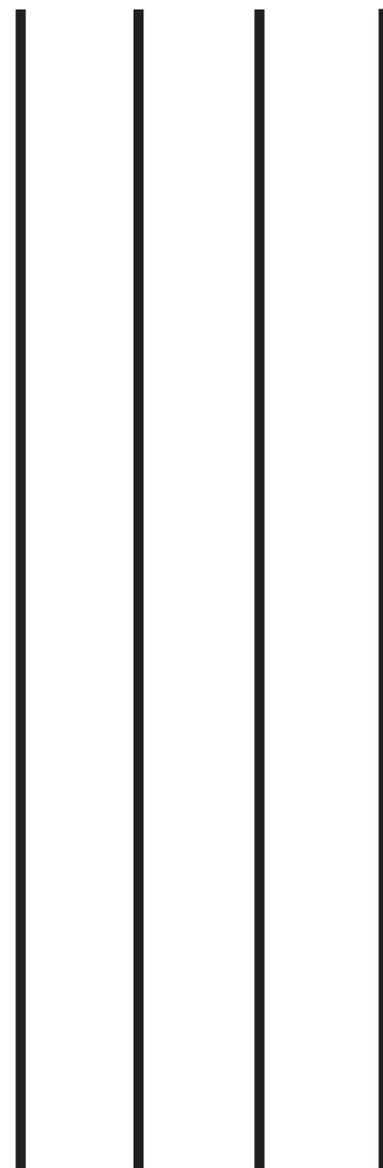


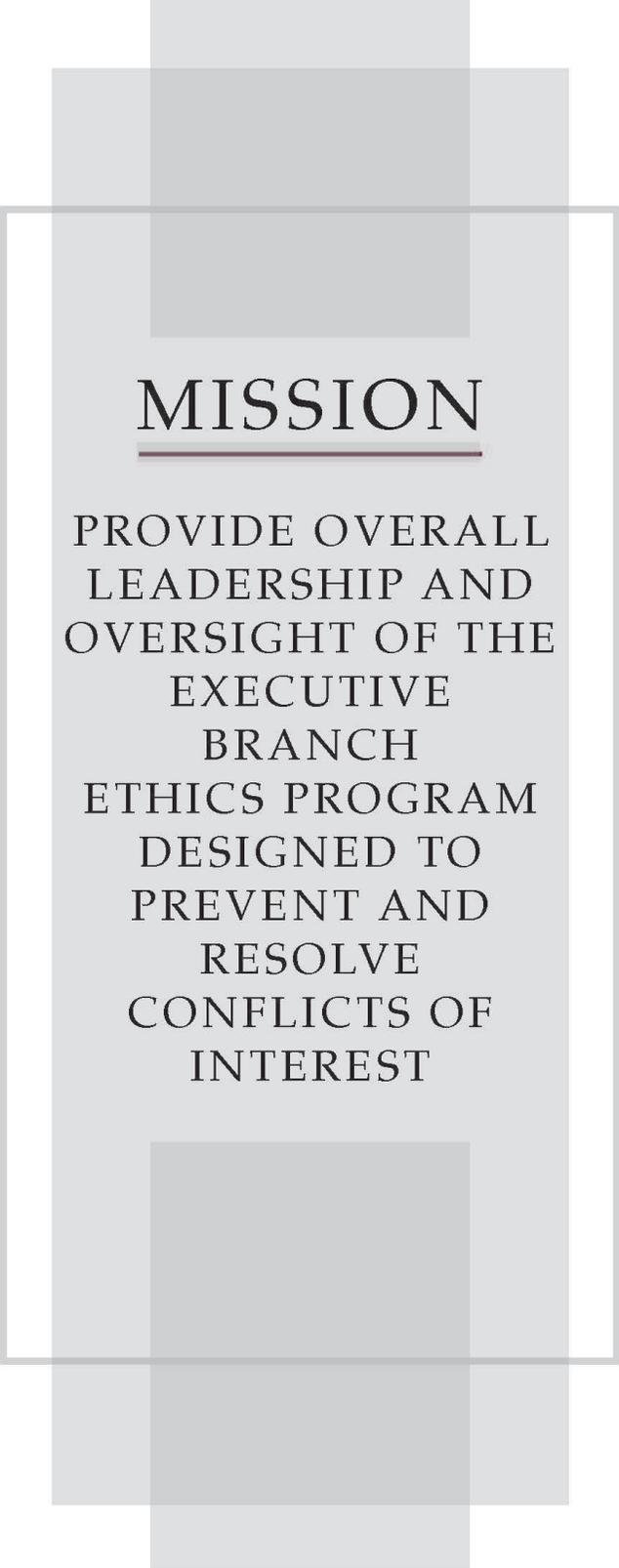
# ANNUAL PERFORMANCE REPORT



FISCAL YEAR  
2021



UNITED STATES  
OFFICE OF  
GOVERNMENT  
ETHICS



## MISSION

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

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## SECTION I – ABOUT OGE

The U.S. Office of Government Ethics (OGE) was established by the Ethics in Government Act of 1978. The Act vests OGE with responsibility for providing “overall direction of executive branch policies related to preventing conflicts of interest on the part of officers and employees of any executive [branch] agency.”



As this statutory language makes clear, the primary objective of the executive branch ethics program is one of **prevention**. Under OGE’s leadership, thousands of ethics officials are engaged in preventing ethical lapses and protecting the impartiality of government decision-making through the implementation and application of the ethics laws and rules in the more than 130 agencies across the executive branch. OGE uses oversight, rules, advice and counseling, financial disclosure, education, and transparency to enable federal employees at all stages of their service to preserve the public trust. Specifically, the program strives to ensure:

- Incoming Presidential appointees are aware of their ethical obligations and roles in creating an ethical culture in their organizations as they begin government service.
- Public servants at all levels remain free from conflicts of interest, and even the appearance of conflicts of interest, as they carry out the responsibilities the American people have entrusted to them.
- Employees who are seeking to leave the government avoid conflicts of interest and, after they leave government service, do not exercise undue influence over their former agencies on behalf of others.

Above all, the program strives to protect the public’s trust in government. For when efforts at prevention fall short, agencies may be crippled by scandal, important work may be delayed or derailed, leaders may be forced from office, and ultimately the public’s trust in government may be eroded.

### OFFICE OF GOVERNMENT ETHICS: A SMALL BUT AGILE AGENCY

OGE is a lean organization, operating at fewer than its 80 authorized full-time equivalents (FTE). OGE’s greatest resource is its multidisciplinary staff of attorneys, ethics and financial experts, as well as other key personnel. OGE is headed by a Director who is nominated to a five-year term by the President and confirmed by Senate. In addition

to the Office of the Director, OGE is divided into four divisions, guided by OGE’s Chief of Staff and senior leadership, who work in concert to carry out OGE's mission.

