Madison Foundation.
NCUA uses the Army's FDM system for managing the agency's OGE 450 confidential financial disclosure reports.
The NEA typically does in-person annual ethics training each year for all its filers. In 2019, we requested that Paul Zimmerman, then-General Counsel and DAEO of the Inter-American Foundation lead annual ethics training to our 450 and 278 filers. We find it to be helpful and informative to have ethics officers at various agencies lead our annual ethics training (the NEA DAEO and ADAEO are always present to address agency-specific inquiries during the training).
An ethics attorney from the Marine Corps Office of Counsel for the Commandant provided our annual ethics training.

1. Provides ethics notices to new hires in offer letters.
DOD: provides information, tech & comms support to EOP OA: annual ethics training and Hatch Act training
Ethics Compliance Tracking System
certifies all Public Financial Disclosures of Commissioned Officers
Hatch Act
Access to the ARMY FDM system. No other support is provided. All reports are reviewed and handled by SIGAR.
We requested guidance on SGEs, and SGEs and the Hatch Act.
HUD's ethics office administers USICH's ethics program.

Q9 Table

ADAEO
We are still evaluating options for an electronic filing system for confidential filers. We continue to assess how to develop and retain our ethics personnel.
We are still evaluating options for an electronic filing system for confidential filers. We continue to assess how to develop and retain our ethics personnel.
We are still evaluating options for an electronic filing system for confidential filers. We continue to assess how to develop and retain our ethics personnel.

Q10 Table

CEA ethics staff use training provided by other entities within the EOP. As issues arrive, CEA ethics staff discuss them with the agency head, if appropriate.
Small agency with no ethics staff.

Q12 Table

Agency Ethics Officials.
Other ethics officials at USCCR
CEQ Ethics Program review also involved CEQ's Chief of Staff and Director of Finance & Administration
Army Human Resources Leadership
ADAEO
Legal counsel and management.
Ethics program review reports go to the following individuals at the reviewed component: the component head, Designated Ethics Counselor, and Ethics Coordinator. Our procedures also allow the DAEAO to send the reports to the HHS Secretary as needed.
Other Department leadership
Bureau Ethics Counselor
Director, DEO, and Deputy DAEAOs and General Counsels in certain components.
Bureau/Office leadership
FAA Chief Counsel and Deputy Chief Counsels. FTA Chief Counsel.
DO: internal ethics staff at one bureau: senior executive team at another bureau: Director and Assistant Director, Administrative and Internal Law Division at another bureau: Chief Counsel/Deputy Ethics Officer

Chief of Staff
U.S. Government Accountability Office (GAO)
Representatives throughout the agency who serve on the FTC's fraud/risk management committee.
and ADAEO.
KPMG audited the program in addition to our own internal reviews.
Executive Director
Deputy General Counsel
TVA Board and TVA Executive Leadership Team
HR
Chief of Staff
ADEO

Q13 Table

The changes were more in the nature of an update rather than a complete change in policy. The updates related to the application of 18 USC 205 to agency activities.
USADF's Ethics Office performs an annual review of its program to assess needs for updates. In result, USADF updated its ethics training modules in November 2019 for clarification and to create new scenarios to further educate USADF staff on the 14 Principles of Ethical Conduct.
The ADAEO went through the agency's ethics and financial disclosure policies to make updates as appropriate. Updates were reviewed by DAEO before policies were finalized.
Added new (additional) ADAEO.
Clarified content of ethics training
The Ethics Office issues a post-training evaluation to all annual ethics training participants. Based on the responses received in these evaluations, the Ethics Office provides specialized training and targeted messaging on ethics topics or questions posed via the evaluations.
The CSB considered adoption of a supplemental ethics rule. Aside from other issues, CSB did not have sufficient time to finalize any proposal or have it reviewed prior to the deadline for informing OGE for purposes of the annual regulatory agenda due each fall.
Advisory Committees were directed to use a no-conflicts form (in additional to OGE approved conflicts form) when choosing a project to assess whether conflicts exist. Regional ethics officials were directed to submit quarterly reports to assess whether advisory committees members were completing training and submitting financial disclosure forms. DAEO required that all designated federal officials - those who work with advisory committees -- were provided ethics training even though not required.
Two attorneys that had primarily been dedicated to providing first-line technical review of financial disclosure forms were made Deputy Ethics Counselors and have been engaged in on-the-job training to assume additional ethics program responsibilities.
In March 2019, CEQ made miscellaneous updates to new employee notification procedures. CEQ also issued its updated financial disclosure procedures.
CSOSA incorporated Whistleblower Protection Training in conjunction with the U.S. Office of Special Counsel.

<p>The DAEO publishes periodic ethics notices, known as DAEOGrams. An annual list of these DAEOGrams is drafted and reviewed by ethics officials and DEAO. Both the monthly topics and the timing of such topics was updated to align with calendar events. For example, in April, 2020, the topic will be Use Of Government Vehicles. This topic is timed to correspond to the beginning of PCS season, which is a prime time where employees may be inclined to use government vehicles in an unauthorized manner. The topic for August will be Use of Government Equipment/Property. School will be starting soon, and parents may be tempted to use government office supplies and media for their children's personal school use. Finally, in Both June and October, 2020, the DAEOGram topics will be the Hatch Act. June precedes the two party conventions (DNC in July RNC in August). These notices will alert employees to the potential ethical pitfalls associated with election season. Also, ethics officials and DAEO review proposed training before each presentation to incorporate current trends across the Federal Government, and current questions from the field. Ethics training for various groups of employees was updated based on current trends in ethics.</p>
<p>Worked with Director Human Capital to identify employees who are promoted to position of Supervisory Auditor GS-13 either permanently or for a period of greater than 60 days in order to capture timely OGE 450 New Entrant reports.</p>
<p>Shifting to an interactive online based ethics training that would be required of all DFAS employees on an annual basis that will improve overall ethics knowledge and awareness, simplify tracking compliance and meet initial and annual training requirements.</p>
<p>The Chief, Ethics/ADAEO became the Deputy General Counsel. While this resulted in a net gain to the Ethics program, in that she was able to bring more administrative support to the program, the lack of her day to day supervision and focus upon the DISA financial disclosure system resulted in unexpected delays in DISA accomplishing financial disclosure in 2019. At this time, as you can see from the numbers reflected in the FTE chart answering question 5, we now have personnel allocating more of their time to the financial disclosure aspect of the Ethics program. Our internal review of our program found that we were spending insufficient time in briefing SES level personnel in face to face training, and we have arranged additional opportunities to meet briefing requirements. We will emphasize Hatch Act restrictions this year in our training, publishing additional articles on our internal website and our Agency's TV/DISA Dateline websites.</p>
<p>Instituted SharePoint tracker to track incoming requests for ethics advice and opinions. Assigned additional attorneys to assist with OGE 450 reviews again since last year's first time was determined to be a success.</p>
<p>MOU between the DAEO and HR to notify new employees for training and filing, new supervisors and terminations of OGE 278 and appointments of OGE 278. Also implemented a bi-weekly notices from HR to OGC regarding all new employees to ensure we catch all new filers and track all new training requirements.</p>
<p>We are in the process of making our documented procedures for processing PAS nominees more robust. Also, we are making our review/approval process for outside professional teaching/speaking/writing (in both personal and official capacities) more robust in coordination with employee's internal approval process.</p>

In 2019, the GC's office conducted an assessment of the effectiveness of the initial and annual ethics training programs. For the initial ethics training, the plan is to offer the course three times each month (instead of once a month) to ensure new employees receive the training within 90 days. For the annual training, the Directorates within DTRA will conduct "all hands meetings" with leaders assisting representatives from OGC to discuss current ethical concerns and cover the requisite training topics. The goal is to increase awareness of the rules and enhance the ethical culture of the organization.
No changes were necessary.
Renewed focus on timely certification of financial disclosure, and more tailored SGE and PGE training.
Changes to Special Government Employee management, increased human resource involvement in the ethics programs.
Various commands updated their internal standard operating procedures, improved their record keeping, or adopted other Standards of Conduct/ethics best practices.
The DAEO made policy changes with regard to which attorneys would be identified as ethics counselors. Only those actually attending ethics training and working ethics issues on a consistent basis would be so designated. Accordingly the answers to #5 above reflects fewer FTE's for ethics professionals. The DAEO makes programmatic changes as appropriate during bi-weekly DAEO meetings. For example, he has adjusted frequency of ethics articles to be published.
Primarily improvements to standard operating procedures and updated policies.
No changes in 2019, changes planned for 2020.
Additional documentation of advice and continuity planning in the event ethics staff were to leave agency and in cases implemented specific recommendations.
Agency components continue to work on automating ethics programs for easy information storage, retrieval, and utilization. Examples include: greater use of HHS ethics inter and intranet websites, connecting different databases such as HR employee records and ethics records tracking systems, and implementation of HHS Reimagine initiative throughout ethics program components. Additional program improvements may be recommended on a case-by-case basis. Additional agency components have added requirements for all of the component's employees complete annual ethics training, regardless of their financial disclosure filing status. Additionally the agency continues to update agency ethics policy based on regulatory updates and changes.
Several programmatic changes were implemented to strengthen the program, including programmatic and policies changes to increase compliance with OGE regulations, such as improvements in tracking financial disclosure reviews, training, and remedial actions updates to procedures, especially related to coordination with human resource offices.
The OIG enlisted IT to help with running email lists of remaining filers who have not certified attendance at the Annual Ethics Training and proposed 2020 changes of enlisting IT to help update the filing structure in FDonline when employees shift offices.
Among the components, the following changes were made: new ethics counselor positions, an ethics office became a stand-alone unit, improved coordination with HR re: 278 filers, enhanced processes for guidance, authorization, and documentation, review of waiver process and policies, creation of post-employment guide, improved Intranet resources.

Improved review and certification time for the financial disclosure reports.
Use of a document titled "On the Move", bureaus and posts were queried twice to update their lists of filers during the summer months. Set internal goal for certification of all PAS Annual Financial Disclosure Reports and all other annual reports as well. Workload shifted as attorney turnover created increased review and certification time.
Programmatic changes: As a result of self-assessments and benchmarking, the Departmental Ethics Office (DEO) staff in various Bureaus and Offices improved financial disclosure report collection, review, and certification, enhanced tracking for training, and implemented standardized processes. Additionally, the DEO completed a review of ethics program operations which resulted in the U.S. Department of the Interior (DOI) increasing staffing and resources across the ethics program. Policy changes: As a result of self-assessments and benchmarking, the DEO drafted and implemented DOI ethics program-wide standard operating procedures for both OGE Form 278e and OGE Form 450 filer identification, report collection, and tracking.
One component had additional resources added to its ethics office. One component amended its ethics order. One component made improvements to its overall ethics program management.
Programmatic: DO: Enhanced Hatch Act training bureaus: improved confidential financial disclosure processes outside activity process assignment of ethics training in electronic training management system enhanced guidance on procures and ethics roles and responsibilities. Policy changes: Enhanced processes for outside activities and confidential financial disclosure. No changes for some: In DO, we intend to enhance our invitation review process through development of an electronic template and engage in more ethics programmatic/educational outreach. At one bureau, no issues found.
General Counsel ethics officials are working with the Veterans Health Administration Compliance and Business Integrity Office to have CBI staff serve as ethics advisors on basic government ethics issues. This will leverage assets in place at Medical Centers, increasing access to local ethics advisors. OGC ethics officials will remain the primary government ethics advisors.
EPA increased the number of dedicated ethics officials located in the Office of General Counsel. In 2019, the overall ceiling raised from 3.0 FTE to 6.0 permanent FTE.
Authorization for 2 additional FTEs.
Our internal review resulted in a satisfactory review of the program. No changes were deemed necessary. We did, however, conduct an assessment, apart from the internal controls review, of how we conduct training and modified our annual training practices to release training both quarterly and annually, to meet all employees' time needs. We also added targeted training to different groups of employees, which is supplemental to the annual training requirement.
Our internal review resulted in a satisfactory review of the program. No changes were deemed necessary. We did, however, conduct an assessment, apart from the internal controls review, of how we conduct training and modified our annual training practices to release training both quarterly and annually, to meet all employees' time needs. We also added targeted training to different groups of employees, which is supplemental to the annual training requirement.

We re-distributed review responsibilities for our confidential financial disclosure reports. We also re-evaluated our system for tracking SGE confidential disclosure submissions and annual ethics training to ensure SGE compliance.
GAO reviewed the FDIC's post-employment counseling procedures in conjunction with a review of regulatory capture at financial regulatory agencies. GAO has not yet issued its report or recommendations to the FDIC.
We increased our checks and balances of our evaluation of Gifts. We modified our annual Ethics training based upon our assessment of agency trends.
The Ethics Office received no recommendations as part of the OIG's audit of the agency's intern program.
We conducted an internal audit of recently added positions and added to our list of 450 filers for 2020.
Improved procedures to confirm ethics initial orientation and live training is timely completed.
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We felt that our program was running effectively given both the topics we need to cover and the time and staff constraints we have.
Following the assessment, the DAEO determined that during the 2020 financial disclosure report cycle, all IMLS board members would transition from paper reporting to the FDonline electronic filing system. This change was implemented to increase filing efficiency and greater reporting accuracy with IMLS's board filers.
work closer with HR to determine confidential and public filers
The EPTS was reviewed in order to remain current with OGE and OMB's regulations/policies to stay within the operating criteria for an approved OGE Form 278e electronic filing system. Changes have been made for reviewers/filers to have easier access to compare previous reports filed and cautionary letters issued. Further system improvements are being planned and prioritized.
A review resulted in a change to the initial ethics training process, as well as an evaluation and update of how certain materials are provided through the Human Capital office.
OGC works in closer consultation with OHR to track new and promoted employees to ensure that ethics training is provided in accordance with the timelines set forth in the ethics regulations.
In 2019, ethics officials met with agency staff regarding the agency's outside employment recusal policy and its implications for staff whose official duties include outreach and representation on NEH's behalf. Ethics officials considered whether the current recusal policy is too broad but determined that it is not so no changes resulted from this assessment.
Resulting from our internal review: We updated agency program instruction to reflect OGE policies and Integrity.gov as well as to document agency responsibilities in meeting reporting requirements. We also updated or process for reviewing OGE450's to include designated ethics officers from across NGA/OGC to ensure all form were reviewed within 60 days.

Agency leadership has agreed to allow the Ethics Office to recruit various employees from other offices to serve in a temporary capacity until we are able to hire full-time staff to replace staff that separated from the Agency in November and December of 2019.
Approved recommendation for Ethics training for all Agency employees.
Improved and focused training and ethics guidance in response to employee feedback.
We are regularly evaluating our program for areas of improvement and have regular discussions with agency leadership about those efforts. Based on our most recent FEVS responses, there is a high awareness of the ethics program and agency staff know how to reach an ethics official when needed. We continue to evaluate our self-assessment. We continue to develop how we deliver and track our ethics advice. That information will also help inform the development of our 2020 annual ethics training and other targeted training opportunities.
The NRC implemented a new electronic system through which employees can seek ethics advice, access ethics resources, and file OGE-450 forms. The new system allows the NRC to better track its ethics advice and the status of OGE-450 forms.
Ethics presentations continue to be included at all Board business meetings. Ethics culture included, relying on the former Acting Director's letter of October 5, 2017. Updating of Board ethics directives started.
The possibility of contracting with another agency to obtain the services of an Inspector General when needed was evaluated in the context of OSHRC's small size and similarly situated agencies. It was determined that a change was not warranted at this time.
Continuing to improve how OA collects and tracks OGE 450s development of online filing portal for OGE 450s.
Continuous process improvement, increased employee resources, enhanced on-line ethics system.
Not needed.
updated guidance on ethics regulations and held ethics meetings for staff to attend
Resulting change: redistribution of ethics team resources
Ensured system that was made to better track aspects of our ethics program is still accurate and useful for staff
No recommendations provided.
Nothing was reported to the DAEO re needed changes.
Changes were made to interactive training per discussion with OGE inspection staff
Modified training to PIAB board members to address them on multiple occasions to include addressing ethics training generally and providing specific/relevant training to matters currently before the board. We also held individual breakout sessions with board members to ensure ethics issues were adequately addressed.
Changes to training.
The Board reissued its Ethics Policy after DAEO consultation with our OGE desk officer, who was very helpful.
Updated standard operating procedures and communications plans
Identified need for gap training for experienced employees, established the training and added requirements to coordinate with office of learning.

The Board used an online program to provide annual ethics training to non-filer employees. The ADAEO and DAEO are evaluating the metrics and success of this training. (The Board maintained in-person annual training for filers and will continue to do so.)
Programmatic change: initiative launched to enhance ethics and compliance at TVA including revising ethics training content Policy change: 1) staff augmentation contractors now required to complete annual ethics training and 2) IT network access will be disabled for any employee who does not complete mandatory ethics training by the required due date
Our agency's external auditors picked the ethics program as one of four (4) functional areas they audited last summer/fall. They had no substantive recommendations and instead commended our program and its implementation.
Procedures agreed upon to include more involvement from supervisors and leadership within the agency over ethics reviews and compliance issues.
We implemented Service Now for tracking ethics inquiries and ethics advice. We piloted an electronic OGE-450 filing system that was tested by 2 offices in DC and 2 overseas missions. We will be rolling out our electronic OGE-450 filing program to the entire agency in 2020.
Agreed to continue the program of an Ethics update during agency-wide staff meeting. We added additional language to perspective employees' offer letters that included more details and information on our agency ethics program requirement as it pertains to new hires.
The Ethics Office performed a self-assessment last year. As a result, we will be changing our training survey questions, adopting a customized risk questionnaire for training, emphasizing the availability of customized training to department heads, revising our website, sending quarterly 278-T reminders and other financial disclosure reminders as needed, making additional efforts to publicize the Ethics Office to the postal workforce, instituting an annual program survey, offering office hours for filers, and creating standardized fillable questionnaires for requests to engage in outside activities.
No changes were made to the program per se. The Assistant General Counsel resigned, leaving vacant the ADAEO position. I requested that another employee, who formerly served as the ADAEO be made the ADAEO again and that happened.
The Ethics Office performed an enterprise risk management assessment that resulted in revisions to the format and content of annual training, and development of a new ethics communication plan for 2020
Updated policies, procedures, templates to better support WHO compliance efforts.

Part 4 Additional Comments

Response to 3(f): There are now two reporting layers between the DAEO and the agency head (Chairman <- Executive Director <- DAEO). This reflects the fact that, for the first time in its history, the agency has a full-time Chairman. Prior to that, the full-time Executive Director was the day-to-day agency head. Response to 14: The Department of the Interior provides most of our HR services. We have been using their template offer letters for many years, which does not include the language of 5 CFR 2638.303. However, we now have added the relevant language to the template and will use it for our next hire (expected in a week or two).
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<p>Question 3f - The DAEO is a PAS official who provides direct support to the Agency Head.</p> <p>Question 5 - The employees identified as working "less than 1 hour per week" are those who support the financial disclosure program. The 2019 Questionnaire identified these officers as working "1-10 hours per week." The "less than 1 hour per week" is a better reflection of the time spent by these employees.</p>
<p>The CFA written procedures for Issuance of notice of ethical obligations in written offers of employment is currently in draft form and undergoing review.</p>
<p>Question 9 - Human capital is needed to address significant increase in workload. The agency gained 74 employees in 2019, some with very complex ethics issues. Two ethics attorneys previously dedicated to first line technical review of financial disclosure forms were assigned additional duties in December 2019, and are receiving on-the-job training.</p>
<p>Question 2: As directed by Executive Order 13869, the resources and personnel of the Office of Personnel Management's National Background Investigations Bureau (OPM NBIB) were transferred to DCSA effective October 1, 2019. Additionally, pursuant to the direction of the Secretary of Defense, the resources and personnel of the Department of Defense Consolidated Adjudications Facility (DoD CAF) were transferred to DCSA effective October 1, 2019. As a result, the number of DCSA full-time employees increased from 891 at the end of calendar year 2018 to 4,522 at the end of calendar year 2019.</p> <p>Questions 5 & 9: Due to the increase in agency personnel, DCSA is in the process appointing additional employees to perform ethics program duties.</p>
<p>#9: The GC regularly communicates the resource needs of the Office, to include the Ethics Program, to the Chief of Staff and Agency's Resource Board.</p>
<p>The agency head has retained the duties of the DAEO. The Chief of Staff engages in ethics for the DRA. While not a federal employee, he helps facilitate contacts between the federal employee, Department of Commerce, and OGE for provision of ethics advice, training, and review of financial disclosure reports.</p>
<p>Question 8: While the agency head did not meet with the ethics staff to discuss the strengths and weaknesses of the ethics program in 2019, the agency head did meet with OGE's Director, OGE's Chief of Staff, and USDA's DAEO in February of 2019 to discuss OGE's views of USDA's Ethics Program. At that meeting, the OGE Director was highly complementary of USDA's Ethics Program and the several innovative ethics educational tools it has developed despite the very limited resources and staffing within the USDA Office of Ethics.</p>
<p>Due to the reorganization in the Office of Human Resources, some procedures have not been established.</p>
<p>Q6.- Most DDAEO organizations reported not using contractors. Of those who did, IT and Admin support were the most common, with only one organization reporting use of contractors for substantive work. Q8. - One DDAEO organization reported providing services to State Department personnel overseas.</p>
<p>DOE's response to the 2018 Annual Agency Ethics Program questionnaire listed the total number of FTEs (Question 2) to be 12,844. That number is incorrect. The total number of FTEs for DOE in 2018 was 15,572.</p>
<p>#6 OIG processed an interactive quiz through software for incorporation with the 2019 Annual Ethics Training in the HUD OIG Learning Portal OIG also provided tech support that allowed the webcast of the 2019 Annual Ethics Training to all of HUD OIG live for the</p>