## OGE AND EXECUTIVE BRANCH AGENCIES: A SHARED RESPONSIBILITY

Maintaining the trust of the public we serve is a shared responsibility between OGE and executive branch agencies. As the supervising ethics office, OGE leads and sets policy for the entire executive branch ethics program. Through support, guidance, training, and oversight of agencies, OGE strives to lead a decentralized program that remains an effective mechanism to prevent conflicts of interest and violations of ethical standards. OGE relies on a variety of officials at each agency to carry out this important mission.

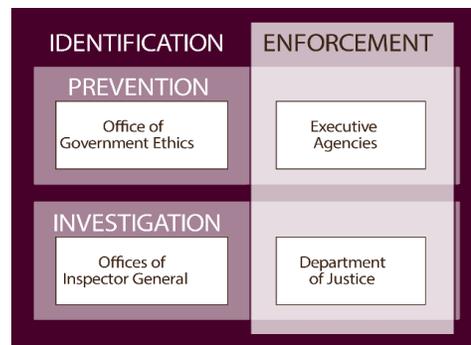


**Figure 2: OGE and the Executive Branch**

The head of each executive branch agency is statutorily responsible for leading the ethics program in their agency. This responsibility includes creating an ethical culture by demonstrating a personal commitment to ethics and providing the necessary resources to implement a strong and effective agency ethics program.

The agency head is responsible for selecting a Designated Agency Ethics Official (DAEO). The DAEO, with the support of professional ethics staff, is the employee with primary responsibility for directing the daily activities of an agency’s ethics program and coordinating with OGE. Each agency’s employees, including supervisors, human resources officials, and the agency’s Inspector General, play a significant role in maintaining the integrity of government programs and operations.

OGE, and the ethics officials across the government, are not alone in promoting trust in government. Other executive branch agencies and entities focus on additional areas of government integrity, such as merit system protections in the civil service; full and open competition in procurement; fiscal controls; transparency programs; investigation of waste, fraud, and abuse; and criminal, civil, and administrative enforcement.<sup>1</sup>



**Figure 2: Institutional Integrity**

<sup>1</sup> See, e.g., [28 U.S.C. §§ 501-599](#) (DOJ); [5 U.S.C. app. §§ 1-13](#) (IG Act); [5 U.S.C. §§ 1101-1105](#) (OPM); [5 U.S.C. §§ 1201-1206](#) (MSPB); [5 U.S.C. §§ 1211-1219](#) (OSC); [5 U.S.C. § 3110](#) (Employment of relatives); [41 U.S.C. § 3301](#) (Full and open competition); [5 U.S.C. § 552](#) (Public information); [31 U.S.C. § 1341](#) (Appropriations).

## LONG-TERM STRATEGIC GOALS

Uniformity	Accountability	Continuity	Engagement
<b>Strategic Objective 1.1:</b> Provide Expert Guidance and Support to Stakeholders	<b>Strategic Objective 2.1:</b> Monitor Agency Compliance with Executive Branch Ethics Program Requirements	<b>Strategic Objective 3.1:</b> Prepare for a Presidential Transition	<b>Strategic Objective 4.1:</b> Inform the Public about OGE and the Executive Branch Ethics Program
<b>Strategic Objective 1.2:</b> Strengthen the Expertise of Officials Who are Integral to the Executive Branch Ethics Program	<b>Strategic Objective 2.2:</b> Monitor Senior Leaders' Compliance with Individual Ethics Commitments	<b>Strategic Objective 3.2:</b> Provide Assistance to the President and the Senate in the Presidential Appointment Process	<b>Strategic Objective 4.2:</b> Make Government Ethics Information Publicly Available
<b>Strategic Objective 1.3:</b> Continuously Refine Ethics Policy and Issue Interpretive Guidance			
<b>Management Objective 5.1:</b> Sustain a Strong Culture of Performance Management			
<b>Management Objective 5.2:</b> Strengthen Organizational Compliance and Fiscal Stewardship			
<b>Management Objective 5.3:</b> Continuously Enhance OGE's Information Systems and Processes			

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

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

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

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

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

Starting on page 8, this document describes OGE's Fiscal Year 2021 Performance Highlights. Page 7 describes OGE's performance in more detail and provides data related to the performance goals OGE used to measure its progress toward achievement of its strategic objectives.

## **SECTION III – FISCAL YEAR 2021 PERFORMANCE REPORT**

It is OGE's mission to safeguard the integrity of executive branch programs and operations and to bolster public confidence in the impartiality of government decision-making. This important mission is translated into OGE's strategic goals and objectives. OGE's success in achieving these strategic goals and objectives is measured by its progress on established performance goals.

In fiscal year 2021, despite the challenges created by the pandemic, OGE successfully continued delivering its mission critical work using an all-remote workforce. This section highlights OGE's major accomplishments and progress toward achieving its strategic objectives in fiscal year 2021, as measured by its performance goals.<sup>2</sup>

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<sup>2</sup> The performance goals are based on statistical data from a variety of sources, including post-training evaluations, an annual agency ethics program questionnaire, website analytics, and an annual survey of ethics officials to assess satisfaction with OGE's services and products.

## SECTION II – FISCAL YEAR 2021 PERFORMANCE HIGHLIGHTS

### Before Election

- Actively participated as a statutory member of executive branchwide Transition Council including briefings and presentations
- Delivered training and held workshops for Nominee Reviewers (External and Internal)
- Provided briefings and training to Campaigns on Government Ethics and *Integrity*
- Complied with succession planning and other requirements of the Presidential Transition Act, as amended
- Prepared materials and briefings for OGE's Agency Review Team

### Before Inauguration

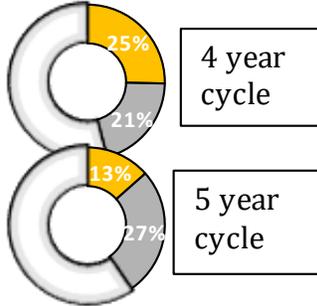
- Actively participated as a statutory member of executive branchwide Transition Council including presentations and briefings
- Navigated delayed ascertainment
- Reviewed nominees' financial disclosure reports
- Supported the incoming Presidential Transition Team and outgoing administration (training, program support, financial disclosure)
- Briefed OGE's Agency Review Team

### After Inauguration

- Reviewed and closed **456** termination financial disclosure reports of previous administration, **40%** of all PAS positions
- Pre-cleared **496** PAS nominee reports of new administration, **45%** of all PAS positions
- Implemented new administration's executive order on ethics
- Issued advisories related to the new ethics pledge and presidential transition
- Offered extensive support to the new Executive Office of the President ethics programs
- Reviewed **180** Certificates of Divestiture
- Monitored ethics agreement compliance for **146** appointees
- Released nearly **18,500** ethics documents to citizens, press, and good government groups
- Sent memos from OGE's Director to **all** new PAS officials

# OGE SEAMLESSLY DELIVERED MISSION-CRITICAL WORK DESPITE COVID-19

## Accountability: Program Reviews



## Uniformity: Ongoing Work

**Guidance:** 18 legal and program advisories publicly issued.

**Expert Support:** More than **1,100** advice requests answered.

**Training:** Over **150** OGE training products available online. Held consultations, workshops, and DAE0/ADAE0 orientations.