<p>first time, with the ability to answer remote employee's questions in real time. Responses for questions 10 through 13 refer to HUD's OIG. #13 Administered post-training evaluations to assess participant's perceptions of the Training. Good results did not require any changes.</p>
<p>Q10: Component heads and ethics officials communicate regularly regarding ethics, not necessarily by holding specific meetings.</p>
<p>#8 Note: Our office does provide support for the Fulbright Board, which is administratively housed in the Educational and Cultural Affairs Bureau at the Department of State.</p>
<p>Question #5: The DOI's ethics program underwent major transformation in CY 2019 when eleven Bureau and Office ethics programs were realigned to report directly to the DAEO in the DEO. On December 31, 2019, the DEO employed 58 full-time ethics officials. Please note that the 87 employees reported in Question #5 includes: five employees who left the DOI in CY 2019 a temporary detailee an employee who performed ethics program duties for three Bureaus and Offices and is reflected in the chart as three employees three employees who performed ethics program duties for two Bureaus and Offices and who are reflected in the chart as six employees and 12 non-ethics program employees who provided varying levels of part-time support to various Bureaus and Offices in CY 2019. Question #9: Please note that the need for additional human capital resources will be met by hiring anticipated to be completed in CY 2020. Additionally, the DEO has identified a need for technology resources to develop an electronic tracking system that would increase efficiency, consistency, and accountability in the implementation of ethics programs and services provided to the DOI clients of the consolidated DEO. Question #11: Please note that only certain Bureau and Office ethics programs completed self-assessments in CY 2019.</p>
<p>DO=Departmental Offices (headquarters). Q2: This figure includes 11,873 F/T seasonal Q5: Note that the ADAEO who spent 100% of time on ethics departed in early May 2019 but is counted as 1 FTE, representative of a composite of people who worked on ethics for part of the year and are not counted. (One other attorney who worked P/T on ethics, departed in March 2019 and is not counted, and we hired 2 new ethics attorneys very late in 2019 who are not counted.) Ethics interns assist DO with data entry and other program-related tasks during most of the year. Q6: N/A for most bureau but some, including Departmental Offices (DO/HQ) indicated IT services. Q9: No for most bureaus. Q12: Agency head response refers to bureau agency head.</p>
<p>NA</p>
<p>#9 - Chairman approved two additional ethics attorney positions and a full-time administrative position (vice part-time), increasing to five FTEs in Office of Ethics. #14 - Revised and implemented ethics notice to prospective employees. Drafting new supervisor notice and procedures.</p>
<p>Question 11 - The Ethics & ADR Unit reviewed and updated our confidential financial disclosure procedures in conjunction with the transitioned to a new financial disclosure filing system.</p>
<p>#2 - This number does not include OIG. They had 121 full time employees as of 12/31/2019. #11 - An Integrity audit log review is done on a monthly basis and sent to</p>

the Office of Technology and Information Management. In addition, the Ethics Office contributed to the OMB A-123 audit.
NA
Collection of public financial disclosure reports (5 C.F.R. 2638. 104(c)(8)(i)). Review/evaluation of public financial disclosure reports (5 C.F.R. 2638. 104(c)(8)(i)). Issuance of notice of ethical obligations in written offers of employment (5 C.F.R. 2638.303). Provision of initial ethics training (5 C.F.R. 2638.304)
JUSFC is a nano agency that is allowed up to four FTEs.
NA
Q. 5 - The DC metro area includes Goddard Space Flight Center and NASA's Office of the Inspector General employees located in the Washington, D.C. area.
Question 8--NARA provides ethics support to the Public Interest Declassification Board, which was not authorized to operate for most of 2019. Congress reauthorized PIDB in December 2019 and NARA will provide ethics support to PIDB going forward. Question 14--Ethics officials are working with Human Capital to implement written procedures for the issuance of ethics notices to new supervisors in CY 20.
None
Question 2: This information is classified.
Question 5: We had one ethics official depart in March 2019. Two additional employees joined the agency in October 2019. Both are taking on ethics responsibilities, but one employee is new to ethics and is receiving regular training. From March through October 2019, the only officials were the DAEO and ADAEO. Question 14: Based on a review of our procedures, the existing written procedures do not fully address the requirements of 2638.303. However, we do have a procedure in place that accomplishes similar goals. For each candidate receiving a tentative offer to join the agency, they participate in an ethics intake. During the intake, the prospective employee provides information which would identify potential conflicts of interest. An agency ethics official describes the ethics program at the NTSB, the Standards of Conduct and criminal statutes that apply to all executive branch employees, and describes mitigation strategies if a potential conflict is identified. We also discuss the financial disclosure obligations that may exist for the position. We are working with the human resources group to update our procedures to satisfy the requirements of 2638.303.
Because of our small size, the GSA CABS - they provide our HR services, also provided the documentation to the new hires regarding Ethics Program and financial disclosures.
Q10: Following the agency head's designation in July 2019, he did not formally meet with the DAEO and ADAEO to discuss the strength and weaknesses of the ethics program. However, during the last half of CY19, he regularly communicated with the DAEO and ADAEO and provided relevant feedback regarding the program in general.
The number of full-time employees as of December 31, 2019 is not publicly releasable information but can be provided to appropriately cleared OGE personnel upon request.
#10 - For purposes of ethics program administration, the Office Head is the Chief of Staff to the Vice President.
The Better Utilization of Investments Leading to Development Act of 2018 (22 U.S.C. § 9601 et seq.) wound down the Overseas Private Investment Corporation (OPIC). All of OPIC's functions, personnel, assets, and liabilities were transferred to the United States

International Development Finance Corporation (DFC) pursuant to 22 U.S.C. § 9683. Accordingly this report covers OPIC and contains OPIC data, but is being filed by DFC on behalf of OPIC.
N/A
Question 2: The difference between employees listed on the 2019 Questionnaire and the current Questionnaire is due to the SBA Disaster Assistance Program. Their employee count fluctuates from year to year depending on the amount of disaster activity. Last year's #s were larger due to the activity generated by 3 Hurricanes (Harvey/Irma/Maria). Due to low disaster activity in 2019, the Disaster Program operated with just their core staff.
NA
n/a
We use GSA CABS to onboard new employees. This issue has been raised with OGE in the past. GSA CABS provides little to no ethics training or notice of ethical obligations when onboarding new staff for the client agencies which they serve.
3f- Per an MOU between HUD and USICH, which OGE is aware of and has a copy of, the Executive Director of USICH is the USICH DAEO, while HUD's agency ethics officials administer all portions of an ethics program for USICH. Therefore, the number of reporting levels between the DAEO and the Agency head is 0.
Letters of compliance establish the written procedures for the notice of ethical obligations in written offers of employment and for the provision of initial ethics training.
14. The written procedures are in the form of a memorandum identifying position that require both confidential and public filing. When receiving FOIA requests for public reports, General Counsel refers requesters to OGE procedures.
Question 14. The White House Office does not issue written offers of employment.

Q15 Table

In our agency, we have written procedures in place which requires that as a standard part of the hiring process performed for us by the Defense Finance and Accounting Service, ALL DISA prospective employees receive written notice as part of their hiring package. All of the written offers included the required information.
OHR is the only office responsible for reporting. OHR has been notified of the delinquency of this report and will submit a written determination pursuant to 5 C.F.R. 2638.310.
Throughout 2019, the DAEO -- utilizing in-person meetings, follow up telephone calls, and e-mails -- continually reminded USDA's Chief Human Capital Officer (CHCO), Deputy CHCO, and their staff in the Department's Office of Human Resources Management (OHRM) of the CHCO's obligation to obtain and provide the requisite certifications from the various USDA Human Resources Offices. Despite the DAEO's continuous efforts, the USDA Office of Ethics has not heard back from USDA's Office of Human Resources Management. We believe that the Human Resource Office's compliance would be significantly strengthened if OGE would request that a written reminder be issued to all department and agency CHCO's from the Office of Management and Budget (OMB) Deputy Director for Management and/or the Director of the Office of Personnel

Management (OPM) to all CHCO's regarding Human Resource Officers obligations under Section 2638.303 to obtain and provide written confirmation to agency DAEOs.
In anticipation of the Government shutdown, emails were sent to respective HR departments on December 20, 2018 with the request to demonstrate that 5 C.F.R. 2638.303 had been implemented. Because the Government shutdown occurred, HR departments were not responsive. Follow-up emails were sent once the Government re-opened, however, HR Departments were slow to respond or did not respond at all.
The Air Force Personnel Center (AFPC) controls, generates, and issues the offers of employment to prospective employees, and while some AFPC offices reported the issuance of the notice, not all did, because not all AFPC offices issued the notice as required. This deficiency is being addressed, and a closer communication process is being established between AFPC and the legal offices throughout the DAF.
Due to organizational short comings, the DAEO was not provided with confirmation by the January 15th due date pursuant to 5 C.F.R. 2638.310.
The deadline for the DAEO to receive this confirmation in CY2019 was during the government shutdown. After the government reopened, the requirement was implemented. Information was timely provided to the DAEO in CY2020.
Due to the government shutdown, some agency components were unable to meet the deadline.
There is an ongoing HR modernization process. Some HR offices have had staffing shortages or high turnover.
Due to insufficient resources and a reorganization of the human resources office, EPA was not able to implement fully this obligation in the past year. With more staff on board now, we have made this a priority for this year.
From July 2019 to date, HR provided the required notice in all employment offers.

Q16 Table

-As a small agency, ACUS entered into an interagency agreement with the U.S. General Services Administration (GSA) for most HR-related functions, including the provision of all required pre-employment forms and notices. In other words, ACUS has not provided direct notification to new hires itself. Out of an abundance of caution, in 2020, ACUS will begin sending direct notifications to new hires out of an abundance of caution and to reinforce information sent from GSA.
As explained above, the Department of the Interior provides most of our HR services. We have been using their template offer letters for many years, which does not include the language of 5 CFR 2638.303. However, we now have added the relevant language to the template and will use it for our next hire (expected in a week or two).
Access Board ethics officers recently learned that, despite having procedures in place concerning ethics notices in offer letters, our contracted servicing personnel office (i.e., Treasury Department's Bureau of the Fiscal Service) did not, in fact, include the requisite notice in offer letters sent on the Access Board's behalf in calendar year 2019. We are working now with BFS to correct this problem and ensure that it does not happen again.
Written offers are mand by another servicing Agency (Bureau of Fiscal Services)
Policy to include required information in written offers was recently established and is under review for implementation.

We believe the notice has been included but have been unable to confirm at this time.
One rehired annuitant was provided with specialized correspondence in connection with the employee's re-employment that did not include the information. The issue was identified and management was advised to ensure the information is included in similar situations in the future.
The Human Resources staff were not aware of the requirement until recently. The offer letters have since been updated to include the requisite information.
Human Resources using non-compliant language that did not include all required information. Language revised by Office of Ethics and implemented starting January 2020.
Question 16: As described in the additional comments to Part 4, all of the candidates for potential employment with the NTSB participate in an ethics intake. Some of the information required by 2638.303 is described in the written materials provided with the tentative offer, and all of the information is described during the initial intake.
Because of our small size, the GSA CABS - they provide our HR services, also provided the documentation to the new hires regarding Ethics Program and financial disclosures.
BFS failed to include the required notification in offer letters issued to OGE employees who were hired/promoted internally. OGE alerted BFS to the oversight and provided appropriate notification language to be included in all future letters for internal OGE hires.
the definition of agency in the Ethics in Government Act and applicable regulations does not include the Office of the Vice President
HR was given the information to add to offer letters, but did not do so. The issue has been addressed by the DAEO and all new offer letters should include the required information going forward.
Written offers included this information following the revision of the PCLOB's Ethics Policy, which occurred in March 2019 after DAEO consultation with OGE desk officer.
HR didn't implement the new requirement as requested.
Unsure. Only two employees. Last hire was two years ago and at that time GSA CABS provided no ethics information.
We will include the required information in written offers moving forward.
I don't see the written offers, so I do not know whether any of them included the notice. I notify new employees after consulting with the Supervisor about their responsibilities if I will require them to file a report based on their duties.

Q17 Table

A minor disconnect occurred and our SES personnel manager neglected to contact us with the information about a new technical expert hire.
Two of EPA's new agency leaders were confirmed in early January 2019, during the government shutdown, but still received their training within the 15-day requirement.
- Due to scheduling conflict.
Answer based on notes from previous ethics staff none of whom still work at FMCS.
N/A

All sixteen new agency leaders are Special Government Employees who serve on the National Council on the Humanities. Consistent with 5 CFR 2638.305(b)(2)(ii), each of these individuals received their initial ethics briefing prior to their first Council meeting.
Applicable employee immediately travelled.
It was the end of the fiscal year when President Trump announced the appointment of four new Commission Members. There are only two employees.

Q18 Table

One employee was detailed to the Bureau under an IPA agreement and completed his training right after the 3-month deadline. The other employee was stationed remotely and completed his training after the 3-month deadline. We had provided this second employee with detailed written ethics information upon his appointment to the Bureau however, he completed the interactive training beyond the 3-month deadline.
One employee received external ethics training within three months. We believe this was the general equivalent of the IET required. Another employee transferred from another agency. She received annual training a few weeks outside 90 day period.
Employee completed annual ethics training instead of new hire initially.
One employee was scheduled to attend new entrant ethics training within the 3 month requirement, but went on emergency leave for several months. However, the employee did receive ethics training upon return from leave.
The Agency's IET is given approximately every three months as part of a new employee orientation. Sometimes, for good reason, new employees may be unable to attend certain portions or sessions of the new employee orientation. When this occurs, new employees are offered the opportunity to make up a session. As it pertains to IET, new employees who are unable to attend the in-person ethics session have an interactive online ethics course added to their online learning plan by the Agency's Training and Career Development Center. The online annual ethics training covers all of the topics contained in the IET, plus additional information. According to the Agency's training department, 5 new employees did not complete the IET during CY 2019. As is the case for employees who fail to complete the annual ethics course, employees who have not completed the IET by December 31, 2019 are provided a warning letter, giving them a one-time extension to complete the training by January 31, 2020.
Our organization consists of headquarters, 13 distribution centers, and 236 commercial grocery stores. A majority of the organization's new hires are at the stores and distribution centers and are cashiers or store clerks. These positions are graded below the GS8 level and do not have routine computer access. This limited computer access creates difficulties for HR who does not have the granularity to track more than they are already doing. Based upon the job description of these GS8s and below, the DAEO has exempted them from the requirement. That said, the goal of the organization is to get as many of these people as possible, the initial ethics training. At a minimum, they are to receive the 14 principals of ethical leadership and the ethics office contact information.
As explained in the additional comments for Part 4 above, on October 1, 2019, DCSA merged with OPM NBIB. Some of the 2,957 NBIB employees who transferred to DCSA have, to date, been unable to access the agency's online ethics training (and other DoD websites) due to computer problems and issues with their newly issued DoD Common

Access/PIV Cards. DCSA is continuing its efforts to solve this and other connectivity issues.
We are improving our notification system, but some warehouse workers that are not on the computer missed their notifications. We have addressed this issue with their supervisors.
Some employees at remote locations did not have access to the learning management system (LMS), which contains the IET slide presentation. Others did not complete the training due to the high optempo of the agency.
Despite regular reminders and follow up notices, approximately 1.5% of employees required to complete IET did so outside the 3-month window and an additional 3.6% did not complete the training. We will continue to follow up with those who did not complete the training.
The employees who received IET training beyond the 3-month requirement are located outside of the Washington DC area. We use the Commerce learning center training module for employees located outside of Washington.
See comments at the end of this Part.
Human Resource office reporting errors, employee failure to attend new entrant training.
The Department of the Navy is a large agency with several remote locations. This may impact the gaining commands' ability to track compliance with the Initial Ethics Training (IET) requirement. The Office of the Assistant General Counsel (Ethics) (OAGC(E)) will be updating the online IET which should help alleviate some of the remote locations' availability issues. Additionally, it is likely that some of the commands are overreporting the number of employees that are required to complete IET. The OAGC(E) will coordinate with the Office of Civilian Human Resources to develop a more efficient and accurate means of tracking new entrant employees.
Reasons vary among DDAEO organizations, however, most were due to temporary/transient employees departing before receiving training and employees in jobs without office space/computer access (e.g., floor clerks, drivers, etc.)
Some employees work in remote locations where they do not regularly have access to government IT and were on extended leave.
Some employees left prior to the 90 day deadline, other employees left before the end of the calendar year but before the 90 day deadline. Additionally, remotely located employees with limited computer access did not have the opportunity to complete the training in a timely manner. Other reasons include noncompliance with instructions and miscommunications between staff and the employee.
Discrepancies were due to many issues, primarily surrounding continued coordination between ethics and human resource offices improvements to tracking and notifications.
Budgetary constraints, attorney trial schedules, scheduling difficulties, extended leave status. Outstanding IET will be completed in the first quarter of 2020.
Delays due to the administrative onboarding process and the scheduling of FACA committee meetings.
Some employees had technical difficulties with having the incorrect email address. Email addresses may be incorrectly entered in the Department's email system for a variety of reasons. For example, if someone uses Jr, II, etc., but that was not entered into the system when the account was created, the search for the correct name will come up as

<p>the person not being in the system. In addition, some people don't use their first name, but a nickname, a middle initial or a name change, but the employee has not provided the correct information to use for their email address, again notifying the employee of Initial Ethics Training will be difficult if the email address does not match with the information in our email system.</p>
<p>Some DOI employees did not receive IET within the three-month requirement due to a variety of factors in CY 2019 across certain Bureau and Office ethics programs including: a lack of ethics program resources insufficient tracking of new entrants by ethics programs and a breakdown in communication and coordination with HR. The DEO has drafted and implemented DOI ethics program-wide standard operating procedures for initial ethics training which should help resolve many of these issues in CY 2020.</p>
<p>One agency component reported that 16 employees did not receive training within their first three months but have since been trained.</p>
<p>Employees departed prior to completing training employees on extended leave follow-up pursued with others. At one bureau, training assignments were delayed and make-up training is ongoing for IET because of transition to a new interactive system.</p>
<p>All VA employees are required to take ethics training. There is be a delay between onboarding and gaining access to the electronic training system.</p>
<p>EPA's deputy ethics officials ensured that the bulk of their new employees received their initial ethics training within 90 days. We do note some exceptions: for example, one experienced regional ethics official was unexpectedly out of the office on extended medical leave, and one large EPA office underwent a massive reorganization that resulted in full scale changes from top to bottom. Approximately two-thirds of the ethics officials in that organization turned over, resulting in confusion on the part of the new deputy ethics officials and their roles. Unsure of their ethics administrative duties, the new ethics officials reported problems in identifying new filers and informing them of their training requirement and then trouble tracking training completion for their employees.</p>
<p>Employee left agency only 2 months after starting.</p>
<p>One person had until January 9, 2020 to complete the training. He did so but will report on the 2021 report.</p>
<p>Administrative oversight, process has been updated to avoid future problems.</p>
<p>18b - administrative error 18c - scheduling conflicts</p>
<p>NA</p>
<p>21 new employees did not in error have the training loaded onto their learning plan, upon discovery it was loaded and is being monitored for completion. 2 FACA SGE committee members have not yet attended an initial committee meeting and will train prior to doing so.</p>
<p>One employee received IET beyond the three month requirement because of administrative oversight. The 30 employees listed are from a single location that was unable to confirm by the reporting deadline that employees coming on board in the first half of CY19 received the required training. If those employees are determined to have not received the required training, ethics officials will ensure the training is provided in early CY20.</p>
<p>Employee had technical issues which caused the delay.</p>

<p>Although reminders were sent both to employees and their supervisors, a handful completed the training soon after the 90-day deadline. In one case, NSF shutdown access to all systems except the ability to receive training to compel the employee to complete.</p>
<p>Due to various personnel and administrative reasons, a small number of new hires missed the programmed block of training. We continue to pursue those required to complete the necessary training.</p>
<p>From July 2019 through November 2019, the agency's training system was being replaced and a new system deployed. All employees who started during this time frame had a delayed initial ethics training assignment. The 7 employees who did not receive IET by December 31, 2019 are all expected to receive this training in early 2020.</p>
<p>All of the employees that did not complete IET within the 3-month requirement are intermittent experts. They are not required to come to the agency upon their appointment and may not be called upon to do any work in a given year. However, two of the filers did complete training outside of the 3-month requirement while 7 did not receive training at all.</p>
<p>Those employees failed to attend the agency's required quarterly New Employee Onboarding (NEO) Phase II training, which includes a live initial ethics training ("IET"). The employees since have received the training. Please note that all PBGC employees are given the agency Ethics Handbook upon onboarding and may contact an ethics counselor for questions/guidance.</p>
<p>The employee who received the training outside the 3-month requirement was assigned computer-based training within the 3-month period, but did not complete it timely. The employee who did not receive training is no longer an employee of the agency and departed before completing the assigned training.</p>
<p>For five of the six employees listed in 18b above, the Ethics Office did not receive timely notice of their entrance on duty until after the 3-month period. For the remaining employee, the Ethics Office received timely notice of the employee's start date, however, that employee was not trained until after the 3 month period due to an administrative oversight. In that instance, the employee entered duty during a pay period in which the Agency did not hold a new employee orientation session (where initial ethics training is typically provided) because too few new employees started during that pay period. All six of the employees were trained as soon as the Ethics Office became aware that they did not receive initial ethics orientation.</p>
<p>HR failed to track initial ethics training in the system</p>
<p>The employees were either on medical or military leave, and some left the agency prior to the training date. A few received training late due to miscommunication on date of training/service.</p>
<p>The four who were beyond the 3-month requirement: One employee was sent to the Federal Law Enforcement Training Center immediately after hire and unable to access the training until after the due date. One was not able to complete the training during TVA's new employee orientation and did not realize upon return to his work location that it needed to be completed within 3-months of hire. One employee thought he had taken it but had not and took it immediately upon realizing it was incomplete. One employee just overlooked the due date. The employee took the training upon realizing it was past due.</p>

One New Hire on-boarded the last week of December. The ethics program is working with them to ensure they attend an initial ethics training session within the 3 months from their start date, at their earliest availability.
Travel and scheduling conflicts prevented the 11 employees from attending the once-a-month scheduled IET sessions during the first three months of employment all 11 employees received an ethics briefing on the first day of employment and all have since attended a full IET briefing.