**Annual Public Financial Disclosures:** Nearly 400 analyzed.



## Integrity: 7th Year of Successful Operation

- Adopted by new Administration allowing seamless continuity despite the pandemic
- Over 24,000 of public financial filers use *Integrity*
- 7th Successful Independent Security Assessment
- 92% of agency administrators are satisfied with the support provided by OGE on *Integrity*

## Transparency: Continuing Public Interest

Released nearly **18,500** ethics documents to citizens, press, and good government groups.



## **STRATEGIC GOAL 1: ADVANCE A STRONG, UNIFORM EXECUTIVE BRANCH ETHICS PROGRAM**

OGE was established to lead the uniform executive branch ethics program designed to prevent conflicts of interest on the part of executive branch employees.

*The absence of a strong, uniform executive branch ethics program with clear and consistent rules, guidance, support, and training could lead to ethical lapses and a loss of public confidence in government.*

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

### **STRATEGIC OBJECTIVE 1.1: PROVIDE EXPERT GUIDANCE AND SUPPORT TO STAKEHOLDERS**

OGE achieved its objective of providing expert guidance and support to stakeholders in fiscal year 2021 through quality Desk Officer services, communications with ethics officials and other external stakeholders, assistance to *Integrity* users, and support for the work of the enforcement and international communities. Key highlights of OGE's work are described below.

#### ***PROVIDED ON-DEMAND EXPERTISE TO AGENCY ETHICS OFFICIALS***

OGE provides necessary support to agency ethics officials so they can provide uniform and effective ethics guidance to the more than 2.7 million federal employees in the executive branch who serve the American people. OGE provides timely, expert advice on applying ethics laws and regulations, and disseminates up-to-date ethics information ethics practitioners need to do their jobs effectively.

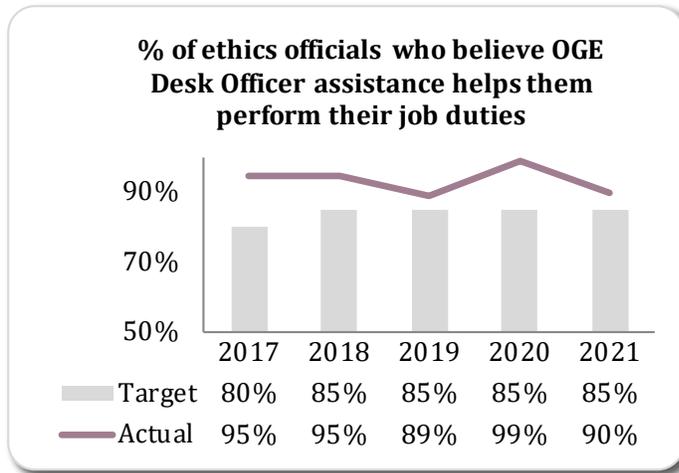
#### ***OGE SUPPORT FOR ETHICS OFFICIALS***

- DESK OFFICER PROGRAM
- QUARTERLY MEETINGS
- DAEO/ADAEO ORIENTATION
- WELCOME LETTER FROM DIRECTOR
- TRAININGS FOR SENIOR OFFICIALS
- ONLINE ETHICS LEARNING EVENTS

OGE's Desk Officers assist agencies every day in resolving difficult ethics issues requiring expertise that only the supervising ethics office can provide. In fiscal year 2021, OGE Desk Officers and attorneys responded to approximately 1,100 requests for assistance from agencies. Twenty-six percent (26%) of those requests were related to financial disclosure. Desk Officers also proactively met with agency ethics offices to provide expertise and support, and to offer a broad range of OGE's services.

In fiscal year 2021, OGE’s Director sent a welcome letter to each new Designated and Alternate Designated Agency Ethics Official (DAEO/ADAEO) with critical details about

their important roles and responsibilities, professional development opportunities, including OGE’s DAEO/ADAEO orientation program, and the array of resources OGE provides to support agency ethics officials. OGE Desk Officers met virtually with new agency ethics officials to provide an overview of ethics program requirements and to offer OGE’s services.



*DESK OFFICER ASSISTANCE*

**Performance Goal:** OGE measured the performance of the Desk Officer program by surveying ethics officials who requested assistance during

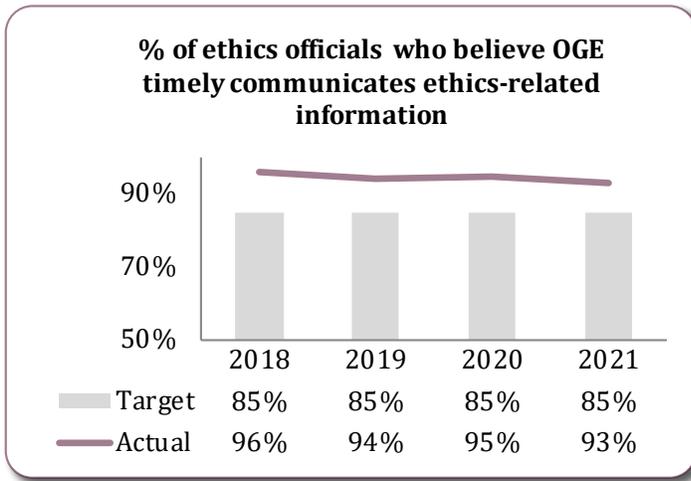
fiscal year 2021. Ninety percent (90%) of survey respondents indicated that Desk Officers helped them to perform their job duties. Target: 85% | Actual: 90%

***ENGAGED WITH ETHICS OFFICIALS AND OTHER EXTERNAL STAKEHOLDERS TO SHARE INFORMATION AND SHAPE POLICY***

OGE continued its efforts to share ethics-related information with ethics officials and other external stakeholders so they have the most up-to-date information needed to carry out their responsibilities. To support this effort, OGE used an email listserv, virtual meetings, and its [website](#) to provide timely and relevant information to the ethics community.



In fiscal year 2021, OGE notified senior executive branch officials about OGE’s initiatives by organizing conference calls, focus groups, and webinars. For instance, OGE’s Director continued the practice of holding quarterly conference calls for senior agency ethics officials that were attended by officials from more than 80 agencies. During these calls, OGE’s senior leaders shared information critical to managing an effective ethics program, encouraged discussion of current ethics issues facing the executive branch, and consulted with agency ethics officials regarding contemplated changes to OGE’s policies and regulations.