Q19 Table

While the HR is delegated the responsibility for the initial ethics training, they depend upon our computer based training. In an effort to get the training to those at the 236 stores world-wide who have limited computer access, which is sometimes delayed close to or over the 90 days, DeCA published initial ethics training on CDs and distributed them to each store. The goal is that as close to 100% as possible receive the initial ethics training, however the DAEO has exempted those in GS8 and below positions from the requirement.
The deadline for the DAEO to receive this confirmation in CY2019 was during the government shutdown. After the government reopened, the requirement was implemented. Information was timely provided to the DAEO in CY2020.
Some Human Resources offices have staffing shortages or high turnover and there is an ongoing HR modernization project.
Due to previous staffing shortages, EPA Ethics has not yet effectively implemented this requirement. We will focus on making this a priority this year.
New employees were given the option of submitting their IET certifications directly to the DAEO's designee, or having their District Resource Managers (field offices) or Administrative Officers (HQ offices) submit the employees' IET certifications to the DAEO's designee. Both methods were effective in ensuring that the DAEO's designee received timely notice of IET completion.
One location was unable to confirm by the deadline that IET was being provided in the time frame required during the first half of CY19.

Q20 Table

DAEO was not able to provide annual training in 2019. Sent training in February 2020. Partially communications problem with ADAEO and partially scheduling issues.
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 and/or annual ethics training from his or her employing agency.
The head of the agency is the DAEO and is an appointed position and he did receive his ethics training upon appointment.
The head of the agency (PAS) left in April of 2019 - However, the acting head of the agency received annual training in 2019. The acting head is not a PAS.
The Special Assistant for Commissary Operations' regular assignment is as Director of the Navy Exchange System (NEX). He completes required ethics training and filing of the 278 through NEX.

Q21 Table

<p>USADF provided ethics training not only to Federal direct-hire employees, but also to contract employees working at USADF's HQ in DC, locally hired personal service contractors working in USADF's field offices in Africa, and to local employees of USADF's partner organizations in Africa which have been awarded cooperative grants with USADF.</p>
<p>The one public financial disclosure (OGE Form 278e) filer who did not attend annual training was on maternity leave during annual ethics training season and continues to be on maternity leave. Upon her return, she will complete interactive annual training. Nine confidential financial disclosure filers (OGE Form 450) had not completed training by the end of the calendar year. However, eight filers have since completed training during the month of January. The other filer has been and continues to be on long-term medical leave. Eleven non-financial disclosure filers had not completed training by the end of the calendar year. However, six of these individuals completed training in January and four continue to be on maternity leave.</p>
<p>Returning advisory committee members (FACA SGEs) did not complete annual training.</p>
<p>The four employees who did not receive annual ethics training are on extended leave.</p>
<p>Some employees left the agency abruptly during the proffered annual training season and could not take the training a few did not make effort to complete the training and were referred to their supervisor.</p>
<p>Employees are notified on multiple occasions via agency-wide emails that the annual ethics training is mandatory, and must be completed by December 31, 2019. Those employees that did not complete the training were provided a letter on or around January 13, 2020, indicating that they had failed to comply, granting a one-time extension, and requiring them to complete the training by January 31, 2020 or face potential disciplinary action.</p>
<p>DFAS Deployed a new, interactive, ethics training module in October, 2019. Unfortunately, two OGE 450 filers did not complete the training until January 2020.</p>
<p>Employees left the agency, occasional lack of support from supervisors to force the employee to take training</p>
<p>Could not account for 4 persons before the end of the year.</p>
<p>Despite regular reminders and follow up notices, a small percentage of employees did not complete the training. We will continue to follow up with those who did not complete the training.</p>
<p>OGE Form 450 filers were given Online Ethics Training on September 1, 2019. They were given 30 days to complete the training. Those who did not complete the training on time were sent reminders. These reminders were sent until the last week of December. OGE Form 278e filers were provided in-person training for those with duty stations in the Washington DC area. Filers were sent reminders to complete the training until the last week of December.</p>
<p>See comments at the end of this Part.</p>
<p>Some employees missed the training deadline - their training now complete. Some employees were on extended medical leave or deployed. Also, these numbers capture those employees who were part of the agency on December 31, 2019 only.</p>

<p>Through an inadvertent oversight, an Ethics Counselor did not realize that a Public Financial Disclosure filer was under his command's supervision. When he discovered the error, the filer was already preparing for retirement in January 2020. Seven commands reported significant delinquencies in Annual Ethics Training (AET) completion. OAGC(E) is actively working with each of the commands to verify the data and ensure compliance with the AET requirement.</p>
<p>Of those not trained, most were deployed or on extended leave.</p>
<p>21 employees are non-compliant. 2 employees on Military leave. 3 employees on extended sick leave.</p>
<p>Filers out on medical, military, and administrative leave of absences.</p>
<p>Some employees were transferred to another agency before the end of the year, others were on extended leave, others were activated for military service, or some were SGEs who did not participate in committee activity.</p>
<p>Discrepancies were due to issues, primarily surrounding continued coordination between ethics and human resource offices improvements to tracking and notifications. Other causes were extended military or sick leave of personnel. All delinquencies are being or have been addressed.</p>
<p>HUD- Employees either completed the training after the 12/31/2019 deadline or did not self-certify training completion. Reminders were given that they were required to take the Annual Ethics Training. OIG- Despite multiple reminder emails sent directly to employees, 27 employees failed to complete the Annual Ethics Training and certify their attendance in the HUD OIG Learning Portal by the 12/31/2019 deadline. 2 of the 28 employees who failed to certify are on extended leave. 11 employees certified their attendance after the 12/31/2019 deadline.</p>
<p>Counted as filers that required annual training, however left DOJ before the end of the year, military deployment and other extended overseas and remote assignments, extended leave, administrative delays, e.g. administrative mistake in training notification to filers, and due to IT delay in online training delivery, some filers had a limited window of time to take training. Wherever possible, outstanding annual training will be caught up in the first quarter of CY2020.</p>
<p>Filers on leave of absences, medical leave, or separated.</p>
<p>The data for Confidential Filers includes individuals who left a filing position after submitting an annual report. Typically, there are several hundred OGE-450 filers who leave the Department, change positions, or change duties by the end of any given year and are no longer in a filling position. The others who should have taken the training did not do so.</p>
<p>Some DOI employees did not receive required annual ethics training due to a variety of factors across certain Bureau and Office ethics programs including a lack of ethics program resources and insufficient tracking of new entrants by ethics programs. Please note that certain employees across the Bureaus and Offices did not receive annual ethics training in CY 2019 due to extended medical and military leave, detail, resignation, and/or retirement. Additionally, certain Bureaus and Offices provided annual ethics training to employees who were not otherwise required to receive annual ethics training. As a result of these efforts, approximately 7,100 additional DOI employees received annual ethics training in CY 2019.</p>

<p>Nearly all of the employees that did not receive their required training were on extended medical or family leave, administrative leave, or military duty. Agency component ethics offices are following up with all other employees who did not receive their required training to ensure that it is completed by January 31st.</p>
<p>Some employees were in leave status (e.g., LWOP, military or other leave). 92 of the 113 OGE 450 filers did not receive timely ethics training due to transition of a training management system which disrupted system availability and reports generated by system for follow-up with filers. At another bureau, one regionally located public filer received training in late Jan. 2020, and training for other filers was delayed due to plant production schedule and manufacturing constraints. Finally, another filer transferred to another federal agency before receiving training. Make-up sessions in progress.</p>
<p>Public filers who retired (filed termination or combination reports) did not attend ethics training in their last year of employment. Likewise, confidential filers who did not file changed their filing status by retiring or changing to a non-filing position.</p>
<p>EPA's EX Level II employee was not able to complete training by 12/31/19 but did so promptly upon return to the office in early January 2020. As for any other discrepancies, we note that annual ethics training is not required of all employees but rather only for those who file financial disclosure reports. Consequently, EPA's e-learning platform does not include ethics training on its menu of "mandatory training." Some employees failed to realize this and mistakenly concluded that they had fulfilled all of their training requirements. We also learned that some deputy ethics officials neglected to remind their filers to take annual ethics training by 12/31. (continued below)</p>
<p>Of the 12 450 filers who did not complete annual ethics training, 10 had left or retired from the EEOC by the time annual ethics training was made available, and 2 were on extended sick leave throughout 2019.</p>
<p>While all of our public filers received annual training in CY 2019, several of our confidential filers did not receive annual training because they retired before the end of CY 2019, and many others missed the annual training due to extended leave or detailee service in other federal departments and agencies. The remainder were delinquent.</p>
<p>Seventeen employees who were required to complete annual training did not do so. Of the seventeen employees, nine employees were on extended medical leave. Two of the nine employees on extended medical leave completed the training when they returned in January 2020 (that training will count as 2020 training). Of the remaining eight employees, four employees completed the training in January 2020 (that training will count as 2020 training). Four employees outright failed to comply with the training requirement.</p>
<p>One employee was on maternity leave.</p>
<p>One PAS employee and two SES senior level filers left the Commission before the training. Also, some employees were on extended sick leave, military leave, maternity leave, retired and/or detailed to another agency.</p>
<p>The Confidential filer who did not complete his annual ethics training in 2019 is an SGE who did not perform any work for the FLRA in that year. He did not complete the ethics training despite several emails asking him to do so. The Office is continuing to follow-up with him to ensure that he completes his annual training before he performs additional work for the FLRA.</p>

<p>These persons ended their employment with the FTC before the end of the calendar year.</p>
<p>Some employees are on extended leave. Some employees left the agency prior to the end of the year.</p>
<p>NA</p>
<p>There were some issues with the online distance learning - the individuals who weren't able to log on to complete the course before the end of December have been told to complete as soon as practical.</p>
<p>NA</p>
<p>22 FACA SGEs have not completed ethics training for the 2019 cycle. Some committees did not have FACA meetings during this furlough compressed year through which training is ordinarily provided. These SGE's will be trained prior to attending a committee meeting. Six employees were on long term medical leave. There was a computer error at one location where the training requirement was not properly loaded into the learning plan for 60 employees until December, and training is pending for 17. Two other employees will be trained shortly. We will continue to monitor to ensure all employees complete their training.</p>
<p>Extended medical leave Retirement from federal service in early January 2020</p>
<p>one OGE 450 filer is critically ill and was not able to complete annual ethics training.</p>
<p>Employees still in covered positions continue to complete annual training after Dec. 31, 2019. There are a variety of operational and administrative reasons filers did not complete training on time. The numbers reported above are percentages, rather than numeric counts of filers. Actual numbers are made available to cleared OGE personnel when required.</p>
<p>We conduct live annual training for the entire agency. 403 individuals were designated to participate in the live training. 5 individuals separated from the agency. 6 individuals were unable to participate in live annual training due to leave or travel for investigative work. We are working with those individuals to complete an alternative, interactive training.</p>
<p>Most of the past-due training results from a training system change that took place in 2019. Training reminder notification settings in the new training system defaulted differently than the last system used at the agency. In prior years, we have had weekly reminders sent to employees once the training was past due, culminating in that employee's management being notified after repeated email reminders were sent to an employee. When assigning the training, ethics staff was not aware that subsequent reminders were turned on for past-due employees in the new system. Past-due employees have since been notified of their training requirements through individual emails, and we are monitoring the training to ensure it is completed.</p>
<p>Section C Discrepancy: 1 employee on administrative leave, 1 employee on detail, 3 employees started after completion of annual ethics training but did receive initial ethics training. Section D Discrepancy: 1 employee on excused leave, 2 employees started after completion of annual ethics training but did receive initial ethics training.</p>
<p>One confidential filer failed to take training in 2019, but completed training in early 2020. Two employees were on extended leave (from at least June 1, 2019 through December 31, 2019) and were not available to take training. Two SGE's were not offered, and did not take, ethics training in 2019. Several employees joined OMB after November 1, 2019, but</p>

were not required to take ethics training in 2019. They have been excluded from the number of employees required to take 2019 annual training.
One OGE-450 filer was and continues to be on extended medical leave and has not received training.
Employees were sent multiple reminders to complete online training, however some individuals did not complete their training.
-For public filers, 2 filers have yet to complete the annual training requirement and 1 filer has departed the agency. -For confidential filers, 1 filer went on maternity leave prior to completing the annual training requirement. The other 14 filers have yet to complete training.
Employees are given multiple options of dates and times to attend live annual ethics training by year end. For employees who cannot attend the live session, the ethics office also offers an interactive, self-paced training option to complete the training requirement. Given the multiple training opportunities provided by the ethics office, an employee's failure to complete annual ethics training is more an individual conduct issue rather than an oversight by the ethics office. Note: A small number of employees were on extended leave during the training season and completed their training in early 2020.
1 public filer did not complete annual training due to extended maternity leave and will complete annual training by the end of February 2020.
The 450 filer who did not receive training is still out on extended medical leave.
There were two discrepancies. These two employees were on extended medical leave and could not complete the training.
We provided web based interactive training for the 450 filers. Some of the 450 filers had computer issues one filer is under remedial action and, one filer is on agency approved extended leave -
Employees were on extended administrative, medical, or military leave and unable to complete the training. A few employees died before completing the report.
We have one 278 filer out on extended leave. They have been gone since the summer. We will complete annual training with that employee once they return to the office.
Employee left just after AET, so did not have a chance to take AET.
The one public filer that did not receive annual ethics training in calendar year 2019 has now completed the annual ethics training. There were 21 confidential filers who were either unavailable or otherwise unable to complete annual ethics training within the 2019 calendar year. As of this date, 20 of those 21 have completed their annual ethics training for calendar year 2019.
10 Postal 450 filers were sent several reminder emails to complete training but did not do so. The Ethics Office informed Postal leadership of their failure to record their training.
General Counsel is the only attorney for the Commission and serves as the DAEO. Litigation demands, other priorities and the General Counsel's training schedule in December (out of the office for 2 weeks for residential training at FEI) prevented training at year-end.
Of the 15 employees who did not complete annual training: 1 employee was on administrative leave, 2 were on medical leave, 3 annual filers did not complete the on-line annual training, and 9 new entrants were identified after the filing season ended. We

included them here out of an abundance of caution (although they did not receive notice, so would not have known to take the training).
Only one required EXR employee did not receive annual ethics training due to extended medical leave.

Q22 Table

Reviewed post-training evaluations collected after the 2018 annual ethics training season to incorporate suggestions into the 2019 annual ethics training season.
One center created a client survey and conducted follow-up interviews.
As the agency's staff is small (approximately 30 individuals, including permanent staff and detailees), the above assessments are readily conducted informally and are interwoven with other business.
The GC/DAEO meets weekly with the agency head. Current ethics issue are addressed during this meeting. The DAEO holds a bi-weekly meeting with the Ethics Program team to address programmatic and policy issues.
Discussion among ethics staff regarding current and expected ethics topics for training. DEA: training work group includes ethics provisions.
Not all bureaus assessed risk.
One center created a client survey and conducted follow-up interviews.
Risk assessments were conducted as a result of our 2019 ethics audit and inspection.
NSC is a small organization. The legal department assessed risks based on conversations with senior staff and based upon internal discussions with legal colleagues.
Reviewed advice and questions from employees over the course of the year to look for emerging trends to incorporate into annual ethics training.
Discussed compliance program with Chief Risk Officer
We are a very small agency and the DAEO happens to be the general counsel as well. The DAEO is aware, often directly, about most agency actions and operations. So risk assessment about ethics and other issues is an ongoing process.
Reviewed post-training evaluations collected after the 2018 annual ethics training season to incorporate suggestions into the 2019 annual ethics training season.
Other - frequent discussion amongst ethics attorneys and paralegals to evaluate based on experience what issues need to be addressed.
DAEO assessed the risks based on 1) repeated ethics inquiries on the same topics, 2) reported conflicts, and 3) OGE provided training (for example, consideration of impartiality).
As the agency's staff is small (approximately 30 individuals, including permanent staff and detailees), the above assessments are readily conducted informally and are interwoven with other business.
DoD and Agency Inspector General Reports that found ethical failures
The ethics attorney participated in DTRA's annual Risk Management and Internal Control Program (RMICP) to analyze the risks and internal controls relating to the ethics program, including financial disclosures and conflicts of interest.
Department of the Navy's Business Operation Plan includes a requirement to track the effectiveness of the ethics program including training.

The GC/DAEO meets weekly with the agency head. Current ethics issue are addressed during this meeting. The DAEO holds a bi-weekly meeting with the Ethics Program team to address programmatic and policy issues.
Reviewed advice for common issues.
Discussion among ethics staff regarding current and expected ethics topics for training. DEA: training work group includes ethics provisions.
Not all bureaus assessed risk.
In-house discussions on high priority issues.
Ethics officials assessed risks.
One center created a client survey and conducted follow-up interviews.
Risk assessments were conducted as a result of our 2019 ethics audit and inspection.
NSC is a small organization. The legal department assessed risks based on conversations with senior staff and based upon internal discussions with legal colleagues.
Reviewed advice and questions from employees over the course of the year to look for emerging trends to incorporate into annual ethics training.
Discussed compliance program with Chief Risk Officer
Our DAEO did not have a formal "risk assessment". We did however review advice logs so that we could provide up to date advice and appropriate examples during ethics training. This process allowed us to look at the most common issues and cover those topics more in depth during annual training.
The DAEO and ADAEO discussed the coming election year and reached out to OSC for Hatch Act guidance for SGEs.
Reviewed post-training evaluations collected after the 2018 annual ethics training season to incorporate suggestions into the 2019 annual ethics training season.
DoD and Agency Inspector General Reports that found ethical failures
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Reviewed advice and questions from employees over the course of the year to look for emerging trends to incorporate into annual ethics training.
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Reviewed advice for common issues.
Discussion among ethics staff regarding current and expected ethics topics for training. DEA: training work group includes ethics provisions.
Not all bureaus assessed risk.
One center created a client survey and conducted follow-up interviews.
Risk assessments were conducted as a result of our 2019 ethics audit and inspection.
Discussed compliance program with Chief Risk Officer

Q23 Table

Encouraged employees to stop by the Ethics Office if they had any further feedback or questions.
Other - N/A (adding because system appears to require for submission)
DAEO required submission of quarterly reports to track training. Unfortunately, none were submitted.
n/a
Above answers are self-explanatory. However, Questionnaire would not permit submission without putting a response in this box.
OGC developed a Jeopardy game to test new employee's knowledge after the Powerpoint presentation to assess the effectiveness of the training. We discovered the number of requests for advice regarding conflicts of interest and outside activities increased after each training session. We met with the head of the agency to propose a plan to continue to improve the IET and offer live annual training in 2020.
One sub-organization conducted surveys to determine if training was covering appropriate topics and to obtain feedback on methods and topics.

Department of the Navy's Business Operation Plan includes a requirement to track the effectiveness of the ethics program including training.
Reviewed training surveys provided by organizations responsible for training events in which the Ethics Program team participated.
Held discussions with agency leaders to evaluate whether the training and communications they received supported them in managing ethics risks.
See checked responses.
Not all bureaus evaluated ethics education effectiveness.
Reviewed ethics training with Office of General Counsel prior to Agency-wide presentations.
Employee feedback
The Ethics Office incorporated voting clickers into Annual Ethics Training to assess employee knowledge of ethics rules. The data was later downloaded to use in creating future training sessions.
During all ethics exit briefs, departing IMLS employees are asked to evaluate the effectiveness of the ethics training received during their IMLS tenure. Departing employees are specifically asked to discuss anything they would recommend for the ethics office to change or implement that would help to assist other IMLS employees to better understand current ethics requirements.
Received feedback on ethics training in a survey on legal services administered to a selection of NASA executives.
The effectiveness of our ethics education program was evaluated as a result of our 2019 ethics audit and inspection.
-
Surveyed all employees to inquire about the effectiveness of our ethics resources. Additionally, we asked for feedback about how to strengthen our ethics program.
Not applicable.
We also inform the training content by current events. In 2019, we emphasized the Hatch Act, particularly after OSC issued new guidance on political activity in the workplace.
Our ethics team regularly discusses questions received from employees during initial ethics training to identify patterns and improve training.
Held meetings with ethics staff to discuss increased activity after training presentations and communications
We always notice a bump in questions after ethics training. It helps to review and see what questions are asked the most right after training to see what employees may have missed in training during previous years.

Part 5 Additional Comments

Response to 21(b) and (c): The response for 2019 differs from that in 2018 in that one of the SGE / confidential filer positions was changed by statute, for the first time in the agency's history, to a PAS / public filer position (the Chairman's position).
Provided ethics training not only to USADF Federal Employees that required training, but also those who are not legally required, including contract employees working at USADF's HQ in DC, locally hired personal service contractors working in USADF's field offices in

<p>Africa, and to local employees of USADF's local implementing partner organizations in Africa which have been awarded cooperative grants with USADF.</p>
<p>#23: Ethics program also provided additional training to PAS Board members' assistants and provided training through reminders posted on intranet site and internal TV displays, division management/town hall presentations, and special training for contracting staff.</p>
<p>This year the Bureau Director required all Bureau employees who worked for the Bureau as of October 1, 2019 to attend annual ethics training. Employees who started with the Bureau after October 1, 2019 attended initial ethics training.</p>
<p>Question 15 - All of the offices responsible for issuing ethics notices to prospective employees have complied with the 5 C.F.R. 2638.303 obligation to do so since the beginning of the 2017. The responsible offices though did not send written confirmation to the DAEO's office until after 15 January. Question 21 - Answers are classified.</p>
<p>18: The number of employees listed requiring IET includes only new employees of the agency, and not detailees assigned to the agency. 21: The number employees listed requiring annual training includes both agency employees and detailees assigned to the agency who file financial disclosure reports with the agency. The number does not include detailees assigned to the agency who filed 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 response to 18.</p>
<p>Q21: CEQ provided annual ethics training in addition to initial ethics training to two new employees and a detailee in a public filer position.</p>
<p>Q.20. DeCA does not have a Director per se. It has a Special Assistant for Commissary Operations, whose regular assignment is as Director of the Navy Exchange System (NEX). DeCA also has a Deputy Director who is delegated all authority to act as Director. Both of these individuals completed their annual ethics training.</p>
<p>Questions 15 & 19: From January 1, 2019 to September 30, 2019, DCSA had less than 1,000 employees. The number of agency employees did not exceed 1,000 until after DCSA merged with OPM NBIB and the DoD CAF on October 1, 2019.</p>
<p>Historically, DFAS provided initial ethics training either live in-person at our headquarters site, or via VTC at our other two main sites. However, DFAS has many smaller sites where such training was impractical. In order to meet previous training requirements, DFAS OGC sent a written ethics letter including a copy of the DoD Guide to the Standards of Conduct, to all new employees monthly. For those new employees who did not receive live or VTC training, this written training did not meet the requirements for "interactive training" In order to meet initial and annual ethics training requirements and improve overall ethics training awareness, DFAS switched to an agency-wide web-based interactive ethics training process that is required within 30 days of on-boarding for new employees and annually for all other employees. This training launched in October, 2019 and it is therefore likely that some employees at our non-main sites who came on-board between January 2019 and September 2019 did not receive interactive initial ethics training within three months of onboarding, although virtually all agency employees did complete interactive ethics training by the end of 2019 and all new employees received either the either the ethics letter with the guide to the standards of conduct, completed the interactive online ethics training or both within the 3 month period.</p>

#18: In-person IET is a part of the Agency's mandatory orientation for all new employees. 10 U.S. Code § 424 prohibits the disclosure of organizational and personnel information for specified intelligence agencies. DIA is one of the agencies listed.

#23. While we did not conduct formal assessments of ethics education and communication, we routinely discuss ethics issues with leadership throughout the agency to ensure we meet their needs and concerns. Also, DLA does conduct annual climate surveys that help us define ethics issues and problems.

Question 21 - Note that all agency employees are required to attend the in-person annual ethics training.

Q15: The DAEO provided guidance and sample texts regarding the information required by 5 CFR 2638.303 to USDA's Office of Human Resources Management and the Human Resources Offices for USDA component agencies. It is our understanding that most written offers of employment include the information required by 5 CFR 2638.303. However, as noted in our comment above, the Office of Ethics has not received specific confirmation from USDA's Office of Human Resources that all of the issued written offers included the required information.

Q18: Major Commands (MAJCOM) responsible for providing IET to their employees, but that failed to do so within the requisite 3-months, provided the following explanations: Some individuals were deployed shortly after in-processing, and were unable to complete the training within the 3 month period A breakdown in the process utilized by the Civilian Personnel Office (CPO), wherein the notice was posted on the sharedrive, but the sharedrive was down for several months, resulted in a lapse of the three month window (all new employees have since been emailed regarding the requirement) Some employees have not received IET because they have not attended one of the bi-weekly briefings offered to all employees who need IET. While communicating reminders (via email or phone) to attend a briefing is one means of ensuring compliance, some new employees do not have email accounts or phone numbers when they are in-processing. Moving forward, impacted legal offices will work with CPO to provide the training in conjunction with employees' initial bi-weekly CPO in-processing to ensure all employees requiring IET receive the training in a timely manner. The training was not included on the in-processing checklist in these instances, the checklist has been updated and now captures the requirement. Some bases were not tracking this metric due to turnover in staff. A transition in Ethics Counselors resulted in missing employees who had failed to train within three months of on-boarding. Issues with availability or responsiveness of employees as a result of official travel, illness, or failure to properly monitor and respond to correspondence. The base experiencing these complications intends to explore additional ways to leverage civilian personnel officials and supervisors to ensure the proper emphasis is placed on this training. Some bases have struggled with high volumes of personnel that have departed their positions prior to training within three months, as well as a steep increase in new hires, which has made it difficult to track employees. The base experiencing these complications has instituted a weekly email to supervisors listing employees that require training. Additionally, engagement is necessary with civilian personnel to improve processes to provide and track the training. The National Guard Bureau has had difficulty tracking all new entrants, and their IET status, largely due to a serious lack of staffing needed to manage the substantial workload across the Army

National Guard and Air National Guard. Some OCONUS bases have foreign national civilians under their supervision, and it has proven difficult to compel those individuals to comply with training requirements. Q21: MAJCOMs provided the following explanations: Many individuals departed the covered position prior to conducting the annual training several individuals deployed and were unable to conduct the training from their deployed locations several individuals did not complete the training by December 31, 2019 despite numerous attempts to contact them by email and phone. The training system, ADLS, and the filing system, FDM, where the training is recorded, are not connected. However, filers do not understand that, and erroneously believe that their completion in ADLS will automatically transfer to FDM, so they do not report their completion to a supervisor or ethics counselor. Some filers were on extended medical leave that did not terminate before the end of 2019. Some filers had scheduling conflicts and pressing assignments that prevented them from completing the training before the end of 2019, but have completed it since. Massive reorganization of one MAJCOM changed supervisors, 450 certifiers, and ethics attorneys. This reorganization led to communication difficulties, assignment of less experienced attorneys (who were unaware of all training requirements) to ethics duties, and difficulty tracking completions. Some employees were removed from the positions requiring filing before the end of the calendar year. The National Guard Bureau has had difficulty tracking annual training as well, due to a serious lack of staffing, and the intense workload that must be managed between the Army National Guard and Air National Guard.

16. All of the written offers included the required information

Q19.- Most IET in DoD is developed and/or delivered under direction of ethics counsel. Those not providing the training indicated that they received the required confirmation. Q21. & 23. - One or more of these methods were utilized by OSD and/or DDAEO organizations.

Question 15 - HHS Assistant Secretary for Administration, Human Resources Office, confirmed with all HR offices supporting HHS components that prospective employees ethics notifications are being sent with final offers of employment.

#22 reflects OIG's response. #23 HUD's OIG conducted self-assessments to ensure that the required employees were receiving the training.

Q16: nearly all written offers included the required information. General: Annual ethics training at DOJ was updated in 2019 with new technology in some components, and with more interactivity in most. DOJ provided annual ethics training to many more employees than that required for financial disclosure filers. For instance, all DOJ attorneys must receive annual ethics training under Professionalism Training requirements, and, many DOJ components and offices require annual ethics training by all employees, not only financial disclosure filers, in addition to IET the employees received.

In CY 2020 the agency plans to conduct a survey to evaluate the communication provided to employees.

#16. Standard templates for all offer letters includes the required language. The Ethics Office has not reviewed every offer letter actually issued in 2019.

Question #6: While the majority of written offers of employment for positions covered by the Standards of Conduct included the information required by 5 C.F.R. 2638.303, some offers made in various Bureaus and Offices inadvertently omitted the required

<p>information. The DEO will work with the DOI's Chief Human Capital Officer in CY 2020 to ensure that the appropriate information is included in all written offers. Question #22-23: Please note that only certain Bureau and Office ethics programs assessed risk and/or evaluated the effectiveness of ethics education and/or communication in CY 2019 to help inform the content, format, and/or timing of ethics education and communications.</p>
<p>NA</p>
<p>Question 21 continued: In addition, other employees who did not complete the training cited extreme workload, computer connectivity issues, being out of the office on extended leave, and tracking completion errors. We also note that, like other federal agencies, EPA is experiencing attrition. When confidential filers leave EPA prior to 12/31/19, they may not actually take their annual ethics training, which adds to the discrepancy in numbers. Finally, please note that many employees who had failed to complete the 2019 training by 12/31 voluntarily completed it in early 2020, even knowing it will not count toward their 2020 training requirement. Those voluntary completions are not included in this report.</p>
<p>#21 - The Agency presented five sessions of live mandatory annual ethics training to all assigned employees.</p>
<p>Question 21 - We provided interactive training to 1553 employees who were not required to receive annual ethics training.</p>
<p>#21c - This number does not include OIG 450 filers as they manage their own confidential financial disclosure program. However, the Ethics Office requires all FHFA employees (including OIG) to complete annual ethics training.</p>
<p>Q16. The DAEO relies upon the written confirmation the Human Capital Management Office (see Q15). There is no separate audit of the written offers of employment.</p>
<p>Q21: GSA requires all employees get annual training.</p>
<p>#18 - Represents IMLS peer-reviewers for 2019. Each year all peer-reviewers must re-certify and if selected, will receive initial ethics training and complete a conflicts of interest statement.</p>
<p>We provided training to 9 staff members and members of our Advisory Council who are not required to complete annual ethics training.</p>
<p>NA</p>
<p>Please note that for question 18, the final tally is made up of the following: FT Employees required to receive IET = 19 *Arts Advisory FACA Committee = 598 *FACIE FACA Committee = 4 *National Council on the Arts - there were no new members added in CY 2019 so there was no IET necessary. * Members of these committees are all classified as SGEs Please note that for question 21, the final tally is made up of the following: -There are 11 278 filers that required annual ethics training (this is including the two 278 filers that required IET). -There are 48 FT employees that required annual ethics training. There were also 16 National Council on the Arts SGEs that serve 6 year terms who require annual ethics training (no new members were added in CY 19). The SGEs on our FACIE and Arts Advisory Panels, both of which are FACA Committees serve for very finite periods of time (about 2-3 months at most) so they only receive IET and are included in the IET counts requested in question 18.</p>
<p>NEH provides annual ethics training to all agency employees, including those not otherwise required by regulation to receive training.</p>
<p>Questions 17, 18 and 21: This information is classified.</p>

#21d NLRB Supervisors and Managers who are not financial disclosure filers are required to complete the online version of the Annual Ethics Training by January 31st of each year.
Question 18: We require everyone who serves as an employee to receive initial ethics training. We meet with employees during their orientation. We also require all of our interns to receive initial ethics training. Question 23: We continue to assess our training needs. As part of our efforts in 2020, we will continue discussions with agency leaders and employees about developing targeted training to cover any areas that may benefit from additional education.
Q 22: The ethics program sent a survey to all OGE employees asking them to identify issues/pose specific questions regarding ethics issues that arise for them or that they have concerns about in performing their duties. The ADAEO and DAEO compiled separate lists of job relevant questions for each division within OGE and supervisors and managers were given an opportunity to review the list for their division and make amendments. These lists became the content for the training which was conducted at division or branch-level staff meetings. Q23: Given the direct input from staff in the 2019 training we did not also do a post-training evaluation. The ethics program plans to use a post-training evaluation in 2020.
#21 - The Office of the Vice President requires all employees to participate in annual ethics training. In addition, the Office of the Vice President provides initial and annual ethics training to detailees and assigned personnel from other agencies.
Question 21.d - per policy of DAEO - 17 employees that are non-filers received live in-person ethics training.
The Ethics Office extended annual training to the entire agency (including employees who are not required to file a financial disclosure form). We also trained all employees on the SEC's Supplemental Ethics Regulations. In addition, we provided specialized training on Hatch Act to certain Agency personnel in our Headquarters and Regional Offices.
NA
Question 18: For the three employees who had not received IET training as of today: Two of the three employees were interns who were employed by TVA for less than 45 days. The third employee was a full time employee but a technical error resulted in the ethics training not being assigned to him in TVA's learning management system. The requirement for interns to take the training was reinforced to managers and the Business Unit for the third employee reviewed their system in regard to the technical error and has ensured the issue is now resolved. Beginning January 1, 2020 all employees who have not completed ethics training by their due date will have their network access disabled. Employees must complete the ethics training prior to reinstatement of network access.
n/a
21. In addition to the 4,101 financial disclosure filers that attended live ethics training during CY 2019, we also trained over 4,500 other non-filing employees.
N/A
Training given in accordance with 5 C.F.R. 2638.305(b)(2)(ii).
OGE met with the Executive Director and Deputy Executive Director to discuss Ethics priorities. DAEO was not part of that call.

Q24 Table

Securities and Exchange Commission
Hatch Act and related issues.
Review auditor Independence and Threats to Independence under Generally Accepted Government Auditing Standards. This analysis mirrors the Appearance of Conflict of Interest, but is not dependent upon the OGE 450, because applies to all auditors, not only those auditors required to file. In addition, the Independence standard examines the appearance of bias in performing audit services, and is therefore specific to audit services.

Q26 Table

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 substance of all waivers received prior coordination with OGE before approval.
-
HHS has a component that includes waivers from quarter 4 of 2018, and quarters 1 -3 of 2019, as there is a lag in waivers issued versus waivers sent to OGE.
After consultation w/OGE, 1 waiver was not granted.

Q27 Table 1

No new public filers were hired (or promoted into a covered position) in 2019.
Besides everyone becoming immediately aware of new hires and appointments (ours is a very small agency), the DAEO is also the person that coordinates with Department of the Interior for HR processing matters including hiring, on boarding, and terminations. So the DAEO is always aware of new hires and appointees well before their start date or end date.
There were no new appointments to public financial disclosure filing positions in CY2019.
No such appointments were made in 2019.
Did not hire any staff in 2019 that were required to file public financial disclosures.
Because the Access Board is a micro-agency and does not have an in-house HR office, it is the General Counsel (acting in his/her capacity as DAEO) who determines which positions or duties have financial disclosure obligations and the type of disclosure required (i.e., confidential vs. public). Moreover, because we are a micro-agency, there is generally no need for HR staff to formally notify the DAEO or other agency ethics officers 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 appointments
Due to the structure, independence, and small size of the ASBCA, the DAEO and ADAEO are the first to know about the relevant appointments.
No new appointees.
The CSB is a small agency of 27 employees. During the course of the last year, there were not a significant number of new appointments to these positions. The HR office generally

informs all staff when there be any new appointment. The DAEO learns of new appointments from these announcements.
CFA dos not have a Human Resources Office
HR did not notify DAEO or ADAEO of all new hires.
NA
The ethics counselors and DAEO for the Agency work hand-in-hand with the Human Resources Directorate in order to identify public financial disclosure filers. The Defense Commissary Agency has only seven positions which require a public financial disclosure report (PFDR). Of the seven, only four are currently occupied. The Director of Human Resources, the Deputy Director of DeCA or the Chief of Staff of the Agency verbally notify the DAEO when a selection has been made into one of these positions. The DAEO then works with the new filer to set up the proper MAX.gov account in order to register in the Integrity system. Once the filer is registered in the Integrity system, the DAEO assigns the new entrant report.
No new public financial disclosure filers joined DFAS in 2019
HR does not decide who files OGE 450s, supervisors do.
We have one employee the PAS (Chairman) that is required to file financial disclosure. The one position was notified of his annual disclosure and it was completed.
The DEAO is the only public filer.
In more than 95% of cases, USDA's Office of Ethics receive timely notice of filer appointments but there are still ongoing lapses, particularly regarding SL, ST and SSTS appointments.
Commands have various procedures in place to track incoming public financial disclosure report filers. For example, in some cases ethics counselors are notified through the check-in process or other command tracking process vice directly from human resources personnel.
Public and confidential financial disclosure positions are determined by the Office of Ethics according to title and grade IAW Agency policy.
No relevant appointments made in 2019.
no appointments were made to disclosure filing positions
JUSFC is a nano agency with only four FTEs. The Agency Head is the DAEO. Additionally, there were no appointments in FY19.
In an office of 12 FTEs, the DAEO, who is the General Counsel, and the ADEO, who is the Executive Director and makes staffing decisions, are involved in, aware of, or responsible for making all appointments of staff. Thus, there is no need for them to be informed of such appointments independently by the Commission's Administrative Officer. All appointments of SGEs are vetted by the DEAO for potential conflicts prior to appointment, so again the DAEO is aware of all such appointments without separate notification.
There were no new appointments to public filer positions.
Due to the size of our Agency, the DAEO is aware of all hiring actions, so no notification is necessary.
NARA transitioned to a new provider for Human Capital services and some processes are being refined after the transition. DAEO was notified of public filers' appointments by other means in all cases.

The HR specialist advises the DAEO of new hires, and the DAEO makes the determination of whether a public or confidential filing is required using the annual ethics plan as a guide. For the reporting period, no new staff hires (4) were required to file a public or confidential financial disclosure form.
Human resources does not notify the DAEO of filing appointments for public filers. Our process is for the notification to go directly to the program manager.
No appointments in 2019.
No appointments.
No appointments in 2019.
No new employees
The DAEO was not notified by HR, within the 15-day deadline, of appointments to public and confidential financial disclosure positions. However, the other ethics officials that comprise the Peace Corps Ethics Program were notified.
Given the small size of the PCLOB, the DAEO is aware of the onboarding of all filers.
All public and Confidential Appointments were ID'd to the DAEO by other means
There were no new employees in 2019 required to publicly file.
GSA CABS does not make any recommendations or notifications of ethics related issues or need/requirement to file the 450 or 278. We've also had no new hires in two years.
Zero to all above
The Ethics Office pulls a report from a Human Resources' database every two weeks.
We only have three positions that are required to file a public report, so notice from HR does not happen with any great frequency.
HR did not regularly notify OGC of the promotion or the hiring (specifically) of new supervisors. HR and OGC has since issued joint procedures requiring HR to provide all required information to OGC on a biweekly basis.

Q27 Table 2

No new confidential filers were hired (or promoted into a covered position) in 2019.
Besides everyone becoming immediately aware of new hires and appointments (ours is a very small agency), the DAEO is also the person that coordinates with Department of the Interior for HR processing matters including hiring, on boarding, and terminations. So the DAEO is always aware of new hires and appointees well before their start date or end date.
No such appointments were made in 2019.
None hired.
Same response as portion of Question #27 above pertaining to confidential filers.
USARC had no appointments
Due to the structure, independence, and small size of the ASBCA, the DAEO and ADAEO are the first to know about the relevant appointments.
No new appointees.
The CSB is a small agency of 27 employees. During the course of the last year, there were not a significant number of new appointments to these positions. The HR office generally informs all staff when there be any new appointment. The DAEO learns of new appointments from these announcements.
CFA does not have a Human Resources Office

No new confidential filers hired.
NA
DeCA requires all GS-15s, attorneys, category managers, and all warranted contracting officers within the organization to file a confidential financial disclosure report. Category Managers are individuals with the responsibility for selecting the commercial product that DeCA offers in its commissary stores. The total number of CFDR filers is approximately 80 filers. DeCA's limited number of CFDR filers any given year make it possible and practical for the DAEO to have direct visibility of CFDR filers without the need of an MOU. The Ethics Counselor monitors the appointment of all contracting officers via a DeCA Contracting Policy Division report. The DAEO also monitors the appointment of all GS-15 positions, category managers, and attorneys.
The decision on whether an individual employee files is made by the supervisor in accordance with the 2016 OGE Identifying Confidential Filers Job Aid. Due to reorganizations and reassignments, the list of positions that actually file OGE 450s is malleable. All DISA Contracting Officer representatives are required to file 450s, other positions are at the discretion of the supervisor.
Small agency with no confidential filers.
Continuing to educate Army Human Resources community on this requirement.
Commands have various procedures in place to track the confidential financial disclosure report filers. For example, in some cases ethics counselors are notified through the check-in process or other command tracking process vice directly from human resources personnel.
Education has independent resources for notifications of appointment to Financial disclosure report filing position such that there is little to no reliance on notification from the HR office.
Discrepancies were due to the employees moving into (e.g., details) or being assigned duties (e.g., COR or investigations) that would require filing of OGE 450 reports, despite ethics program efforts to educate or remind DHS officials. Efforts are underway to identify new and improve processes to capture this information.
HR is not necessarily the source of information to ethics officials as to confidential filers. HR does not track or implement confidential financial disclosure or collect reports.
Inadvertent delays due to the restructuring of DOL Office Human Resources.
Typically, Human Resources notifies the direct supervisor (who may or may not be a Deputy Ethics Official), not EPA Ethics.
Public and confidential financial disclosure positions are determined by the Office of Ethics according to title and grade IAW Agency policy.
None appointed.
No relevant appointments made in 2019.
we have no confidential filers
no confidential filers
JUSFC is a nano agency with only four FTEs. The Agency Head is the DAEO. Additionally, there were no appointments in FY19.
In an office of 12 FTEs, the DAEO, who is the General Counsel, and the ADEO, who is the Executive Director and makes staffing decisions, are involved in, aware of, or responsible for making all appointments of staff. Thus, there is no need for them to be informed of

such appointments independently by the Commission's Administrative Officer. All appointments of SGEs are vetted by the DEAO for potential conflicts prior to appointment, so again the DAEO is aware of all such appointments without separate notification.
Due to the size of our Agency, the DAEO is aware of all hiring actions, so no notification is necessary.
NARA transitioned to a new provider for Human Capital services and some processes are being refined after the transition.
See above explanation under a above. Also the the HR specialist does not handle Commission appointments and on-boarding. However, a new Commission member (SGE) was appointed during the reporting period, and a Confidential Financial Disclosure filing was requested and received in a timely manner by the appointee (before the new appointee attended their first meeting).
Human resources does not notify the DAEO of filing appointments for confidential filers. OGC receives that information from supervisors and our contracting office.
No appointments in 2019.
No confidential filers
OSHRC did not have any change in confidential filers.
No confidential filers joined the office in 2019.
No new employees
The DAEO was not notified by HR, within the 15-day deadline, of appointments to public and confidential financial disclosure positions. However, the other ethics officials that comprise the Peace Corps Ethics Program were notified.
Given the small size of the PCLOB, the DAEO is aware of the onboarding of all filers.
No new appointments of Confidential Filers in 2019.
There were no new confidential filers in 2019
The bi-weekly staffing reports we receive from HR are a pay period behind.
Our appointments are announced by the White House. The White House no longer has new appointments complete disclosures and the onus is on the agency to identify if there is a conflict AFTER the appointment has already been made. This is a change from previous administrations.
Zero to all above
The Ethics Office pulls a report from a Human Resources' database every two weeks.
I was not made aware of lower lever employment until after the person was hired and brought on. I would discuss the nature of their duties with their supervisors to ascertain whether they should be a confidential filer and notify them of such.
See response to 27a. above.