*TIMELY COMMUNICATION*

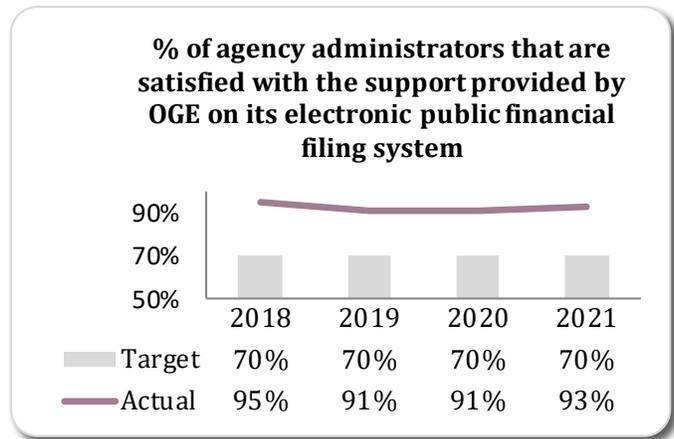
In response to OGE’s annual survey of ethics officials, eighty-four percent (84%) of respondents indicated that they felt more informed as a result of attending these quarterly meetings.

**Performance Goal:** OGE measured the timeliness of its communications by surveying ethics officials. Ninety-three percent (93%) of survey respondents indicated that OGE timely communicates ethics-related information.

Target: 85% | Actual: 93%

***PROVIDED SUPPORT FOR INTEGRITY***

OGE continued to support agencies’ use of *Integrity*, OGE’s executive branch-wide electronic public financial disclosure filing system. In addition to helping incoming Presidential nominees—many of whom had extremely complex financial disclosure filings—to more accurately and easily complete their disclosures, the system enabled the executive branch to seamlessly continue the public financial disclosure process throughout the Presidential transition and the pandemic. During this time, the value of *Integrity* in



*INTEGRITY SUPPORT*

facilitating OGE’s mission critical work was even more apparent, when virtual access was essential and public trust mattered most. Additional information about OGE’s transition support and the role of *Integrity* in the transition can be found on page 31.



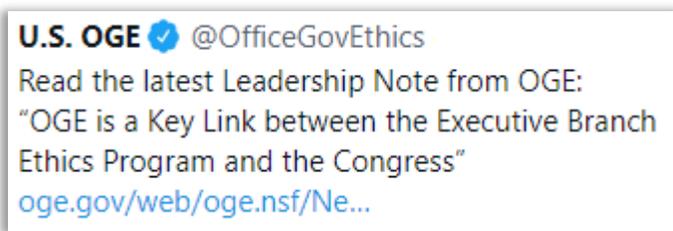
*Integrity* has been critical in providing support to the new administration, as more than 24,600 of approximately 26,000 filers in the executive branch use the system. Additional information about *Integrity* can be found on page 41.

**Performance Goal:** OGE exceeded its goal for the percentage of agency administrators (93%) who are satisfied with the support provided by OGE on its electronic public financial filing system.

Target: 70% | Actual: 93%

### ***PROVIDED TECHNICAL ASSISTANCE TO CONGRESS***

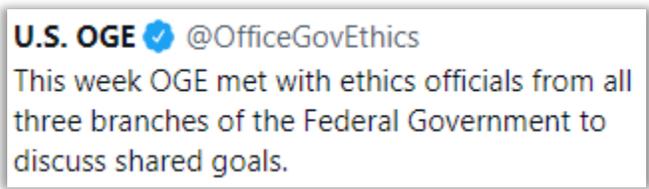
OGE serves as the legislative liaison for the executive branch ethics program to Congress. OGE works to build congressional understanding of the program, to inform



congressional oversight, and to provide technical expertise on proposed revisions to ethics laws. Notably, OGE [responded](#) to eight complex inquiries from members of Congress and provided 37 telephone consultations in response to requests for technical assistance on draft legislation and on a wide variety of

executive branch ethics issues.

OGE also represented the executive branch ethics community by providing ethics expertise on 29 requests for comment on legislative materials and Executive Orders and Presidential Memoranda circulated by the Office of Management and Budget (OMB). OGE achieved a one-hundred percent (100%) success rate for timely responding to all of the requests it received.



For additional information on the numerous requests OGE receives from outside entities see page 34.

### ***SUPPORTED THE WORK OF THE ETHICS ENFORCEMENT COMMUNITIES***

OGE supported the vital work of the ethics enforcement communities, including Inspectors General (IGs), the Department of Justice (DOJ), and employee relations personnel, who are responsible for holding agency employees accountable for abiding by



the ethics laws. During fiscal year 2021, OGE staff provided direct support to approximately 20 investigators from Inspectors General offices and to five federal prosecutors. OGE assisted with the interpretation and application of

federal conflict of interest laws and ethics regulations in connection with numerous active enforcement matters.

In concert, OGE, agency ethics officials, and IGs work to ensure the effectiveness of the executive branch ethics program. As part of that important relationship, OGE serves as a statutory member of the Council of the Inspectors General on Integrity and Efficiency (CIGIE) and on the CIGIE Integrity Committee. In fiscal year 2021, OGE continued to serve as a standing member, participating in CIGIE’s meetings, and supporting its Integrity Committee. For information on the training OGE provides to enforcement communities, see page 13.

### ***CONTRIBUTED TO INTERNATIONAL ANTI-CORRUPTION EFFORTS***

OGE supported U.S. anti-corruption foreign policy by (1) assisting the State Department in ensuring that the U.S. meets its international anti-corruption obligations, (2) supporting U.S. participation in organizations that shape anti-corruption norms, and (3) supporting other countries’ efforts to effectively manage conflicts of interest.

In fiscal year 2021, OGE assisted the State Department in ensuring that the U.S. meets its anti-corruption obligations by participating in three multilateral peer reviews pursuant to anti-corruption treaties. OGE also helped the State Department prepare for meetings related to the United Nations Convention against Corruption.



OGE continued to help shape international anti-corruption norms and good governance policies in fiscal year 2021. For example, OGE provided support to U.S. representatives for other anti-corruption working groups and participated in an Organisation for Economic Co-Operation and Development panel on innovative tools to implement public integrity.



During fiscal year 2021, OGE assisted in supporting the implementation of the [National Security Study Memorandum Establishing the Fight Against Corruption as a Core United States National Security Interest](#), issued by the President in June 2021. OGE supported other countries’ efforts to

effectively manage conflicts of interest in additional ways during fiscal year 2021. OGE continued to meet with foreign public and private sector groups about the executive branch ethics program to discuss how the ethics program fits into the broader context of anti-corruption, good governance, and transparency. In fiscal year 2021, OGE briefed four foreign delegations comprising 69 individuals representing 36 countries.

## **STRATEGIC OBJECTIVE 1.2: STRENGTHEN THE EXPERTISE OF OFFICIALS WHO ARE INTEGRAL TO THE EXECUTIVE BRANCH ETHICS PROGRAM**

OGE strengthened the expertise of officials who are integral to the executive branch ethics program by encouraging and supporting ethical leadership, conducting virtual learning events, and maintaining an extensive library of ethics resources.

### ***ENCOURAGED AND SUPPORTED ETHICAL LEADERSHIP THROUGHOUT THE EXECUTIVE BRANCH***

Ethical culture begins with ethical leadership throughout an organization, from the top down. OGE engaged agency leaders on the importance of ethics and sensitized federal managers to ethics issues. In fiscal year 2021, OGE’s Director sent nearly 150 welcome letters discussing these important responsibilities to each incoming Presidential appointee as they were confirmed by the Senate. Within each letter, OGE’s Director encouraged new leaders to remain “fully committed to our singular duty: to serve the public,” and urged them to regularly remind their teams of this duty, to reiterate that each department and agency has dedicated and well-supported ethics officials to help with the tough issues, and to always consider their own oaths as they carry out their important duties.



OGE staff also engaged with senior leadership directly and indirectly through training, presentations, program reviews, external communications, nominee financial disclosure reports and ethics agreements, and publications. In addition, OGE shared tools and tactics to help leaders effectively communicate the ethical expectations for their organizations.

## ***CONDUCTED CRITICAL TRAINING AND PROFESSIONAL DEVELOPMENT FOR ETHICS OFFICIALS***

Well-trained ethics officials help agency leaders and employees manage risks every day. Ethics officials must have the knowledge, skills, and abilities necessary to provide expert counsel, identify and resolve conflicts of interest, deliver quality training, and manage effective programs, making their ongoing professional development vital to the strength of the ethics program. In fiscal year 2021, OGE was able to seamlessly continue delivering critical training and professional development for ethics officials throughout the pandemic, because of OGE's existing virtual tools and access. Toward this effort, OGE provided the following for ethics officials in fiscal year 2021.

**U.S. OGE**  @OfficeGovEthics

OGE helps experienced ethics officials share lessons learned and program practices with their colleagues across the executive branch. In our inaugural episode of Speaking of Ethics, we discuss communicating for an ethical culture.

*Orientations:* OGE conducted orientations for new DAEOs and ADAEOs to introduce them to their roles and responsibilities as ethics program leaders and advocates. Nearly 70 senior officials participated in these training sessions.

*Virtual Workshops:* In fiscal year 2021, OGE held virtual workshops on election readiness, supporting the transition, and communicating with incoming leadership. These workshops provided ethics officials with the opportunity to learn from their peers in small

discussion groups and improve their own ethics programs. Based on practices and ideas shared at workshops, OGE created content for the entire ethics community.

**U.S. OGE**  @OfficeGovEthics

OGE is meeting individually with ethics program leaders across the executive branch to help them formulate communications strategies to promote ethics in their agencies.

*Consultations:* In fiscal year 2021, OGE met individually with 93 ethics program leaders from 23

agencies across the executive branch to help them formulate communications strategies to promote ethics in their agencies. OGE met with leaders from the Department of Defense, Department of Homeland Security, and the Social Security Administration, among others.

*Virtual Library:* To ensure that ethics officials across the nation have access to OGE's training, OGE continued to broadcast its virtual training sessions through social media platforms and made them publicly available through OGE's [website](#). Overall, in fiscal year 2021, the entire portfolio of training videos were viewed nearly 19,000 times with an average duration of 20 minutes.

**Performance Goal: OGE**

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

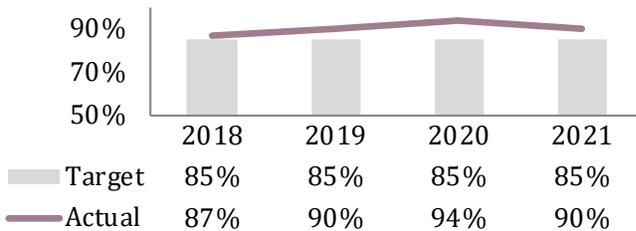
Target: 90% | Actual: 92%

*Published curricula and resources for ethics officials*

In fiscal year 2021, OGE continued to publish curricula and resources that helped ethics officials provide expert counsel, identify and resolve conflicts of interest, deliver quality training, and manage effective programs. For example, in fiscal year 2021, OGE created a new [resource](#) for ethics officials who have to counsel Special Government Employees (SGEs) or otherwise deal with the unique ethical issues posed by SGEs. In addition, OGE provided trainings and new resources related to reviewing [confidential](#) and [public](#) financial disclosure reports, as well as resources on [strategic communications](#) planning for incoming leadership.

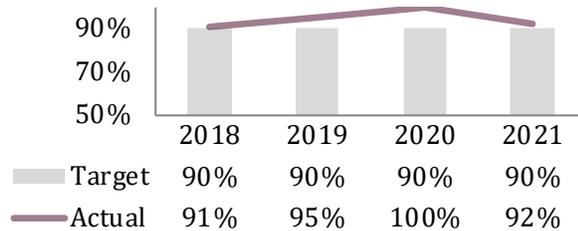
OGE’s virtual [library](#) includes more than 170 education resources designed for use by ethics officials, including recordings of training presentations, slide decks, and job aids, which can be searched and sorted by topic, type, and complexity. OGE encouraged ethics officials to use these resources to create self-paced curricula for their professional development and to strengthen their ethics programs.

**% of ethics officials who believed after using a learning tool provided by OGE, they can more effectively perform their job function.**



*LEARNING TOOLS*

**% of ethics officials who believed they could more effectively perform their job function after participating in an OGE training event.**



*OGE TRAINING*

**Performance Goal: OGE** exceeded its goal for the percentage of ethics officials who believed that after using a learning tool provided by OGE, they can more effectively perform their job functions.

Target: 85% | Actual: 90%

## ***TRAINED ENFORCEMENT COMMUNITIES***

To ensure that executive branch ethics laws can be effectively enforced, OGE provides advice and training to the various enforcement communities, including the Department of Justice’s criminal and civil divisions, Inspectors General, and employee relations professionals. OGE routinely assisted Inspectors General and prosecutors in understanding the complexities of the ethics laws and regulations involved in ethics-related investigations. OGE provided an array of training to Inspectors General in fiscal year 2021. For example, OGE instructors provided well-received training to 40 attendees at the Inspector General Criminal Investigator Academy, focusing on investigating ethics-related matters and working with ethics officials. This particular training is an integral part of the Academy’s curriculum and complements a web-based training module OGE developed for Inspectors General investigators.



## **STRATEGIC OBJECTIVE 1.3: CONTINUOUSLY REFINE ETHICS POLICY AND ISSUE INTERPRETIVE GUIDANCE**

OGE continuously refined ethics policy and issued interpretive guidance by providing timely legal and program guidance, conducting in-depth reviews of regulations, publishing regulations, and renewing forms. Key highlights of OGE’s work are described below.