Part 6 Additional Comments

The only waiver requested (and granted by the White House) was one for Section 1, paragraph 6 of Executive Order 13770 to Aimee Jorjani, our first full time Chairman.
The Bureau issued sixty-six section 208 waivers in connection with an investigation and enforcement action, which involved a major security breach in which the sensitive, personal information of more than 140 million U.S. consumers, including Bureau employees and their spouses and minor children, had been stolen from the company's

systems. The Bureau consulted with OGE prior to issuing the section 208 waivers and OGE did not object to the Bureau issuing these waivers. The Bureau conducted this investigation and enforcement action in coordination with another federal agency. The Bureau coordinated with the DAEO at that federal agency concerning the section 208 waivers and we understand that agency issued similar 208 waivers for its employees. The Section 208 waiver for the Bureau's Director was issued and signed by the President.
#25: All of the disqualification letters received were submitted to supervisors as a cautionary measure. None presented had an "actual conflict of interest".
Q24. The frequency of ethics questions asked on these topics does not necessarily reflect the relative seriousness of ethics questions employees ask.
NA
NA
NA
None
#25 - STOCK Act number reflects number of employees filing notice (some had several recusals listed). The Office of the Vice President requires all employees to file post government employment negotiation recusals although not required under the STOCK Act.
N/A
NA
n/a
Q25: Notes on response. The USUHS ethics program provides specific monthly reminders to all 278 filers regarding the requirement of Section 17(a) of the Stock Act. Section 17(a) requirements were also specifically covered in the annual interactive ethics training required for all financial disclosure filers. Based on exit counseling, all exiting 278 filers for CY2019 retired fully from government service, and, at the time of or before their departure, were not seeking outside employment and did not open negotiations for employment with any non-governmental entity.
N/A

Q28 Table

No terminations occurred in 2019.
Besides everyone becoming immediately aware of new hires and appointments (ours is a very small agency), the DAEO is also the person that coordinates with Department of the Interior for HR processing matters including hiring, on boarding, and terminations. So the DAEO is always aware of new hires and appointees well before their start date or end date. And post-employment briefings are specifically part of our termination procedures.
The only termination of a public financial disclosure position in CY2019 was the position of USADF's DAEO, June Brown, who retired on December 31, 2019.
No such terminations occurred in 2019.
None terminated.
Did not have any employees depart in 2019.
For the reasons noted in responses to Question # 27 (above), agency ethics officers (both DAEO and ADAEOs) are personally aware of all staff departures, so no notifications

required by contracted servicing personnel office. (Note: The Access Board only has about 30 full-time employees.)
USARC had no terminations
Due to the structure, independence, and small size of the ASBCA, the DAEO and ADAEO are the first to know about the relevant terminations.
No new appointees.
The CSB is a small agency of 27 employees with only a few public filers. The DAEO is typically aware of the upcoming departures at the same time as the human resource office. With PAS filers, the DAEO is aware of the end of the term for each Member.
CFA does not have a Human Resources Office
HR did not formally notify but DAEO was aware of departure dates.
NA
DeCA applied the requirements of 5 U.S.C. § 101 in determining the list of public financial disclosure filers. Since DeCA does not have any Presidential Appointees, the DAEO identified those positions above a GS-15 and the DAEO as required filers. DeCA has authorizations for 6 Senior Executive positions and a DAEO. Of the 6 SES authorizations, only three are currently filled. We are confident the list is accurate. The DAEO has daily interaction with all public filers. In the one case of termination (retirement), the DAEO was working directly with the filer well in advance of his termination. Also, DeCA had no new public filers in 2019.
DFAS OGC requested that DFAS Human Resources inform the ethics office in advance of public financial disclosure filers who were leaving federal service. This was only done in one instance, even though three filers left in 2019. We are working on establishing a formal procedure for notification to ensure this is corrected in 2020. Despite the lack of notification however, because DFAS is a relatively small agency with only approximately 20-24 public financial disclosure filers, the ethics program generally has good awareness of new or departing public filers, even without notice.
There is only one position (the DAEO) required to file financial disclosure. He has not been terminated.
Q28: MAJCOMs provided the following explanations: For public filers, the MAJCOM provides monthly notices of inbound senior officials, but late notices of senior civilian assignments precluded timely notices to the DAEO. For confidential filers, the supervisors of the individuals in covered positions identify those required to file, and notify the POC(s) of the relevant organizations when they have a new filer. The POC(s) then notify the Ethics Counselors. Some personnel offices assert they are not required to notify the legal offices/DAEO, for example, if the requirement is not specified in the position description, and have either refused to do so or provided incomplete or inaccurate information. Some legal offices have insisted on placing the legal office on the in-processing checklist to avoid having to rely on personnel offices. Other legal offices have had to devise their own methods and work-arounds to track appointments, with varying success. Some MAJCOM legal offices with a lower volume of filers track the in and out-processing of the filing positions themselves. Some MAJCOMs have personnel that are scattered throughout the country, and are serviced by different personnel offices, making communication about filer status even more challenging. Some MAJCOMs report that because the filer and ethics counselors are known to each other by the time a filer

terminates, the ethics counselors are typically already made aware of the termination by the filers themselves.
Commands have various mechanisms in place to track the termination of public financial disclosure report filers. In some cases, the ethics counselors receive notification through the check-out process or other command tracking process vice notifications from human resources personnel.
EPA's executive servicing office is now located outside of the DC metropolitan area. They have improved some reporting of information to EPA Ethics (for which we are grateful) but we are still trying to find an efficient way to notify us about terminations of details.
Terminations from public financial disclosure positions are identified by the Agency Office of Ethics.
No terminations during 2019.
In one instance due to unusual circumstances concerning the departure of one official, we were not timely notified.
No public filers terminated a public filing position.
No relevant terminations in 2019.
NA;NA
no terminations were made to disclosure filing positions
JUSFC is a nano agency with only four FTEs. The Agency Head is the DAEO. Additionally, there were no terminations in FY19.
The DEAO and ADEAO are independently aware of all such terminations given their other responsibilities within the agency, the small size of the staff, and their involvement in selecting or vetting SGEs.
Due to the size of our Agency, the DAEO is aware of all personnel actions including terminations, so no notification is necessary.
NARA transitioned to a new provider for Human Capital services and some processes are being refined after the transition. DAEO was notified of public filers' separations by other means in all cases.
There was no termination of staff requiring filing of a final SF-278 during the reporting period. Even if there had been, the matter is up to the DAEO to decide and advise the individual of the requirement at an ethics out-briefing (required of all departing employees.)
individual filers notify OGC through the program manager or an ethics attorney.
No terminations of public filers in 2019.
No terminations
No terminations.
No terminations in 2019.
Neither the DAEO or other Ethics Officials within the Peace Corps Ethics Program were notified by HR of the 15-day deadline for terminations of public financial disclosure filing positions.
Terminations from public financial disclosure filings positions did not occur.
Given the small size of the PCLOB, the DAEO is aware of the departure of all filers.
No Terminations
The bi-weekly staffing reports we receive from HR are a pay period behind.

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 HR office (GSA CABS).
Zero to all above
The Ethics Office pulls a report from Human Resources' database every two weeks.;N/A
We had no public filers leave the Commission.
See response to 27a. above.

Q30

Used Integrity
We do 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
The CFTC does not track federal employee costs associated with maintaining EMAT.
We have a total of 5 ethics officials who utilize FDOnline to review OGE 450 confidential financial disclosures. But we do not track the associated FTE/overhead costs.
DCAA is not charged for either FDM or Integrity services.
We don't pay anyone so we don't track.
Ethics Program does not
DoD provides DTRA with access to FDM. DTRA does not track the expenses for the automated system.
Each of OE's 18 ethics advisors spends a portion of their time operating or using the two e-filing systems USDA utilizes to receive, review and certify financial disclosure reports. However, any FTE or other financial estimates would be inaccurate and we have never had a need to compile such stats.
The Air Force Ethics and legal Offices do not have any input or oversight as to how the DAF's use of FDM is funded.
Question 32a reflects costs for all of the Department of Defense. Questions 32b & C reflect Army costs only.
Data is reported by the Army as Executive Agent for DoD.
Internal costs are an estimate. Would be beneficial if OGE provided guidelines for measurement.
Unable to quantify. Two components have e-filing systems for the OGE Form 450. One component uses some manhours of 2 FTEs, part time, and one component uses IT developer manhours, but is unable to quantify that use outside of regular IT expenditures.
The Financial Disclosure Management System (FDM) was created by the Army. Although the system is maintained by contractors, the Department is not provided information on the amount paid to a non-federal agency of what the internal costs associated with operating FDM.
It is not possible to break out filing costs from ethics database/tracking costs.
We have not broken out the staff costs associated with review and processing of financial disclosure reports.
Costs are estimated to be low if not zero for the Agency

Our OGE 450 is housed on SharePoint, which is operated by our Office of Information Technology. It takes a negligible amount of time to generate that disclosure each year, the cost of which is not tracked by our office.
We use Integrity for our Public Financial Disclosures.
NA
NASA's EPTS platform is an integrated system supporting both public and confidential reporting. Accordingly, NASA is not able to break down the expenses for each reporting category. The combined expenses for public and confidential reporting are provided in the "Confidential" column above. These combined expenses are \$280,330. "Don't know" was entered in the public column because only the figure combining the categories can be determined.
Note to Question 32(a): The total amount paid to a non-federal vendor for both public and confidential filers was \$2802 (not \$2802 per filer type).
We are aware that the OCFO is involved in the procurement of the secure web application but the Ethics Office does not have insight into the cost associated with this task.
The total FY2019 cost was \$41,267. Since the 450s and 278s are filed using the same system, there is no way to provide a by-form breakdown of cost.
The funding for FDRS is not controlled or managed by OGC.
OMB does not track its internal costs associated with operating its SharePoint based ethics e-filing system.
The contract does not separate expenses for confidential and public filings.
The Confidential Financial Disclosure System (CFDS) is one application that is part of a larger web-based platform used by the agency. The costs associated with each application housed on the larger platform are not individually tracked.
NA. We don't pay to use FDM.
N/A

Part 7 Additional Comments

#33: public filers number excludes filers who used www.integrity.gov
Question 27a - 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. The DAEO or her subordinates do not always receive formal notification and so we capture informally (successfully to date to the best of our knowledge). Question 33 - Answers are classified.
32.a. The \$400 is an estimate.
27-28: Agency does not have a formal 15-day notification process however, as a micro-agency, the DAEO is made aware of all new hires and terminations.
In 2019, DCSA had one Special Government Employee OGE Form 450 filer who was unable to access the FDM system to file her report electronically due to problems with her DCSA-issued laptop computer and missing certificates on her DoD Common Access Card. The employee filed her report using a hard copy OGE Form 450.
Q 27.& 28. - Most DDAEO organizations reported receiving the notice in all cases. Of the few reporting never, the organization indicated that they are working with their HR to improve processes. Some reported that the ethics office does their own tracking via

communications with front office staff and including the ethics office as part of in-processing procedures. Q 32. - Data is reported by the Army as Executive Agent for DoD.
Due to the nature of a legacy filing system used by one of our agencies, the reporting costs can not be divided between public and confidential electronic filing systems. Therefore, all costs for that agency are included in the cost for the confidential e-filing system.
#27 OIG's response: This requirement is completed by the issuance of the MACADD (on-boarding) automatic email notifications, which are usually performed before the employee enters HUD OIG. There were a few delays, which is why the "in most cases" box is selected. #28 OIG's response: This requirement is completed by the issuance of the MACDELETE (separating) automatic email notifications, which are usually performed before the employee leaves HUD OIG. There were a few delays, which is why the "in most cases" box is selected.
#33. These numbers include both OGE-278 and OGE-450 reports that should have been submitted in 2018, but were filed in 2019.
NA
#32 - 2019 is the last year the Agency will allow its public filers to use FDonline. Integrity.gov will be the sole option for public financial disclosure report filings in 2020.
Question 32. In 2019 we had expenses for two financial disclosure filing systems. We had the ongoing maintenance of our existing financial disclosure filing system (NEETS II) and the start-up and initial maintenance costs of our new financial disclosure filing system (FDonline).
#33 - In 2019, IMLS board members filed electronically through the FDonline electronic financial disclosure filing system.
Integrity was used for our three public filers. A Google Drive tracker system was also used track whether filings were completed.
Only the DAEO, ADAEO used Integrity
NA
Q. 33 a. The number is less than the number of forms filed because the same filer may file both a new entrant or annual report, as well as a termination report in the same year. 33 b. Some incoming Intergovernmental Personnel Act (IPA) details and SGE's may complete their new entrant form outside the electronic system for vetting prior to appointment.
RE Question 29: Only one filer, the DAEO, filed electronically using Integrity.
None
Question 33: This information is classified.
33. The numbers reported above are percentages, rather than numeric counts of filers. Actual numbers are made available to cleared OGE personnel when required. 29.-33. The Agency only uses Integrity for filers whose forms are required to be certified by OGE (the DAEO and one PAS employee).
Question 27: The agency utilizes a notification system to alert relevant agency staff about the on-boarding and departure of employees. The human resources group manages this system, which includes the ethics officials. This system has worked very

well for employees occupying positions that require a 278 report. In a handful of instances, an employee was omitted from the notice system in error or an internal promotion was missed. In the recent past, the agency ethics official has been determining whether a new entrant was a potential filer. Because of the limited number of employees, this was possible for incoming 278 filers. This was more challenging for 450 filers, because of the diversity of positions. The human resources group and ethics officials are currently updating the designation procedures. The human resources group has already begun making the determination earlier in the recruitment process, and we will continue to monitor these changes over the course of the year.
33(b) Includes detailees from other agencies.
#33 - Certain Senate paid OVP employees file both the OGE 278 and the corresponding Senate form.
PAS and DAEO file via Integrity. Remainder file via paper forms.
#33: Development of the Confidential Financial Disclosure System took place during FY 2019. However, the system was not used by filers until FY 2020.
33(a). We had 84 filers in 2019, but our DAEO is one of those filers and uses Integrity. That is the reason for the discrepancy from 84 to 83.
n/a
N/A

Q34 Table. Report the number of public financial disclosure reports (OGE Form 278e) required to be filed by December 31, 2019, *excluding SGEs*, and the number of reports actually filed (i.e., received) by December 31, 2019. If applicable, please explain discrepancies between the number of reports required to be filed and the actual number of reports filed

N/A
We have one filer who continues to struggle with the public financial reporting requirement. He has been reported to his supervisor for further action.
We are currently following up with the five individuals who have failed to file their reports.
MAJCOMs provided the following explanation: Filers failed to comply with the requirement. Filer filed within 30 day grace period, but that resulted in a 2020 filing.
Commands are aware of the two delinquent termination reports and are actively working with the filers to ensure compliance.
Two individuals failed to file - the respective DAEO organizations are continuing to pursue.
1 termination Schedule C non-compliant referred to OIG for further action
Report due in 2019, received in 2020.
Discrepancies were due to the employees departing and ethics programs not receiving timely notice of their departure. Improvements to the policy and socializing the requirements of Part 2638 occurred in 2019. Efforts continue to identify processes to better bridge this gap.
Collection efforts/referral for failure to file underway.

<p>Two filers did not submit termination reports before departing agency. Agency did not have contact information for one filer. We are working with the agency in an attempt to locate the employee. The Agency did forward a termination notification to the contact information provided for the other filer.</p>
<p>#34a. This number includes several Career Foreign Service Candidates who were confirmed in 2019. Career SES - This number includes several Career Foreign Service Officers who were assigned to Senior Foreign Service positions and not notified of the requirement to submit a financial disclosure report. #34c. This number includes a PAS, a Non-career SES, Schedule C, and Career Foreign Service employees who have not responded to several emails or certified letters. In addition, this number also represents several Career Service employees who were assigned as Senior Foreign Service (SFS) officers who left the filing position, but were not advised to submit a termination report.</p>
<p>The discrepancy between the number of reports required and the number of reports filed is the result of a variety of factors across certain Bureaus and Offices including both human and tracking errors, as well as the lack of documented OGE Form 278e filer identification, report collection, and tracking procedures and practices. In CY 2019, the DEO drafted and implemented DOI ethics program-wide standard operating procedures for OGE Form 278e filer identification, report collection, and tracking.</p>
<p>Some were on leave or filed their reports after 12/31/19. Agency ethics offices are following up to ensure that all outstanding reports are filed immediately.</p>
<p>One Career SES filer, who has since been notified, was not notified to file upon appointment to Career SES. Some delay in notifying a new entrant filer because of difficulty determining whether the individual filed at previous agency.</p>
<p>Miscommunication between notifying office and agency ethics officials.</p>
<p>Because one filer was still coming to closure on his new entrant report, EPA Ethics neglected to assign him an annual report. The other filer failed to complete his new entrant report timely but has since done so.</p>
<p>Currently working to get termination report from one former employee.</p>
<p>An exiting SES Member left federal government service on June 14, 2019 and filed his annual financial disclosure statement on that date. The FLRA's ADAEO, however, failed to assign to him a termination report. The FLRA's ADAEO did so on February 3, 2020, and the filer will file the termination report shortly.</p>
<p>NA</p>
<p>NA</p>
<p>With respect to section c above: there was one Schedule C filer who was terminated by the Agency but she failed to complete and submit her termination 278. The Agency sent her numerous notifications to do so, including via certified mail but to no avail. We worked with our OGE Desk Officer on this matter and sought guidance at various points. We have not received her termination 278 and she has been assessed the \$200 filing fee (which she has not yet paid).</p>
<p>34. The numbers reported above are percentages, rather than numeric counts of filers. Actual numbers are made available to cleared OGE personnel when required.</p>
<p>In 2018 and early 2019, two individuals joined the NTSB from other agencies, where they had previously filed a 278 report in 2018. The filers did not receive notice to complete the 2019 annual report, which was overlooked by agency ethics officials. We</p>

will work with the filers to ensure the process is fixed and their reports are submitted and reviewed. We are currently working with the human resources group to assess any other potential gaps.
One employee did not receive timely notification of her filing requirement.
One departed employee failed to file termination report despite multiple attempts to contact.
One employee received multiple reminders to file an annual report, but has not done so. One new entrant report remains open pending additional information.
-One Career SES filer has yet to complete a termination report due to his 2018 new entrant report not being certified yet. -One Non-career SES filer has yet to complete a termination report due to failure of being notified of the requirement and the filer that is acting in the role has also yet to file a new entrant report due to failure of being notified of the requirement.
Filers are on extended military, medical or administrative leave. A few filers were slow to provide additional information.
New Entrant discrepancy: We had a lot less 278 filers hired this year versus years prior. Out of the 2 missing reports, they were just recently assigned. They were assigned late due to oversight. We thought one employee was on detail from another agency (so they would file with them) and found out they were actually with our agency. The other filer was overlooked when they were hired and we remedied the problem when we caught it. Term discrepancy: Our office was not notified when 2 filers left Afghanistan. We have been working with the filers to receive their termination report. We have 1 and the other filer is being cooperative and we should have it shortly.
Two Termination reports pending submission at the close of 2019 that were required to have been filed earlier in 2019. These were late due to the filer not checking out according to CHR procedure and the ethics program was not notified because of this. Three new entrant reports were assigned later than required these were internal promotions occurred during 2019, 2 in June, 1 in September, that were not included on data shared with the ethics department from the CHR department. The promotions were not captured by the standard CHR data shares with the ethics program due to the promotions being no-cost promotions initiated by an academic promotions committee. The promotions were captured by an ethics program initiated data-call in November and the reports were assigned thereafter in Integrity. As of the time of filing this questionnaire, the three New Entrant reports have been submitted and are undergoing agency review.
The Filer's report was not required to be filed until 2020 but filed in 2019.
N/A
Two of the Commission members are private citizens who serve fewer than 60 days and are treated as SGEs. They file 450 Reports as New Entrants every year. All other Commission members file their reports with their home agencies and submit a courtesy copy for conflicts checks only. I do not report those filers since they are captured at their home agency. The Executive Director informed me that she had not filed her 278 Report. I stopped receiving notices through Integrity, so I wasn't sure whether it went straight to OGE. Every year, the ED report has had few assets to report, so it is low risk. I was surprised that OGE indicated that we had met all our filing requirements for the year.

One annual filer was terminated and now is incarcerated. He should have filed a termination report after his removal from federal service but we have been unable to contact him to request that he do so. The other annual filer, who retired in July 2019, was stationed in Thailand and continues to live abroad. We were unable to get from him a completed termination 278 prior to his retirement.

Q35 Table 1.