### ***ISSUED INTERPRETIVE GUIDANCE THAT INTEGRATED STAKEHOLDER FEEDBACK***

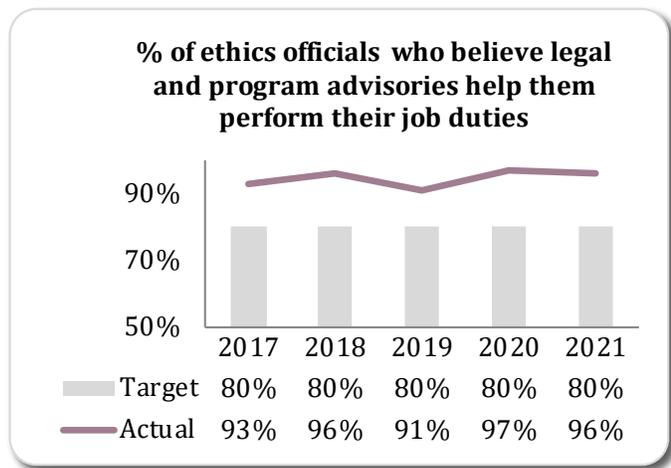
In addition to providing day-to-day assistance through the Desk Officer program, OGE issues [legal and program advisories](#) to disseminate critical information to the executive branch ethics community and to promote uniform interpretation of ethics laws, regulations, and policies. Executive branch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

In fiscal year 2021, OGE issued 14 legal advisories providing guidance on emerging ethics issues and in response to agency ethics officials on specific questions from employees. For example, OGE was charged with implementing [Executive Order 13989: Ethics Commitments by Executive Branch Personnel](#), in coordination with the White House. As a result, OGE issued [multiple advisories](#) providing guidance on this executive order. In addition, OGE published legal advisories on other emerging ethics issues, including an [advisory](#) highlighting legislation relevant to the executive branch ethics program and specific agencies.

In addition to legal advisories, OGE issued 4 timely and informative program advisories covering ethics program requirements, including an [advisory](#) detailing updates to the Certification of Ethics Agreement Compliance required to be filed with OGE by Presidential appointees following their confirmation by the Senate. In developing legal and program advisories, OGE continued to draw upon the expertise of agency ethics officials by consulting with key members of the ethics community.

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

Target: 80% | Actual: 96%



*ADVISORIES*

***REVIEWED AND DRAFTED EXECUTIVE BRANCH ETHICS RULES***

OGE is responsible for providing clear policies and guidance on the laws and regulations that serve as the building blocks of the executive branch ethics program, such as the criminal conflict of interest laws and Standards of Ethical Conduct for Employees of the Executive Branch.

In fiscal year 2021, OGE continued its work on a proposed regulation related to legal expense funds. In January 2021, after receiving and incorporating comments from executive branch agencies, OGE submitted the proposed regulation to OMB for publication in the *Federal Register*. Subsequently, OMB requested that OGE restart the executive branch regulatory review process and OGE is currently working through that process. The proposed regulation will ensure that legal expense funds for executive branch employees will be transparent, open, and accessible to the public. Additionally, the regulation will more clearly spell out who is a prohibited donor, establish donation caps, and require transparency in the form of quarterly, publicly available reports.

OGE also continued its work to modernize the Standards of Conduct in fiscal year 2021. Pursuant to the Ethics in Government Act, OGE has submitted proposed amendments to the Department of Justice that reflect OGE’s experience applying the Standards of Conduct since their inception. The proposed changes would incorporate past interpretive guidance, add and update regulatory examples, improve clarity, update citations, and make technical corrections.

## ***PUBLISHED FINAL RULES***

In fiscal year 2021, OGE published three rules, including a final rule implementing inflationary adjustments to the civil monetary penalties provided in the Ethics in Government Act, and, as required by Executive Order 13992, a final rule removing regulations detailing the processes for the issuance of, modifications to, and petitions regarding guidance documents.

## ***CONSULTED ON CHANGES TO AGENCY-SPECIFIC ETHICS REGULATIONS AND SEPARATE COMPONENT DESIGNATIONS***

OGE consults with agencies to publish agency-specific supplemental ethics regulations and separate component designations that tailor ethics program requirements to meet specific agency needs. For example, OGE consulted with the Office of Special Counsel (OSC) as OSC finalized supplemental ethics regulations requiring OSC employees to obtain prior approval for outside employment or activities. In fiscal year 2021, OGE jointly issued revisions to two supplemental regulations, and worked on supplemental regulations for a number of other agencies, including the including the Department of Defense, the United States Postal Service, the National Transportation Safety Board and the Department of Veterans Affairs. In fiscal year 2021, OGE updated component designations for the Department of Defense/DARPA (5 C.F.R. Part 2641, Appendix B), based on agency recommendations related to applying post-employment restrictions to former employees of specific agency components.

## ***RENEWED KEY ETHICS FORMS***

OGE continually works to ensure that its forms are up-to-date, accurate, and in compliance with legislative and regulatory changes. OGE also continually provides timely responses to feedback from users and stakeholders. In fiscal year 2021, OGE began the process to receive OMB approval for a three-year renewal of the Executive Branch Personnel Public Financial Disclosure Report (OGE Form 278e) and the Executive Branch Confidential Financial Disclosure Report (OGE Form 450).



**U.S. OGE** ✓ @OfficeGovEthics  
Do you have suggestions for making the executive branch financial disclosure forms better? OGE is accepting comments from the public on the public and confidential financial disclosure forms. The comment periods close August 2nd.

## **STRATEGIC GOAL 2: HOLD THE EXECUTIVE BRANCH ACCOUNTABLE FOR CARRYING OUT AN EFFECTIVE ETHICS PROGRAM**

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

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

### **STRATEGIC OBJECTIVE 2.1: MONITOR AGENCY COMPLIANCE WITH EXECUTIVE BRANCH ETHICS PROGRAM REQUIREMENTS**

In fiscal year 2021, OGE monitored agency compliance with executive branch ethics program requirements by conducting reviews of agency ethics [programs](#), issuing recommendations, collecting and analyzing program data, and collecting information on potential violations. Key highlights of OGE's work are described below.

#### ***REVIEWED AGENCY ETHICS PROGRAMS FOR COMPLIANCE***

As part of OGE's strategy to maintain high standards of accountability and compliance with applicable ethics requirements throughout the executive branch, in fiscal year 2021, OGE continued the process of increasing the frequency of its reviews of agency ethics programs using a risk-based analysis. As a result, OGE has moved all cabinet level agencies and those at higher risk for conflicts to a four-year review cycle, and agencies at a lower risk remain on a five-year review cycle. In addition, irrespective of an agency's planned review cycle, OGE conducts real-time reviews of an agency ethics program if OGE becomes aware of significant programmatic weaknesses.

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

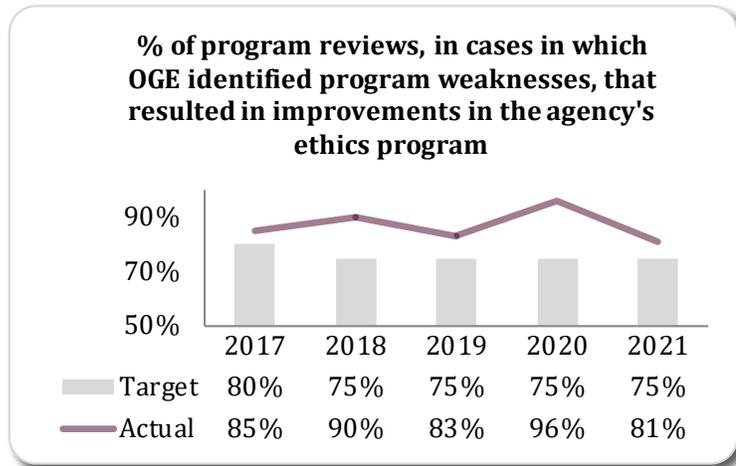
In fiscal year 2021, OGE conducted 33 program reviews and 17 follow-up reviews. Reports on each of these 50 reviews were published and posted on OGE's [website](#).

**Performance Goal:**

Target	Actual
4-year cycle - 17 agencies reviewed	4-year cycle - 18 agencies reviewed
5-year cycle - 14 agencies reviewed	5-year cycle - 15 agencies reviewed

***ISSUED RECOMMENDATIONS TO IMPROVE AGENCY ETHICS PROGRAM COMPLIANCE***

When an ethics program review identifies a deficiency, the resulting report includes a corresponding recommendation directing the agency to take actions necessary to correct the deficiency. In fiscal year 2021, OGE’s ethics program reviews resulted in 66 such recommendations, which have significant impact on ethics programs. For example, OGE discovered that an agency was not providing prospective employees with critical ethics information in written offers of employment, which was rectified as a result of OGE’s review. OGE review teams also found 22 additional deficiencies that would have resulted in recommendations had they not been corrected prior to the completion of OGE’s review. OGE provides considerable technical assistance to agencies in correcting problems as part of its program review process, which may allow an agency to take immediate action and preclude the necessity of issuing a recommendation. OGE publishes all of its reviews, which identify when an agency has a recommendation, as well as when the agency has taken the actions necessary to close OGE’s recommendations for program improvement. In fiscal year 2021, OGE continued to publicly post [dashboards](#) displaying the number of open program review recommendations at the end of each quarter.



*PROGRAM REVIEW RECOMMENDATIONS*

**Performance Goal:** In cases in which OGE identified a program weakness during a program review, OGE exceeded its target for the percentage of program reviews that resulted in improvements in the agency’s ethics program. Target: 75% | Actual: 81%

***COLLECTED AND ANALYZED PROGRAM DATA FROM EXECUTIVE BRANCH AGENCIES***

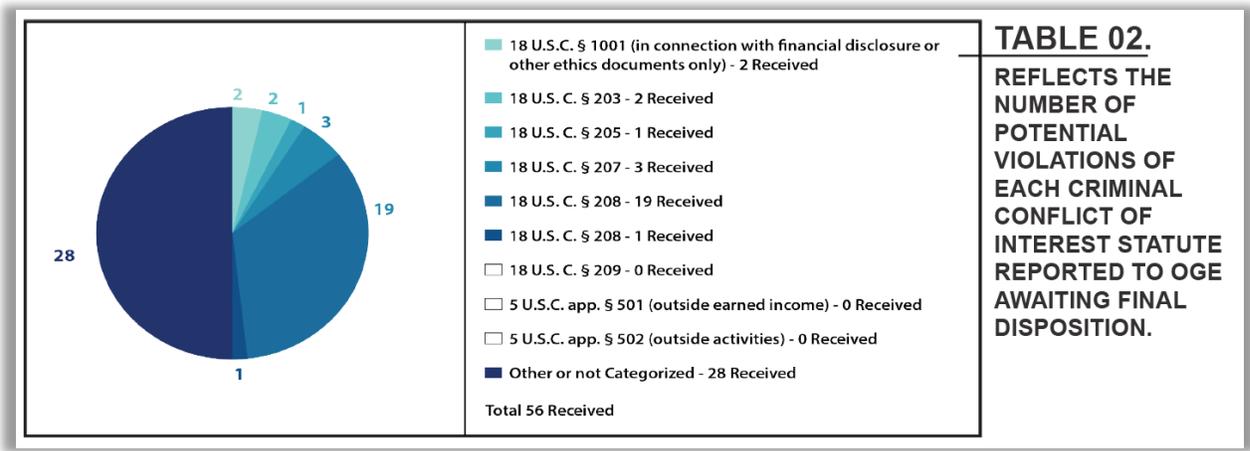
As the supervising ethics office of the executive branch, OGE collects and analyzes ethics program data from each of the more than 130 agencies through its [Annual Agency Ethics Program Questionnaire](#) (Annual Questionnaire). Agency responses to the Annual

Questionnaire give OGE a view into each agency’s ethics program, and the compiled data provides OGE with an annual overview of the entire executive branch ethics program. In fiscal year 2021, OGE administered the [2020 Annual Questionnaire](#) using a custom electronic application which has improved OGE’s ability to analyze the information collected and increased the efficiency of the data collection process. Notably, ninety-eight percent (98%) of agencies complied with the requirement to submit their ethics program data.

In fiscal year 2021, OGE continued to share key highlights from its Annual Questionnaire with ethics officials and the public by posting on its website a [report](#) summarizing data highlights and trends, as well as each agency’s [responses](#) to the Annual Questionnaire. Having access to this data allows ethics officials to compare aspects of their programs with those of other agencies, including the allocation of ethics program resources. This data collection ensures that each agency does a year-end assessment of its ethics program and helps the public gain a better understanding of the scope and impact of the executive branch ethics program.



***INCREASED TRANSPARENCY AND TRACKED POTENTIAL CRIMINAL VIOLATIONS OF ETHICS LAWS***



**TABLE 02.**  
REFLECTS THE NUMBER OF POTENTIAL VIOLATIONS OF EACH CRIMINAL CONFLICT OF INTEREST STATUTE REPORTED TO OGE AWAITING FINAL DISPOSITION.

Agencies are required to notify OGE’s Director when any matter involving a potential violation by an executive branch employee of criminal conflict of interest laws (18 U.S.C. §§ 202-209) is referred for investigation or prosecution to the Department of Justice. Agencies submit these notifications and information regarding the disposition of the matter to OGE. In fiscal year 2021, agencies submitted 88 such notifications. To provide public transparency, OGE continued to publish a [dashboard](#) displaying the number of referrals of potential violations of the criminal conflict of interest laws it received from agencies, by quarter, as well as the statutes implicated in the referrals. OGE tracks and follows up on

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

OGE also published its annual survey of prosecutions involving the criminal conflict of interest criminal statutes (18 U.S.C. §§ 202-209) and other related statutes for calendar year 2020. OGE published information on 12 prosecutions. OGE publishes the information to demonstrate the consequences of ethics violations and encourages agencies to use these reported cases as examples when conducting ethics training.