N/A
Additional information required in certain instances. In other instances, competing work.
The number of 278e reports collected, their complexity, and insufficient number of ethics officials to process the reports, contributed significantly to extended review times.
We did not diligently track and record initial review date using the available feature in Integrity.
Waiting for information or feedback from filer most often was the case. We also began checking off initial review dates more frequently later in the year so, we had not taken advantage of the feature earlier.
NA
One review exceeded 60 days due to extended coordination with the employee's former government employer. Another review exceeded 60 days due to additional interaction with OGE.
The reports during this reporting period were largely certified by a prior ADAEO, but on information and belief, some reports were submitted outside the required deadline, and others were reviewed outside the 60 day time period due to more information being needed or questions being posed and awaiting response from the filer.
Breakdown in following SOP in onboarding SES level personnel. Importance of notification reinforced, and reminder placed on OGC calendar to proactively check for new SES equivalent hires. Additionally, there was some confusion within DISA OGC about who could sign as the final reviewer.
One FTE EC. The Agency has already taken steps to ensure timely certification of OGE 278e reports by (1) hiring an additional FTE EC, (2) shortening the period for supervisory review and (3) augment the Ethics Team with additional attorneys during filing season.
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, 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 advisor) and a significantly under-resourced Ethics Program makes 100% timely review of reports very challenging.
Some assignments were not reviewed within 60 days due to press of duty and other assignments.
Q35(a): MAJCOMs have provided the following explanations: Personnel shortages persisted during filing season, particularly with significant gaps in staffing of Ethics Counselor positions. Simple oversight. Turnover in legal offices, and an accompanying

<p>lag in access being gained for FDM and Integrity. Amended reports required review that may have fallen outside of the original 60 days. Migration to Integrity resulted in lapses of the 60 days. Software reliability issues. Overlapping absences between certifying officials. Lack of sufficient manpower and resources, especially within NGB.</p> <p>Administrative errors on the part of ethics officials who were new to the systems.</p>
<p>Frequent changeover of military ethics officials created some confusion resulting in these delay. Some ethics officials had a mistaken belief that the 60 day clock didn't start until after the 15 May due date.</p>
<p>The Department of Defense (DOD) requires that supervisors review reports in addition to the command ethics counselor and DAEO. The multi-level review may delay the ethics counselor's initial review. Furthermore, it is likely that some of the ethics counselors completed their initial reviews within the required time frame but failed to end initial review in FDM. For the 2020 filing season, OAGC(E) will remind ethics counselors to end initial review if they are unable to certify the report within the 60-day timeframe.</p>
<p>These are electronic filing system stats and do not necessarily reflect actual review timelines. Many reviewers did not know to use applicable "end initial review" functions in the systems and thus, initial review stats were not routinely tracked. DoD is revising the FDM system functionality for OGE 450s and training ECs on use of Integrity functionality.</p>
<p>Approximately 16 reports were reviewed 60 days after submission as a result of unexpected departure of personnel and redistribution of work assignments.</p>
<p>New ethics staff were being trained and ethics staff was working on other priority items.</p>
<p>In some cases reviewers were still waiting for additional information from the filer, in other cases the employee was on extended leave, medical leave, activated for military service, and administratively separated.</p>
<p>The above data does not correspond directly with the Integrity annual extract. This is due to constraints with the annual data extract management reports, size of the organization, delay in deployment of Integrity enhancements to allow the data capture or correction. Delays in reviews result from the need to obtain additional information as well as complete remedial action, such as complete outside activity approval. All items are expected to be closed this month.</p>
<p>Responses reflect data collected in OGE's Integrity application, using the complex methodology provided by OGE to retrieve the information from the system. This data reflects the best responsive information available from the system, given the incomplete tools available. The methodology OGE provided to obtain the data from Integrity, such as analysis of Excel formulas and spreadsheets was extremely difficult to use and inadequate for an agency such as DOJ with a complex financial disclosure program. DOJ's response to Q35 does not necessarily accurately reflect the timeliness of DOJ's initial review or timeliness of certification of the 278 reports because the information is not easily captured or retrieved by the Integrity system which has contributed to unreliable results. When development of Integrity increases its functionality, the answers to Q35 will be more accurate. See additional comments below.</p>
<p>The numbers in rows a.ii, b.ii, c.ii, and d.ii are placeholders and do not accurately reflect the initial review of reports. Most reports were reviewed within 60 days. State did not fully track this information this year but plans to do so next year. This was due to the</p>

transition from FDM to Integrity for 278 reports. FDM allowed us to easily track the date when an initial review was completed on a report. Integrity does not have that functionality and instead required manual entry of an initial review date.
Certain reports were reviewed more than 60 days after submission due to insufficient ethics program staff during the annual OGE Form 278e filing season and a lack of documented OGE Form 278e filer identification, report collection, and tracking procedures and practices.
For some reports, government shutdown caused delay. For other reports, additional information was being sought.
additional information being sought workload/staffing issues
Reviewers' caseloads precluded 100% timely IR.
In CY 2018 and 2019, EPA Ethics faced a number of work challenges that ultimately resulted in gaining additional staff by the end of FY 2019. Some of the new ethics officials had no previous experience in INTEGRITY or reviewing public financial disclosure reports. We invested time and resources to ensure that staff members learned not only how to perform a technical review but also how to identify and resolve conflicts issues, including sending cautionary notes and following up with filers. We find that finders do not respond with alacrity to questions and comments about their reports without a lot of pestering and reminding. To encourage public filers about their obligations to file timely and to answer questions and clarifications promptly, the Acting DAEO issued an ethics advisory in September 2019 to all public filers. We now include that advisory in all notifications to new entrant filers.
Only one attorney performing ethics duties for most of 2019 Deputy/ADAEO not on board until Fall 2019.
Our records show only four forms were reviewed more than 60 days after submission. Additional information was being sought for these forms. In other instances of apparent untimeliness, the initial review was timely but the date was not specified in the Integrity system.
Requested additional information from filer required to complete review
During the financial disclosure season, the FLRA's Office of the Solicitor, which manages its Ethics program, had only one attorney, as opposed to the three attorneys that it normally employs. The Office now has a full complement of attorneys and this will not be an issue going forward.
Delays are due to one or more of the following: press of business lack of human capital and/or complex reports which required follow-up with filers.
NA
No reports were reviewed more than 60 days after submission.
Ethics official workload implicated in 2019 by backlog from the US Government furlough.
The numbers reported above are placeholders, rather than numeric counts of filers. Actual numbers are made available to cleared OGE personnel when required. The percentages are as follows: 35a. Career SES: i. 54% / ii. 77% / iii. 3% 35b. PAS: i. 100% / ii. 100% / iii. 100% 35b. Career SES: i. 78% / ii. 95% / iii. 9% 35c. Career SES: i. 43% / ii. 57% / iii. 40% 35d. Career SES: i. 71% / ii. 57% / iii. 0% For more than 90% of the

reports submitted, a technical review and conflicts analysis was undertaken by the filer's supervisor and/or an attorney within 60 days after the filers submitted the report.
Temporary staffing shortage due to personnel reassignments.
due to staff transitions
Some filers were on extended administrative, sick or military leave and unable to complete the report. Some filers were slow to respond to request for additional information.
We had one report reviewed/certified late because FDM failed to notify our office when the report was completed. The filer completed the report very early in the filing season (January) and we didn't get notification of the completion from the filer or the system. We didn't realize the report had been completed until other 278 filers were submitting their reports closer to the May deadline.
For the reports that were reviewed more than 60 days after submission, additional information or clarification was needed and took a while for the filer to obtain the information.
We had a few reports that were reviewed after the initial 60 days. Almost all of those reports were reviewed within a few days of the 60 day deadline (61-65 days).
Additional information was being sought from the filer.
Filer requested extension when General Counsel/DAEO had lighter (that's relative!) workload and then when filer filed 278, litigation workload requiring 20 hour work days and other priorities that required long workdays when litigation scheduled eased up prevented more timely review
One career SES Annual report was reviewed more than 60 days after submission because the filer requested that it be returned to him to amend shortly after he initially filed. He did not resubmit until more than 60 days after his initial date of signing/submission.

Q35 Table 2.

Not Applicable - all
One of our Public Financial Disclosure filers was on detail to another federal agency during the reporting period. We were waiting to certify this employee's report until we received confirmation from the other federal agency that he was in compliance with ethics rules during his detail. All other reports that were certified after 60 days was due to the Ethics Office waiting on additional information from the filer.
NA
One FTE EC. The Agency has already taken steps to ensure timely certification of OGE 278e reports by (1) hiring an additional FTE EC, (2) shortening the period for supervisory review and (3) augment the Ethics Team with additional attorneys during filing season.
Q35(b): MAJCOMs explained: Simple oversight. Promotions delayed after initial filing. Software reliability issues. Overlapping absences between certifying officials. Lack of sufficient manpower and resources, especially within NGB. In some cases, OGE was the certifying official, and did not provide reasons as to why PAS filers' reports were not

certified within 60 days. Supervisors failed to complete the supervisory review needed to certify the report within 60 days. Some reports were highly complex and required additional time to conduct an adequate review. Conflicts identified that had to be resolved before certification.
We were unaware that OGE's processing time would be added to the Army's processing time for the PAS reports in Integrity. Also, we worked two complex PAS reports which took a lot of time. And, two non-career reports were delayed by late 278-T filer fees processing. Several reports were late due to late supervisory review (supervisor review is mandatory for the Department of Defense per the Joint Ethics Regulation).
The Department of Defense (DOD) requires that supervisors review reports in addition to the command ethics counselor and DAEO. The multi-level review may delay the DAEO 's final certification.
Filer included personal information not required regarding spouses income. Waited for permission to make changes to filer 's report.
Several organizations reported staff turnover/absences and the need for additional staff as impacting review timelines.
To the extent that some reports at DOJ have been reviewed and/or certified past 60 days after submission, the reasons include: the high volume of reports for each reviewer workload, waiting for additional information from filers, and the availability of certifying official to certify large volumes of reviewed reports.
Additionally, the switch to Integrity for all 278 filers in 2019 also created substantial additional work for reviewers this year because data migrated from FDM to Integrity was all in Part 6 and some details were missing. Reviewers spent enormous amounts of time with technical fixes, which should save time in the future. Finally, the ethics office was short staffed in 2019 due to the Department's previous hiring freeze, and many reviewers were inexperienced due to rotation into and out of the office.
Certain reports were certified more than 60 days after submission due to insufficient ethics program staff during the annual OGE Form 278e filing season and a lack of documented OGE Form 278e filer identification, report collection, and tracking procedures and practices.
Government shutdown caused delay.
Reports were not being routed to the correct reviewer or to the certifying official in Integrity.
Workload issues for ethics staff. Learning curve for new ethics officials. Filers not responding timely to questions or requests for clarification.
Only one attorney performing ethics duties for most of 2019 Deputy/ADAEO not on board until Fall 2019.
Our ADAEO, who stepped into that role in early 2018, left the program in early 2019 just before the 450 filing season began. Further, as a result of the 2018/2019 lapse in appropriations and OGE 's subsequent decision to postpone the due date for the OGE 450 reports, both our OGE 450 and OGE 278 filing seasons overlapped. Due to the staffing shortage as well as the overlap in timing, our ability to timely review and certify the OGE 450 and 278 reports was negatively impacted. The FCC has now hired both a new ADAEO as well as an additional Ethics attorney and we have re-structured our

review process for financial disclosure reports as described in our response to Question 13. All OGE 278e reports have now been fully reviewed and certified.
One nominee report was "pre-cleared" by OGE.
During the financial disclosure season, the FLRA's Office of the Solicitor, which manages its Ethics program, had only one attorney, as opposed to the three attorneys that it normally employs. The Office now has a full complement of attorneys and this will not be an issue going forward.
All reports were promptly certified after initial review was complete (delays happened at initial review stage).
We had several technical problems getting the termination filer into the Integrity system.
One center did not record its visual pre-certification review in the EPTS system.
The delay in final review and certification of financial disclosure reports is due to staffing limitations and a prioritization towards providing timely, substantive Ethics advice to the workforce.
The NTSB conducted an initial review of all public reports within 30 days of receipt. In some cases, additional information was sought before reports could be closed. In most cases, the delay was due in part to the partial government shutdown, limited agency resources, other pressing agency needs. At all times, the ethics program was confident that no conflicts were reported. With the addition of two new ethics officials, we are in the process of improving our financial disclosure program. This will include the use of the initial review field in Integrity.
DAEO's medical issues. Report certified at day 63.
One filer (non career) has not submitted the required information and was not certified in 2019. We are continuing to work with the individual.
System failed to notify. See above.
The nominee report was delayed due to the nominee preclearance process. The report is waiting for the White House.
Change in DAEO and new DAEO needed additional time to complete task.
Filer requested extension when General Counsel/DAEO had lighter (that's relative!) workload and then when filer filed 278, litigation workload requiring 20 hour work days and other priorities that required long workdays when litigation scheduled eased up prevented more timely review.
See above. Since the filer did not amend and resubmit his report until several months after we returned it to him, the Ethics Office could not review and/or certify it in a timely manner. However, once the filer resubmitted the report, the Ethics Office reviewed and certified within a few days of its receipt.

Part 8 Table.

USADF had only one termination of a public financial disclosure filer, following the retirement of June B. Brown, former General Counsel, on 12/31/2019. She had also filled an annual public disclosure report earlier in the year.
Question 34 - Responses of "zero" generally are placeholders for classified information. Question 35 - Responses of "zero" generally are placeholders for classified information.

<p>Question 34: There was 1 filer who was supposed to file her termination report at the end of 2018. But because of the government furlough from Dec 2018 - Jan 2019, the filer didn't file until mid January 2019. Therefore, her filing is included here as one of the 3 Schedule C termination filings.</p>
<p>34, 35, 37: The Combination report was entered into INTEGRITY as a Termination report. The extension was granted to permit the filer to combine his Annual and Termination report.</p>
<p>DHS issued a blanket 45-day extension from the date a report was due during the lapse (new entrant and transaction reports) to address the lapse in appropriations during December 2018 through January 2019. Q37 data may not correspond with Annual Data Extract as it appears not all the extensions/waivers/paid fees were properly recorded in Integrity. DHS hopes to improve this reporting with the new enhancement allowing for correction of records after certification.</p>
<p>Question #37a – Please note that at the close of the annual OGE Form 278e public financial disclosure report filing season, OGE 's Integrity website experienced significant slowdowns and technical issues when filers attempted to log in to complete their reports. The DEO communicated this issue to OGE and made additional efforts to assist the individual filers when possible. However, as a direct result of these technical difficulties, filers requested an increased number of extensions, and the DEO granted those extensions for annual OGE Form 278e public financial disclosure reports.</p>
<p>Q34 & 35: Integrity numbers are not entirely accurate, especially for initial review dates and filer status. Going forward, we will endeavor to enter data accurately. Q35: We generated data following instructions in the OGE Job Aid, which we found difficult to understand and apply. Accordingly, we are not entirely confident of data accuracy, given our internal spot checks. Q37: At DO and one bureau, Integrity shows differences in late fee numbers for 278s and 278-Ts because these may have been incorrectly categorized – i.e., waivers for a 278-T were noted on a 278 that was timely filed. Filers were not always required to file separate 278-T reports after already reporting the transactions on their 278e reports. Finally, Integrity also indicates that 1 report paid a late fee, but this is not the case. The box must have been inadvertently checked in error. The filer filed on time.</p>
<p>NA</p>
<p>Questions 34 and 35 - (1) Please note that the filing and review reports in Integrity are not accurate for our agency. Filers have inadvertently selected Non-Career SES or Career SES employees. FDIC does not have SES. (2) Please note that we have two Schedule C Annual filers who incorrectly categorized as well.</p>
<p>NA</p>
<p>NA</p>
<p>Q. 37(a) another late fee was levied in December 2019 and was not due until January 2020.</p>
<p>Comment to No. 35: NCUA's senior level employees are not on the SES system the agency's non-PAS career 278 filers are called SSPs (Senior Staff Positions). When filing the OGE 278 report, SSPs typically input "Career SES" as the noted category. In 4 instances, "Other" was selected. Additionally, one political non-PAS appointee (SSP-level) who joined NCUA in 2019 used the "Non-Career SES" category.</p>

With respect to Question 37, there was one 278 filer who did not file her termination 278 on time and thus, was assessed a \$200 filing fee. She did not pay the fee.
Questions 34, 35, 36, 37, 38, and 39: This information is classified.
34.-35. The numbers reported above are percentages, rather than numeric counts of filers. Actual numbers are made available to cleared OGE personnel when required.
Question 39: Although the NTSB received a 201 request for a Board Member, the agency directed the requester to the OGE website.
#39 - Any requests for a Commissioned Officer's financial disclosure, including those employed by the OVP, are handled by White House counsel.
N/A
NA
n/a
N/A
Two filers filed within extension period. Third filer exceeded extension period, but did not request waiver. DAEO was not aware that filer had not filed 278 report until January 2020. Will follow up with Desk Officer. 35.b. Second 278 filer's report was filed within extension period and DAEO began review, but did not complete review within 60 days.
Acting Chief of Staff Mick Mulvaney filed with the WHO office he still retains his status as a PAS official as the Director of Office of Management & Budget.

Q40 Table.

The discrepancy is made up of new entrants who did not timely file their 450 forms. The ADAEO and DAEO issued multiple reminders to the supervisory chain of the employees and have provided notifications regarding the time requirements of new entrants to ensure prompt compliance in the next reporting period. The DAEO and ADAEO have also been working the Office of Human Resources to implement a process to ensure timely notification to the DAEO/ADAEO of new employees on-boarding.
There were some employees who left the organization (retiring or quit). In some cases there were problems matching supervisors to subordinates in the FDM system and they couldn't be finalized without the supervisor's review.
Due to restructuring of the organization in late 2019, there was a discrepancy regarding the supervisor of the filer. As a result the report was delayed. However, it was completed in January 2020.
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.
There was high turnover within the Office of Human Resources and vacancies within the Department, including Chief and Director positions. There was no one to assist with follow-up and provide correct email addresses or other information on the filer such as administrative leave or detail assignments. Since then, we have new contacts.
See comments at the end of this Part
Most of the reports were not completed because of lack of supervisor or ethics counselor follow-up.

For the 2019 questionnaire, the OAGC(E) relied on spreadsheets created by the FDM administrators. There are several OGE 450 reports in a not started or draft status. This is likely the result of commands not removing filers from the system after the filers leave their positions or have a change in job duties. The OAGC(E) will work with commands to verify filing roles and update the FDM system.
Most organizations were 100% compliant and the few that had small discrepancies were due to staffing issues or filers on extended absences. One organization is in the process of re-structuring its ethics program to address significant staffing issues.
2 military, 2 on extended sick leave, 4 reconsiderations to file that was submitted and granted, and 13 non compliant employees
Military, medical, administrative leave of absences.
50 reports not filed due in part to extended medical leave granted, retirements and resignations prior to the filing of forms and internal communication issues.
Discrepancies resulted from extended medical and military absences, in addition to improvements to the identification of filers. A large portion of those who did not file left government before filing.
Filers non-responsive to notice to submit reports.
Explanation for reports not filed: extended leave including military deployment, illness/disability, parental leave, mass workforce restructuring/employee relocations, natural disasters, and emergency responses. Note: The line Assistant US Attorneys are required to file the OGE-approved alternative form (the GCO-01 Certification of No Conflict form) for each matter/case they are assigned. The number of forms filed is not counted as they are retained in each individual case file. There are approx. 5,049 AUSAs, and we counted 1 alternative form per AUSA, although AUSAs are typically assigned to more than one case per year. -Antitrust Division: 241 attorneys submitted 901 OGE-approved alternative forms in matter/cases assigned
Filers were on medical leave, military leave, or LOA
40.All annual reports were submitted. Some New Entrant reports, mostly reports assigned in the fall, were not filed by Dec 31.
The discrepancy between the number of reports required and the number of reports filed is the result of administrative oversight. In CY 2019, the DEO drafted and implemented DOI ethics program-wide standard operating procedures for OGE Form 450 filer identification, report collection, and tracking.
Nearly all of the employees that did not submit their reports on time were on extended medical or family leave, administrative leave, or military duty. Agency component ethics offices are following up to ensure that all other outstanding reports are filed immediately.
Filers on admin or extended leave or military deployment admin error technical issues with e-filing certification at one bureau, several filers filed OGE 450-A because it was unaware that 450-A no longer permitted. These are counted under Required and Filed.
Non-filers left the agency or changed to non-filing positions after holding a filing position for less than 60 days in 2019.
Some filers left federal service, transferred to other offices or agencies, retired prior to the filing deadline, or were on extended leave. In addition, two EPA offices merged in 2019 and one underwent a full-scale reorganization. As a result, there has been turnover

in the ranks of the deputy ethics officials that may have resulted in some inexperience or technical errors in tracking and designating filers.
One filer died prior to filing report report closed without action. Another filer is still pending submission supervisor has been contacted.
All reports required to be filed were filed. As a note, the OGE-approved alternate form FCA uses is a "Confidential Conflicts of Interest" form, which is required of lower-level employees. This form is required to be filed on a static 3-year basis, with the next certification for all Agency employees coming up in 2020. Thus, the 19 required filings in 2019 reflect new entrants to those positions. On next year's survey, you will note an increase in the number required to be filed because we will send out a re-certification email in January 2020 for all employees holding those positions. This is also why the number for required annual training is higher than the number for required filings.
Some employees were on extended sick leave, military leave, maternity leave, and/or detailed to another agency. A number of employees retired before February 15, 2019
One new entrant employee on extended sick leave.
Five employees at one worksite experienced technical issues. Two employees on military leave will file when they return. One form requires additional information for a filer on extended medical leave. Two forms at one worksite were returned to the filer for more information. Seven other forms are due, and all outstanding forms are being followed up.
The discrepancy between the number of employees required to file confidential reports in 2019 and the number of employees who actually filed reports resulted, in most cases, from a failure of the employee to adhere to the filing requirement. Many of these employees were new entrants to a filing position. The NRC has followed up with the employees to ensure they file reports as soon as possible, coordinating with the employees' supervisors as necessary.
7 employees departed
Ten employees departed OMB during 2019 after their 450 report was due (7/15/2019) without filing. One employee was on extended leave through the last six months of 2019 and did not complete a financial disclosure report. All other OMB employees filed 450 reports as required by the end of 2019.
-The filers either did not file the report or were not notified in order to file.
3 filings are new entrant reports requested in late December, 2019 and are due in late January, 2020. They have all since filed.
One 450 filer filed late.
One detailee from another federal agency to the SEC, whose detail ended on April 1, 2019, did not file an annual Form 450 due on March 15, 2019 with the SEC.
1 filer is on agency approved extended leave 1 filer remedial action
Filers were on extended administrative, medical or military leave and unable to complete the report. Some filers left the agency prior to submitting a report.
There were 5 new entrants who were not assigned new entrant reports timely. This was due to a mistake and oversight. The problem has been caught and the appropriate reports assigned/completed. We have also ensured ways to prevent this in the future.
N/A

One filer left the agency prior to February 15 and went to another federal agency. Followed up the second filer, but then forgot to keep requesting report. Second Filer is still with Commission and is filing this year.
5 employees did not submit OGE-450 report. Two filers on medical leave (one passed away and the other was given a waiver for both report and training) and three new entrant filers (identified after the filing season ended) have not submitted a report.

Q 41 Table 1.

N/A
The number of 278e forms and 450 forms and insufficient number of ethics officials to process the volume of reports contributed to extended review times.
Two reports were filed in late November and December 2018 so the 60-day certification due date was pushed to 2019. Then the government furlough occurred (12/22/2018 - 1/25/2019) and caused the filings to be initially reviewed and certified after the 60 day limit. One report was timely reviewed, but the 60-day certification due date fell on a Saturday. We certified it the following Monday.
Main reason was that ADAEO only reported on board early in 2019 and was unable to timely review 450 reports (that were submitted beginning in January 2019) as he got up to speed and learned the agency's financial disclosure systems and processes.
Initial review could not be conducted within 60 days on one report until filer obtained additional information. Initial review was not conducted within 60 days on one report due to a tracking error.
N/A
One attorney reviews all OGE 450 forms. 1211 were reviewed 64 days or less. 4 forms exceeded 64 days. Forms that exceeded 60 days also included an Independence review applicable only to government auditors.
41B 604 41C 596 b Lack of situational awareness, failure to follow our own Standard Operating Procedures, insufficient allocation of resources to the task.
Failures by the supervisor or certifiers to complete in a timely manner that we were unable to timely correct.
Due to restructuring of the organization at the end of 2019, there were a large number of reports in the first quarter of FY2020. Additional information was being sought from filers and remedial action was being taken to resolve issues after the initial review of the reports.
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 large report volume combined with a large client population (~5,000 employees per advisor) makes 100% timely review of reports very challenging.
There was high turnover with the Ethics Law and Programs Division staff and staff left before certifying their assigned 450 reports.
Q41(a): MAJCOMs provided the following explanations: Simple oversight. Reports were not appearing consistently in the multiple administrative reports available in FDM, leading to oversight. Some organizations experienced substantial personnel shortages

<p>and turnover, and were unable to conduct the reviews within 60 days. Some certifiers waited until the supervisor had reviewed to do the initial review. However, when those supervisors failed to review within the 60 days, so too did the certifier. FDM software issues caused substantial and prolonged access difficulties. Many reports were submitted less than 30 days before the end of the year, so review has taken place in 2020.</p>
<p>Some ethics officials had a mistaken belief that the 60 day suspense began after the 15 Feb filing deadline. Some delay was created by filers under investigation. Late supervisor review created some of the delay, as did extended employee medical leave and deployments.</p>
<p>The Department of Defense (DOD) requires that supervisors review reports in addition to the OGE 450 reviewer. The dual level review may delay the OGE 450 reviewer 's initial review. Furthermore, it is likely that some of the OGE 450 reviewers completed their initial reviews within the required time frame but failed to end initial review in FDM. For the 2020 filing season, OAGC(E) has reminded OGE 450 reviewers to end initial review in FDM if they are unable to certify the report within the 60-day timeframe.</p>
<p>Most organizations were at or very close to 100% compliant. Those that had discrepancies were due to personnel turnover/absences. One organization is in the process of re-structuring its ethics program to address significant staffing issues.</p>
<p>some reports were reviewed 60 days after submission as a result of unexpected departure of personnel and redistribution of work assignments.</p>
<p>New ethics staff were being trained and ethics staff was working on other priority items.</p>
<p>Some of our components ethics offices experienced increases in the number of filers and complex reports that required their ethics staff to devote additional time on these reviews delaying the initial review of the remaining reports. Resource limitations also delay the timeframes for initial review.</p>
<p>DHS experienced a backlog of reviews due to in part to the overlap of the financial disclosure season, resultant from the lapse in appropriations. Two DHS components deployed Army 's FDM confidential financial disclosure filing system for the 2019 filing season. With new users and this new system, there were a couple missteps in processing OGE 450. For example, FDM 450 certifiers were unaware that they could complete initial review of reports even if the supervisor had not yet signed and therefore, waited to review reports past the 60-days after submission. Some of the discrepancies result from the FDM business rules which reset the EIR upon amendment. This is being corrected in 2020.</p>
<p>OIG response: Due to the Federal Government furlough (December 2018-January 2019), all filers were granted a filing extension. The furlough compressed the preparation period for the FDonline system for confidential filings and created a large backlog of other work to be done concurrently with the filing season. As a result, supervisors were slower than normal to complete initial review and this gave the OIG, Office of Legal Counsel, Ethics Official, a one-person shop responsible for the review of 535 reports, little time to complete the certifications prior to the 60-day expiration period in addition to trying to complete the other backlog of furlough work running concurrently, as well as new assignments.</p>

<p>Due to this being a new data point and given DOJ's more than 15K filers in decentralized programs throughout the components, the review and certification timeliness was not able to be precisely calculated in this manner. Review and certification timeliness will be more precisely tracked for the 2020 Annual Questionnaire. However, the USMS e-filing system cannot produce this calculation for its more than 1,500 reports. DOJ's components have reported to DEO overall compliance with Form 450 filing and review requirements. The response to Q41 reflects the best estimated information available.</p>
<p>Due to staffing changes within DOL and workload this impacted the personnel completing the reviews and certification</p>
<p>Technical difficulties, workload, other circumstances also contributed to many 450 reports not being reviewed or certified within 60 days of submission.</p>
<p>Certain reports were reviewed more than 60 days after submission due to insufficient ethics program staff during the annual OGE Form 450 filing season and a lack of documented OGE Form 450 filer identification, report collection, and tracking procedures and practices.</p>
<p>Government shutdown caused delay for most. For others, additional information was being sought. One agency component uses an alternate electronic filing system and did not track this data on an aggregated basis, but has begun doing so for the 2020 filing season.</p>
<p>Delays were due to technical issues with e-filing certification permissions supervisor changes supervisor on extended leave change of duties/position of filer. Also reports received from another covered position should have been tracked as received on the date we received a report rather than the date the person originally filed at their previous agency. (This was not consistently the case, but will be going forward.) For reports where person came from another agency/position, the date filed at home agency may be several months before the new supervisor reviewed and signed the report upon appointment to Treasury, e.g, detail assignment.</p>
<p>Caseloads of reviewers reluctant filers</p>
<p>EPA has a decentralized confidential financial disclosure system, so more than 120 deputy ethics officials review these reports. As previously noted, one large EPA office reorganized, resulting in a certain amount of administrative disruption. New DEOs did not necessarily know how to review reports. EPA has experienced a number of retirements among the ranks of experienced ethics officials. In one region and one headquarters office, experienced ethics officials were unexpectedly out of the office due to extended medical leave.</p>
<p>Nine 450s were not reviewed within 60 days because the individual who assigns 450s to reviewers failed to timely notify the reviewer of this particular assignment. Eight 450s were not reviewed within 60 days because the reviewer to whom they were assigned had to attend to other non-450 assignments.</p>
<p>Only one attorney performing ethics duties for most of 2019 Deputy/ADAEO not on board until Fall 2019.</p>
<p>Our ADAEO, who stepped into that role in early 2018, left the program in early 2019 just before the 450 filing season began. Further, as a result of the 2018/2019 lapse in appropriations and OGE 's subsequent decision to postpone the due date for the OGE 450 reports, both our OGE 450 and OGE 278 filing seasons overlapped. Due to the</p>

staffing shortage as well as the overlap in timing, our ability to timely review and certify the OGE 450 and 278 reports was negatively impacted. The FCC has now hired both a new ADAEO as well as an additional Ethics attorney and we have re-structured our review process for financial disclosure reports as described in our response to Question 13. All OGE 450 reports have now been fully reviewed and certified.
Reports required additional information.
N/A
More information was being sought including remedial action.
Required additional information from the filer to complete the form.
During the financial disclosure season, the FLRA's Office of the Solicitor, which manages its Ethics program, had only one attorney, as opposed to the three attorneys that it normally employs. The Office now has a full complement of attorneys and this will not be an issue going forward.
The use of a new e-filing system (FDonline) and the government shutdown contributed to delays.
Some reports were reviewed after 60 days due to administrative error.
NA
N/A
NA
The US Government furlough through January 2019 produced a backlog implicating reviewer workload. One center experienced a technical issue implicating initial review.
Four forms were reviewed after 60 days due to administrative oversight.
In early 2019, NCUA underwent a major reorganization that condensed 5 Regional Offices to 3 Regional Offices. As a result, there was an unusually high increase in work demand for the Regional Officials that coincided with the 450 filing season, leading to some delays in timely review and certification of 450 reports. In the majority of cases the delay was less than 2 weeks.
N/A
In 2019, NEH did not review and certify some financial disclosure reports within 60 days of submission due to understaffing and changes in roles among ethics program staff. This was an atypical year, however, and in 2020 we are committed to reviewing and certifying all financial disclosure reports within 60 days of submission.
The numbers reported above are placeholders, rather than numeric counts of filers. Actual numbers are made available to cleared OGE personnel when required. The percentages are as follows: 41a. 90% / b. 97% / c. 38% For more than 90% of the reports submitted, a technical review and conflicts analysis was undertaken by the filer's supervisor and/or an attorney within 60 days after the filers submitted the report.
All 204 forms were reviewed within the first 60 days.
Temporary staffing shortage due to reassignment of personnel.
OMB did not begin tracking initial review dates until partway through 2019, and OMB 's system in 2019 did not provide an effective method to tabulate summary information about the timing of initial review and certification. The numbers entered into Q41 b. and c. are intended to convey OMB 's general sense that many, but not all, of OMB 450s received their initial review and their certification within 60 days.

Additional information was needed in order to approve for certification.
N/A
The government shutdown presented reviewers with numerous, pressing and conflicting demands during the annual filing season contributing to delayed reviews. In addition, some Form 450s were filed in 2019 but were not due to be certified until CY 2020. Finally, the SEC transitioned to a new electronic filing system late in 2019. This also caused delays when automated reminder emails initially were not available for new entrant filers.
additional information required remedial action relating to filer extended leave systems error
Delays personnel and workload limitations.
The 1st report was a new entrant report that was overlooked due to the number of annual reports due around the same time. it was reviewed/certified within 64 days. The second report was initially reviewed within 60 days, but we couldn't not certify until the supervisor had reviewed. The supervisor was out and therefore that report couldn't be certified until they were back (68 days).
N/A
n/a
Additional information was being sought from filer or necessary personnel. Ethics official had difficulty managing workload.
All annual reports were initially reviewed within 30 days of the adjusted 3/15/2019 due date the reports reviewed outside the 60-day window were annual filed prior to the original 2/15/2019 due date.

Q41 Table 2.

Waiting for DOJ & OGE input regarding certain interests.
The number of 278e forms and 450 forms and insufficient number of ethics officials to process the volume of reports contributed to extended review times.
Two reports were filed in late November and December 2018 so the 60-day certification due date was pushed to 2019. Then the government furlough occurred (12/22/2018 - 1/25/2019) and caused the filings to be initially reviewed and certified after the 60 day limit. One report was timely reviewed, but the 60-day certification due date fell on a Saturday. We certified it the following Monday.
Main reason was that ADAEO only reported on board early in 2019 and was unable to timely review 450 reports (that were submitted beginning in January 2019) as he got up to speed and learned the agency's financial disclosure systems and processes.
Certification was delayed in one matter because additional information was being sought by filer. Certification was delayed by a week or less in 2 matters due to a tracking error.
In 2019, DCSA had 9 OGE Form 450 reports which were not timely certified due to a bug in the FDM system which disabled the function that allows reviewers to search for reports requiring action. These reports were immediately reviewed and certified upon discovery of the bug. DCSA also reported the issue to the FDM help desk.
Did not review their own electronic records in a timely manner.

<p>Q41(b): MAJCOMs explained: Supervisors failed to review and sign within 60 days, preventing certifier from certifying. Supervisors changed during the 60 day window, and the new supervisor did not have an adequate opportunity to review before the expiration. Certifier completed review, but neglected to ensure that the report was actually signed before moving on. Some organizations experienced substantial personnel shortages and turnover, and were unable to conduct the reviews within 60 days. Delays in filers amending reports. FDM software issues caused substantial and prolonged access difficulties.</p>
<p>Some ethics officials harbored a mistaken belief that the 60 day suspense began after the 15 Feb filing deadline, not at filer report submission. Some reports were delayed by filers under investigation, by supervisor review delay, by extended medical leave, and by deployments.</p>
<p>The Department of Defense (DOD) requires that supervisors review reports in addition to the OGE 450 reviewer. The dual level review may delay the OGE 450 reviewer 's final certification/closure of the report.</p>
<p>Most organizations were at or very close to 100% compliant. Those that had discrepancies were due to personnel turnover/absences. One organization is in the process of re-structuring its ethics program to address significant staffing issues.</p>
<p>some reports were reviewed 60 days after submission as a result of unexpected departure of personnel and redistribution of work assignments.</p>
<p>See response to question #41.</p>
<p>See above explanation/comment.</p>
<p>As more filers began to access FDM, there was more degradation in performance. This included timing out or not allowing access to the program. Other reasons also included waiting for filers to provide additional information and constantly reminding supervisors to complete their review of the reports.</p>
<p>Certain reports were certified more than 60 days after submission due to insufficient ethics program staff during the annual OGE Form 450 filing season and a lack of documented OGE Form 450 filer identification, report collection, and tracking procedures and practices.</p>
<p>Government shutdown caused delay.</p>
<p>For DO, supervisors experience technical issues with certification of report via ethics DB neglected to inform us timely, despite several reminders. In limited cases, we permitted supervisor to sign a pdf copy rather than the e-filing. At one bureau, changes in duties after departure of long-time ethics program manager led to temporary increases in ethics duties for others in the office.</p>
<p>Among the reasons reported by EPA 's deputy ethics officials: having new ethics administrative duties due to reorganization or changes in staffing assignments press of other competing duties and increased workload and demands, sometimes in part to lingering issues following the government shutdown. We note that an increasing number of experienced ethics officials have been reassigned to other duties, retired or left EPA, or been on extended medical leave. Ethics officials reported that some employees simply fail to respond timely to requests for clarification or follow up. EPA Ethics notes that many of these tardy reports have in fact been reviewed and ethics</p>

officials were engaged in counseling employees and determining remedies, if necessary and appropriate.
Only one attorney performing ethics duties for most of 2019 Deputy/ADAEO not on board until Fall 2019.
Our ADAEO, who stepped into that role in early 2018, left the program in early 2019 just before the 450 filing season began. Further, as a result of the 2018/2019 lapse in appropriations and OGE 's subsequent decision to postpone the due date for the OGE 450 reports, both our OGE 450 and OGE 278 filing seasons overlapped. Due to the staffing shortage as well as the overlap in timing, our ability to timely review and certify the OGE 450 and 278 reports was negatively impacted. The FCC has now hired both a new ADAEO as well as an additional Ethics attorney and we have re-structured our review process for financial disclosure reports as described in our response to Question 13. All OGE 450 reports have now been fully reviewed and certified.
During the financial disclosure season, the FLRA's Office of the Solicitor, which manages its Ethics program, had only one attorney, as opposed to the three attorneys that it normally employs. The Office now has a full complement of attorneys and this will not be an issue going forward.
The use of a new e-filing system (FDonline) and the government shutdown contributed to delays.
Some reports were certified/closed after 60 days because additional information was being sought and due to administrative error.
The US Government furlough through January 2019 produced a backlog implicating reviewer workload.
Of the sixteen forms that were certified after more than 60 days, two were because of administrative oversight. Fourteen forms were certified after 60 days because additional information was being sought.
In early 2019, NCUA underwent a major reorganization that condensed 5 Regional Offices to 3 Regional Offices. As a result, there was an unusually high increase in work demand for the Regional Officials that coincided with the 450 filing season, leading to some delays in timely certification of 450 reports. In the majority of cases the delay was less than 2 weeks.
Understaffing and changes in roles among ethics program staff.
The delay in final review and certification of financial disclosure reports is due to staffing limitations and a prioritization towards providing timely, substantive Ethics advice to the workforce.
We completed an initial review of all 204 reports within two weeks of receiving them. At all times, the ethics program was confident that no conflicts were reported by confidential report filers. We intended to include supervisors in an intermediate review. Due to the partial government shutdown, limited agency resources, and other pressing agency needs, this process was delayed. We continue to work diligently to ensure a complete review of all 2020 Form 450s to comply with all applicable deadlines. We are also working more closely with new human resources officials to improve our process and reporting capabilities in the future.
One employee needed an extension due to medical reason.

Worked with employees to address novel or complex questions regarding holdings and potential conflicts. Personnel resource constraints that were resolved by the end of 2019.
See comment to number 41.
see above
FDM will not allow us to certify a report until the supervisor has signed off. If a supervisor is out of the office, it can be hard to certify reports on time because there is no way to override that system requirement. We just make note that we reviewed and are awaiting the supervisors signature.
Workload issue. New certifiers needed additional time to complete task.
Same as above.

Part 9 Additional Comments.

Question 40 - Answer is classified. Question 41 - Answer is classified.
41 - Steps have been taken to avoid tracking errors in the future.
Q40: MAJCOMs provided the following explanations: Some filers were granted filing extensions that pushed their due dates into 2020. Some filers simply failed to comply. Some filers that should have been scrubbed before the start of the year, because they had already departed, were autoassigned reports. Some filers departed or were removed from the positions that required filing after the reports were assigned, but before submitting their reports. Some reports were erroneously assigned as annual, and actually required new entrant reports (or vice versa), and after the error was corrected, the erroneously assigned report was not deleted, leaving the appearance of an unfiled required report. Gaps in ethics counselor staffing resulted in losses of oversight needed to prevent failures to file. Filers received different email addresses, specific to educational or laboratory facilities, that were not updated in FDM, and did not receive FDM-issued notifications to complete their reports. A large number of annual reports that should have been autoassigned in January 2020, were prematurely assigned by the organization 's Point of Contacts (POC) in FDM, as they were unaware of the autoassignment feature in FDM. Therefore, the number of required reports was artificially inflated. We are working to better train POCs to eliminate these sorts of redundancies and errors.
Question 42 - Many of these extensions were required due to the partial government shutdown.
Because of the government shutdown, DHS granted a blanket extension for all annual OGE 450s until April 1, 2019.
Q41. The efling system in use does not have a tool to produce this information, however, most reports were reviewed within 60 days. The remaining required additional information from filers or the review was delayed due to reviewer workload.
41. Includes reports assigned in 2019. Does not include reports from prior year that were filed or certified in 2019.
Q40: DO and one bureau cannot be certain about numbers for the 60-day review and the accuracy of tracking. The DO OGE 450 e-filing does not have the capability to record an initial review date, and the bureau does not have a tracking system in place, although

implementation efforts are underway at the bureau. For DO, this capability may require significant expense in modifying electronic form. Data is based on a random sampling.
NA
We can confirm that 3966 reports were initially reviewed and certified in 60 days. However our tracking system does not track the initial review date
Re: #40 - The overall number of 450 filers dropped this year because I didn't include OIG as I have in the past. I don't know their statistics as it relates to initial reviews and certifications so it seemed to make the most sense not to include them in the overall total.
NA
NA
In early 2019, NCUA underwent a major reorganization that condensed 5 Regional Offices to 3 Regional Offices. As a result, there was an unusually high increase in work demand for the Regional Officials that coincided with the 450 filing season, leading to some delays in timely certification of 450 reports. In the majority of cases the delay was less than 2 weeks.
Question 40, 41 and 42: This information is classified.
40.-41. The numbers reported above are percentages, rather than numeric counts of filers. Actual numbers are made available to cleared OGE personnel when required.
Q41: The reports not certified with 60 days required additional information from the filers that the reviewers were waiting to receive. All of those outstanding 27 reports were certified within 2 weeks of the 60 day requirement.
N/A
NA
n/a
42. Due to the federal government shutdown we granted a filing extension to all of our OGE-450 filers until 3/15/19. There were 11 OGE-450 filers that were granted filing extensions beyond 3/15/19.
N/A
41. The ADAEO left the agency at the end of March and DAEO did not know ADAEO had not reviewed any of the 450 reports before ADAEO left the agency. DAEO reviewed two Commission members' 450 reports and the ADAEO's report. DAEO also reviewed new ADAEO's report and two new employees' reports within time frame. DAEO did not have time to review all other 450 reports in reviewing period. 42. I am not aware whether ADAEO granted any extensions.

Q46 Table 1.

USARC had no conflict relevant to OGE Form 202
N/A
1 of the notifications of referral to DOJ was made in 2020 and the other is pending submission to OGE no notifications of the disposition of the referrals have yet been made.

Q46 Table 2.

No such referrals or dispositions were made.
We did not have any.
There were no required referrals.
Did not submit any referrals
NA
CEQ made no referrals to DOJ in 2019.
No referrals were made.
No referrals in 2019.
The FLRA did not make any 5 C.F.R. 2638.206(a) referrals in 2019.
No referrals were made.
No Referrals were made
We had none
None
Agency did not have any to report.
The NEA did not submit any referrals and dispositions of referrals to OGE via form 202 as there was no cause to do so.
No covered referrals were made to DOJ
The Intelligence Community Inspector General did not have any investigations that warranted a referral to OGE.
The Office of the Vice President had no applicable violations requiring referral
None
We did not have any instances of this.
Not applicable because there were no need to submit referrals to OGE.
Not applicable because no covered referrals were made to the DOJ.

Part 10 Additional Comments

Question 43 - The CIA provided one (1) oral reprimand to an officer for what our records indicate is a violation of Subpart D.
DHS OIG ultimately closed the one matter that DOJ declined to prosecute because the allegation was not substantiated. As a result, no referral was made to DHS for possible disciplinary or corrective action.
Q45: The sole referral reported here, which was declined for prosecution as noted above, was returned to OIG late in 2019 and had not been referred back to the agency component for disciplinary or corrective action by December 31, 2019.
NA
#46 - The Form 202 was submitted on February 3, 2020 (delayed) due to admin oversight between EXIM IG and Ethics Office.
There was no referral to DOJ in 2019.
NA
NA
None.
N/A

Referral was related to prohibited post-government employment actions.
NA
n/a
N/A
Q. 45: A pending referral from 2018 was accepted for prosecution in 2019.

Q48 Table.

There appears to be a problem with OGE's questionnaire as indicated above all three full-time non-career appointees signed their ethics pledge in 2019.
Prior to being confirmed, the PAS served in a role that required signing the ethics pledge. The PAS signed the pledge in March 2017.
One PAS had already signed the current administration's Pledge in 2017 for his previous PAS position, so there was no need to sign another Pledge.
See response to Question 49.
See below.
Exempt, non policy making positions.
The differences are due to employees who had already signed the pledge in a different position.
The 1 PAS appointee who did not sign the Ethics Pledge in 2019 had previously signed the Ethics Pledge when appointed to a non-career SES position at the agency in 2017, and was not required to sign again.
Three political appointees came to EPA in 2019 from other federal agencies without a break in service, and had already signed the Ethics Pledge.
N/A
The 4 Schedule C employees who did not sign the Ethics Pledge at FHFA had previously signed in 2017 at their respective agencies. There was no break in service before they joined FHFA.
Only the CEO is required to sign the Ethics Pledge
One position was in an exempt, non-policy position and was not required to sign the ethics pledge.
One GS employee was subsequently presidentially appointed in late December 2019. This employee signed the ethics pledge in January 2020.
All of the 2019 appointees who did not sign the Pledge were appointed without a break in service after serving in another federal position for which the Ethics Pledge was required and in which they had already signed the Pledge.
One schedule C was appointed, but did not sign because there was no break in service after serving in another position which an Ethics Pledge was already signed.
N/A
See information in question #49
n/a
10 appointees did not sign the Pledge with WHO because they signed it while serving in another position for which the Pledge was already signed (see response in Q49b).

Q51 Table.

Not applicable
NA
NA
No waivers were issued this year.
n/a
N/A

Q53 Table.

0
NA
N/A
NA
NA
N/A
In 2019, EPA Ethics learned of 2 apparent pledge violations that occurred in 2018. In both cases, EPA leadership consulted with the White House and determined that direct counseling of the political appointees was the effective course of action. The appointees subsequently received the counseling.

Part 11 Additional Comments

Q.50 - The ethics office does not track this data.
Question #52: In CY 2018, the DOI received certain information alleging that Ethics Pledge violations may have occurred, and the OIG for the DOI is continuing to review the information received by the DEO.
NA
Q52: Officials sought approval from the DAEO and the DAEO staff as to any covered gift or covered matter. We have since learned that some of our guidance was not consistent with OGE interpretation or mistaken. We do not view as violations any actions taken based on incorrect guidance.
NA
NA
N/A
NA
n/a
N/A
Only the Commission Chair routinely meets with Congress on behalf of the Commission. Current Chair is a career SES and Commission representative from the US Air Force. He is retiring later in 2020 and has asked about post-employment rules. DAEO provided general information and told him DAEO will counsel him if he has specific questions.

Q55 Table.

Members did not complete training, even though training sent.
One SGE decided to resign from the committee prior to the first meeting of his reappointment and did not complete ethics training.
Failure to attend first meeting.
Ethics office never received notice of the new SGEs from the Designated Federal Officer.
8 non compliant 14 reappointed SGE who received Live training in 2018 and therefore received written materials in 2019.
The SGEs were not at the first meeting following their appointment. We are working with the DFO's to schedule separate training for them.
One SGE did not receive IET has been on extended medical leave and did not participate in DHS activities in CY2019. There was also a significant decrease in DHS FACA activities in 2019 which may explain the decrease in SGEs.
Filer missed the first meeting but took the training.
Component's ethics officer was not available to attend the first meeting, but they have received IET as of now. All other SGEs received IET prior to 2019.
New SGE appointee did not attend last two meetings to receive training.
At one bureau, two panel members have not completed the training. These members did not participate in any of the meetings during 2019, and their subcommittee has not met.
Those who did not receive training were appointed but had not attended their first meeting.
The ethics office was not notified about the meeting prior to first meeting.
Two SGE appointees to FACA committees have not received ethics training because they have not yet attended a meeting of their FACA committee.
Two SGE's were late in completing their ethics training.
The numbers reported above are placeholders, rather than numeric counts of filers. Actual numbers are made available to cleared OGE personnel when required. The percentages are as follows: 55a. 100% / b. 0% / c. 0%
OMB ethics official was not aware of two SGEs until late in 2019. Each of these SGEs had received ethics training in previous years. Ethics training is scheduled before first 2020 meeting.

Q56 Table.

FACA members did not submit forms
One SGE serving on a committee decided to resign prior to the first meeting of his reappointment and did not file an OGE 450. One SGE expert served for part of calendar year 2019, but departed prior to the due date for his OGE 450 to cover the next 365-day period.
USDA 's SGEs are spread across the country and frequently do not have regular access to USDA IT systems and email. Many are full-time farmers who provide services to USDA as volunteers on nights and weekends. As such, communication with these individuals regarding their ethics requirements can be difficult and we did not receive approximately 5.5% of the SGE reports due during the year.

The designated federal officers assigned to notify and collect reports did not collect all the reports. They were sent several reminders but still did not follow up and collect reports.
MAJCOM explained: One HQE-SM failed to file an annual OGE Form 278e, despite numerous attempts to contact him.
Also, there was some HR confusion resulting from standing up a new Army Futures Command focused on research and development, which hired a lot of SGEs, HQEs, ST's, and similar employees.
36 reports received in 2020 and are awaiting receipt of three reports.
For all members who did not submit their reports, the Committee Management Officials are following up. Importantly, we have been informed that these members were not permitted to participate in committee meetings or other government matters.
Discrepancies result from members who did not participate in FACA activities so they did not file.
Two new SGE appointees have not submitted reports. One SGE was a new appointment in CY 2019 that did not attend any meetings or conduct any committee work. The other SGE was a new appointee that attended their first meeting in November and has not yet submitted a report. We are working with the agency to obtain the reports.
1 SGE is on extensive travel 1 SGE had a family emergency 1 SGE has had technical difficulties Historically, Fulbright Committee Members only submitted financial disclosure reports upon initial appointment or re-appointment. Beginning this year all board members will be assigned a New Entrant Report each year.
The discrepancies are a result of a variety of factors across certain Bureau and Office ethics programs including a breakdown in communication and coordination regarding appointments and member terms and the failure to develop and implement appropriate SGE filer identification, report collection, and tracking procedures and practices. The DOI will work to develop stronger SGE filer identification, report collection, and tracking procedures in CY 2020.
At one bureau, after repeated attempts, one panel member never submitted the form and bureau is attempting to secure the Form. The subpanel for which this member participates did not meet during CY 2019.
NA
1 FACA member resigned before filing report. 1 non-FACA member had medical issues.
The Confidential filer who did not complete his 2019 confidential financial disclosure report is an SGE who did not perform any work for the FLRA in that year. He did not complete the financial disclosure despite several emails asking him to do so. The Office is continuing to follow-up with him to ensure that he completes the applicable financial disclosure forms before he performs additional work for the FLRA.
NA
15 individuals currently recorded in EPTS as FACA Committee SGEs have not filed their OGE 450 forms. Ethics officials are following up with advisory committee managers to identify terminated committees for which individuals should be removed from filing status.
One non-governmental member of the Cost Accounting Standards Board was not requested to, and did not, file an OGE Form 450 in 2019.

One member of the board did not file an OGE 450
-The filers either did not file the report or were not notified in order to file.
One member of the FACA board was excused from filing due to resigning the position in the same calendar year. One other FACA board position was vacant until the very end of 2019, bringing the total required reports filed to be 8 of the 9 total SGE positions.

Q57 Table 1.

Please see response in text box immediately below and additional comments field at end of Part 12.
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 large report volume combined with a large client population (~5,000 employees per advisor) makes 100% timely review of reports very challenging.
Some reports were reviewed more than 60 days after submission because the reviewer was on detail when the reports were received.
True answers to a,b,c: Confidential (a)=88, (b)=73, (c)=73. Public (a)=13, (b)=10, (c)=7 MAJCOMs provided the following explanations: FACA Secretariat failed to deliver paper 450s with original signatures before the 60 day deadline lapsed. Personnel shortages and turnover resulted in a lack of oversight. Paper filers did not follow DOD protocol and have all original wet signatures on the paper form, resulting in a delay between submission and when the properly signed reports reach the certifier.
Primarily staffing issues.
Delays were primarily as a result of staffing changes in the ethics office.
Resource limitations among Agency components delay the timeframes for initial review.
Filers were SGEs, and thus worked limited hours and had limited availability to ethics officials to finalize reports.
There was only one Confidential Report that was certified outside of the 60 day submission. The reviewer was waiting on the filer to provide additional information and go back into FDM and e-sign the report again.
Certain reports were reviewed more than 60 days after submission due to a variety of factors across certain Bureau and Office ethics programs including a breakdown in communication and coordination regarding appointments and member terms, and the failure to develop and implement appropriate SGE filer identification, report collection, and tracking procedures and practices. The DOI will work to develop stronger SGE filer identification, report collection, and tracking procedures in CY 2020.
One report was not initially reviewed within 60 days due to the government shutdown. The report was submitted four days before the 35-day shutdown began, and reviewed and certified within a month after shutdown ended. Including the 35-day shutdown, the report was reviewed and certified at 64 days after submission. Excluding the 35-day shutdown, the report was reviewed and certified at 29 days after submission.
NA
Among the reasons reported by EPA 's deputy ethics officials: confusion over use of the 450 or the alternate 450 for SGEs (by new ethics officials) and press of other competing

duties and increased workload and demands. Regarding the public report: the SGE was under consideration for a FACA committee in one of EPA 's offices. That office initially reviewed the public report within 60 days of receipt, but did not forward it to OGC/Ethics staff for certification within that 60 day period.
During the financial disclosure season, the FLRA's Office of the Solicitor, which manages its Ethics program, had only one attorney, as opposed to the three attorneys that it normally employs. The Office now has a full complement of attorneys and this will not be an issue going forward.
NA
NA
Turnover in advisory committee Designated Federal Officer (DFO) assignments implicating initial review.
In 2019, NEH did not review and certify some financial disclosure reports within 60 days of submission due to understaffing and changes in roles among ethics program staff. This was an atypical year, however, and in 2020 we are committed to reviewing and certifying all financial disclosure reports within 60 days of submission.
Some of our advisory committees filed their AC member reports until all were gathered, and certified the reports prior to the meeting. Some were not reviewed or certified timely as a result. To address the late certification of advisory committee reports, timely review and certification of advisory committee reports is an agenda item for our upcoming directorate/division conflicts officials meeting.
The numbers reported above are placeholders, rather than numeric counts of filers. Actual numbers are made available to cleared OGE personnel when required. The percentages are as follows: 57a. 100% / b. 100% / c. 60% For all reports submitted, a technical review and conflicts analysis was undertaken by an attorney within 60 days after the filers submitted the report.
Temporary staffing shortage due to reassignment of personnel.
Personnel resource constraints that were resolved by the end of 2019.
Note that one PAS/SGE Board Member had to file a Nominee 278 for his renomination in addition to his Annual 278.
N/A
The sealed federal express envelope containing one OGE 450 was misdirected within OGC. Once it was discovered, the Ethics Office reviewed and certified the form without delay.

Q57 Table 2.

Awaiting issuance of 208(b)(1) waiver before closing/certifying one Form 450 from SGE (Public Board Member).
Noting that one public report (termination) was submitted Dec 29 and has not yet been reviewed, closed or certified.
Some reports were reviewed more than 60 days after submission because the reviewer was on detail when the reports were received.
MAJCOMs explained: Filers failed to return a response to questions until the 60 day deadline had lapsed. Supervisor failed to review and sign within the 60 day deadline.

Personnel shortages and turnover resulted in a lack of oversight. Complex reports required additional time to review. Paper filers did not follow DOD protocol and have all original wet signatures on the paper form, resulting in a delay between submission and when the properly signed reports reach the certifier.
Primarily staffing issues.
Delays were primarily as a result of staffing changes in the ethics office.
See above explanation/comment.
Certain reports were certified more than 60 days after submission due to a variety of factors across certain Bureau and Office ethics programs including a breakdown in communication and coordination regarding appointments and member terms, and the failure to develop and implement appropriate SGE filer identification, report collection, and tracking procedures and practices. The DOI will work to develop stronger SGE filer identification, report collection, and tracking procedures in CY 2020.
Two reports were not certified within 60 days. For one report, the government shutdown caused the delay. The report was submitted four days before the shutdown began, and it was certified at 64 days after submission (excluding the 35-day shutdown from this count, report was certified at 29 days after submission). For the other report, certification was at 65 days after submission due to program oversight.
NA
Among the reasons reported by EPA 's deputy ethics officials: confusion over use of the 450 or the alternate 450 for SGEs (by new ethics officials) and press of other competing duties and increased workload and demands.
All OGE 450 financial disclosure reports for SGEs in 2019 were timely received and reviewed. All were timely certified except one report belonging to an SGE serving on a FAC working group. Although we timely reviewed the OGE 450 report and assured the filer of his compliance with the ethics and reporting rules, we neglected to certify the report within 60 days due to an administrative oversight. The error was corrected and the filer 's OGE 450 report has now been certified.
During the financial disclosure season, the FLRA's Office of the Solicitor, which manages its Ethics program, had only one attorney, as opposed to the three attorneys that it normally employs. The Office now has a full complement of attorneys and this will not be an issue going forward.
NA
NA
FACA Designated Federal Officer (DFO) turnover, heightened attention to outstanding information prior to scheduled FACA meetings.
The NEA utilizes a significant volume of SGEs throughout the year as part of its grant panel process (statutorily required). *Arts Advisory FACA Committee = 598 *FACIE FACA Committee = 4 *National Council on the Arts = 16
Understaffing and changes in roles among ethics program staff.
See explanation above.
The delay in final review and certification of financial disclosure reports is due to staffing limitations and a prioritization towards providing timely, substantive Ethics advice to the workforce.

All reports were screened upon receipt to ensure no discrepancies existed. All reports were certified/closed together.
Personnel resource constraints that were resolved by the end of 2019.
One SGE's re-nomination is on-going, and his report has yet to be certified.
See above.

Part 12 Additional Comments

Response to 54: The number of SGEs was 9 at the beginning of the year, but the position of one of them was changed by statute to full-time, PAS before the end of the year.
USADF did not on-board new SGEs in CY2019 for the purposes of IET. However, USADF provided annual ethics training for its five SGEs during CY2019.
All Form 450 reports submitted by the agency's 12 SGEs were timely reviewed within 60 days of receipt. However, on one 450 report, the reviewing ADAEO requested additional information from that individual to fully evaluate a potential conflict of interest. Once such information was received and evaluated, it was determined, after discussions with the DAEO and OGE, that the situation presented a financial conflict of interest under sec. 208. Consequently, the agency drafted a waiver under 208(b)(1), which has been submitted to OGE for consultation. We are awaiting completion of this consult process and signature by agency head on final waiver before clearing/certifying this one 450 report.
The response to Question 54 does not include reserve officers. The total number of reserve officers is 12,825.
Q54 & 56: The SGE is already counted in the Public Financial Disclosure numbers in #34, but we are also including that information here. He has not performed any work in 2019
NA
#56(f) - IMLS , as a federal grant-making agency, operates a peer-review system. Peer-Reviewers, as SGEs, complete ethics training and submit an OGE approved conflict of interest form.
NA
NARA provides ethics support to the Public Interest Declassification Board. The PIDB was not authorized to operate for most of 2019, so no financial disclosure forms were collected. Congress reauthorized PIDB in December 2019 and NARA will resume providing ethics support for PIDB.
All Commissioners received an initial ethics training in September 2017 when first appointed, and they have received annual trainings since then.
54.-57. The numbers reported above are percentages, rather than numeric counts of filers. Actual numbers are made available to cleared OGE personnel when required.
N/A
Waiver granted to Board Member for 278-Ts. DAEO notified OGE.
NA
There were 9 Board Members in 2019. Seven filed the annual reports and two submitted OGE Form 450s through the nomination pre-clearance process with OGE.
n/a

59. Due to the government shutdown we granted an extension to all of our OGE-450 filers until 3/15/19. Our 1 SGE OGE-450 filer submitted their form prior to the 3/15/19 deadline.
Of the 21 Commission Members 7 were late in filing the 450. We did not grant them extensions but repeatedly reminded them to submit. They were provided with Ethics Training and a hard copy of the 450 on 11/14/18. They were sent the 450 via email shortly thereafter. Due to the shutdown, they were notified on 2/5/19 that they had an extension to 3/1/19 and we sent reminders of the impending due date and followed up after it had passed. Six of the seven submitted by 4/1/19. The seventh person submitted an incomplete 450 it was completed on 7/25.
Q56: All were in the nomination or re-nomination stage and filed OGE 278 reports for that purpose. The reports are to be kept confidential under the U.S. Senate Committee on Homeland Security & Governmental Affairs' guidelines.
59. Both filers filed within extensions granted.
Two of our SGE Board members did not receive notice of the filing requirement, so were granted waivers of the late filing fee.

Additional Comments

It's interesting to see how this questionnaire gets longer and more complicated each year. Why is that? For nano-sized agencies like USARC, this increases the burden to read through a lot of stuff that's irrelevant to us.
In the past, DAF compiled data through an online application that provided a scaled down questionnaire to all of the organizations in the DAF. Since submitting the 2018 report to OGE, both the then-Ethics Director, and the then-Ethics Counselor completing the annual agency report have departed the DAF. Upon the new Ethics Director and Ethics Counselor reviewing the online application, we realized that the questionnaire was static and outdated. Moreover, organizations throughout the DAF were inconsistently completing the reports at varying levels, sometimes resulting in double and triple counting of some reporting numbers, such as training, or, conversely, failing to report at all, because some organizations erroneously believed other organizations were reporting on their behalf. When the new Ethics Director and Ethics Counselor realized that any data received through that online application was unreliable,, we directed the field offices worldwide from utilizing the online application, and submitted OGE 's 2019 questionnaire to all of the MAJCOMs en toto. The MAJCOMs were then tasked with going down the chain of organizations within their command, and rolling that data up to the Air Force Ethics Office at Headquarters Air Force. We then consolidated the data for this report. With a massive agency like the Department of the Air Force, obtaining this detail of data remains challenging however, we believe the data provided in this report is as accurate and complete as possible. We understand that there are some marked differences between the data in the 2018 report and this report however, we attribute the differences to the flawed internal reporting system used in prior years. We will continue to refine the reporting process in future years to ensure consistently accurate and complete reporting in the future. We also have taken this opportunity to assess areas in our ethics program that require immediate attention, redress, and planning for long-

<p>term success. For instance, we will be working closely with the MAJCOMs to ensure that financial disclosure programs are meeting deadlines, personnel are being timely and properly trained, and new employees are being properly notified of their ethics obligations. As always, the DAF appreciates OGE 's assistance and guidance in running the most effective ethics program possible.</p>
<p>On August 14, 2019, Secretary David L. Bernhardt signed Secretarial Order 3375, which realigned the reporting structure for the DOI 's ethics program and unified eleven of the thirteen Bureau and Office ethics programs into one centrally-managed office directly reporting to the DAEO in the DEO. Under the previous structure, the DOI ethics program consisted of thirteen disparate ethics programs with varying staffing and operational standards. In less than six months, the ethics programs for eleven Bureaus and Offices were consolidated into the DEO and directly reporting to the DAEO. The DAEO also continues to serve in a leadership role for the ethics programs for the DOI 's OIG and the National Indian Gaming Commission (NIGC). As reflected in one of the cross cutting principles of the DOI 's strategic plan, the realignment of ethics programs into the DEO as directed by Secretary Bernhardt will assist the DOI and its employees in maintaining the public trust and confidence in the integrity of government by adhering to high ethical standards and ensuring that government business is conducted with impartiality, transparency, accountability, and integrity. The realignment has resulted in a significant expansion and improvement of the DOI ethics program, which in turn has increased efficiency, consistency, and accountability in the implementation of ethics programs and services provided to DOI employees.</p>
<p>You will note one nominee report reviewed and closed in 2019. That nominee has not yet been confirmed.</p>
<p>52. Officials sought approval from the DAEO and the DAEO staff as to any covered gift or covered matter. We have since learned that some of our guidance was not consistent with OGE interpretation or mistaken.</p>
<p>NA</p>
<p>NA</p>
<p>N/A</p>
<p>NA</p>
<p>n/a</p>
<p>EAC DAEO and ADAEO positions became vacant late 2019. We have recruited a new DAEO who started employment with us on Feb 3, 2020. Has several years of ethics experience, has served as the agency ethics officer at her former agency, and is an attorney. She will commence her duties as EAC ethics program manager.</p>
<p>N/A</p>
<p>All 3 SGEs were 450 filers. Due to timing of appointment, two were due and filed in 2019, the third was filed in 2020. All three will be certified in 2020.</p>