**STRATEGIC OBJECTIVE 2.2: MONITOR SENIOR LEADERS’ COMPLIANCE WITH INDIVIDUAL ETHICS COMMITMENTS**

OGE monitored senior government leaders’ compliance with their individual ethics commitments by requiring the leaders to certify that they completed the actions they committed to in their ethics agreements to resolve conflicts of interest. OGE also reminded

leaders of their ethics responsibilities, conducted second-level reviews of certain officials’ financial disclosure reports, reviewed Certificates of Divestiture, and consulted with agencies on waivers. Key highlights of OGE’s work are described below.

CERTIFICATION OF ETHICS AGREEMENT COMPLIANCE Senate Confirmed Presidential Appointee		
1. Appointee's Information	a. Appointee's Name:	to be completed by OGE
	b. Position Title:	to be completed by OGE
	c. Agency:	to be completed by OGE
	d. Date Ethics Agreement Signed:	to be completed by OGE
	e. Date Confirmed:	to be completed by OGE
	f. Due Date for Certification of Ethics Agreement Compliance:	to be completed by OGE

***MONITORED COMPLIANCE WITH COMMITMENTS MADE BY INCOMING AGENCY LEADERS TO RESOLVE CONFLICTS OF INTEREST***

OGE worked to ensure that executive branch leaders appointed by the President and confirmed by the Senate (PAS) remained free of conflicts of interest after taking office. OGE requires PAS leaders to publicly confirm that they have timely complied with the written commitments they made during their confirmation process by completing and signing a Certification of Ethics Agreement Compliance, which OGE posts to its [website](#).

In fiscal year 2021, 146 PAS appointees were required to certify that they had complied with their ethics agreements. OGE received certifications from 142 (97%) of the PAS appointees, affirming compliance with all ethics agreement requirements by the applicable due date.

**REMINDED AGENCY HEADS OF THEIR ETHICAL LEADERSHIP RESPONSIBILITIES**

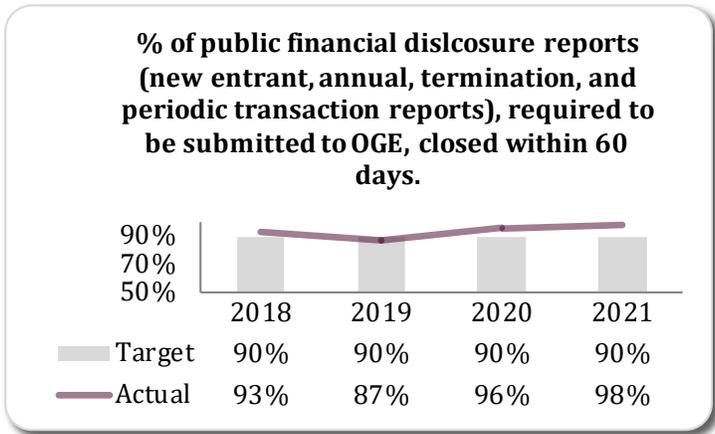
**U.S. OGE** @OfficeGovE...  
 On Friday, OGE's General Counsel spoke to incoming senior executives about the critical role they play in maintaining the public's trust.

In fiscal year 2021, OGE took several steps to engage with agency leaders on ethics. OGE published several [leadership notes](#) to its website to remind agency leaders, as well as the public, about the importance of ethical leadership and its impact on executive branch programs and operations. OGE's Director also sent a welcome letter discussing important ethics responsibilities to each incoming Presidential appointee as they were confirmed by the Senate. In addition, OGE continued to conduct training for new Senior Executive Service members about the importance of ethics and their vital role in maintaining the public's trust.

**REVIEWED THE PUBLIC FINANCIAL DISCLOSURE REPORTS OF TOP OFFICIALS**

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

As a result of the Presidential transition, there was a significant increase in termination reports in fiscal year 2021. Even with the notable increase, OGE carried out this work by successfully closing 1,807 public financial disclosure reports (new entrant, annual, termination, and periodic transaction reports) in fiscal year 2021.



**Performance Goal:** OGE exceeded its target to close ninety percent (90%) of its reviews of public financial disclosure reports, including new entrant, annual, termination, and periodic transaction reports required to be submitted to OGE, within 60 days of receipt. Target: 90% | Actual: 98%

**REVIEWED REQUESTS FOR CERTIFICATES OF DIVESTITURE (CDs)**

Executive branch agencies or OGE can direct an executive branch employee to sell, or otherwise divest, an asset in order to comply with a federal conflict of interest statute, regulation, rule, or executive order. If selling the asset will result in a capital gain, certain individuals may be eligible for a Certificate of Divestiture (CD) to offset the tax burden. In fiscal year 2021, OGE

reviewed 180 requests for CDs and timely published information about each CD issued to the [search collection for officials' individual disclosures](#) on OGE's website.

***CONSULTED WITH AGENCIES REGARDING THE ISSUANCE OF WAIVERS TO THE PRIMARY CRIMINAL CONFLICT OF INTEREST LAW, 18 U.S.C. § 208***

The primary criminal conflict of interest law, 18 U.S.C. § 208, requires an employee to be disqualified (“recused”) from a particular matter if the matter would have a direct and predictable effect on the employee’s own financial interests or on certain financial interests that are treated as the employee’s own, such as those of the employee’s spouse or a prospective employer. In some cases, a waiver to these restrictions may be appropriate. OGE consulted with agencies on nearly 125 waivers, prior to their issuance, and collected copies of final waivers.

### **STRATEGIC GOAL 3: CONTRIBUTE TO THE CONTINUITY OF SENIOR LEADERSHIP IN THE EXECUTIVE BRANCH**

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

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

*The absence of effectively preparing and assisting the President and the Senate in the appointment process could result in critical leadership positions remaining vacant for extended periods, putting the safety and security of the nation at risk.*

#### **STRATEGIC OBJECTIVE 3.1: PREPARE FOR A PRESIDENTIAL TRANSITION**

In fiscal year 2021, OGE successfully prepared for a full Presidential transition during extraordinary circumstances, including not only challenges related to the pandemic, but also the delay in the election outcome determination that shortened the available time between ascertainment and the inauguration. Fortunately, OGE and the ethics community prepared for this possibility, and OGE was ready to “hit the ground running” immediately following ascertainment, ensuring continuity of leadership in the executive branch.

For more than a year, OGE prepared for the Presidential transition, ensuring it was ready to carry out its unique role in the Presidential appointments process as the leader of the executive branch ethics program. OGE actively participated in executive branch-wide election readiness efforts, engaged with stakeholders, provided expert briefings and training, and made critical Presidential transition resources available. Key highlights of OGE's work are described below.

#### ***SERVED ON THE AGENCY TRANSITION DIRECTORS COUNCIL AND ENGAGED STAKEHOLDERS***

OGE fulfilled its statutory responsibilities under the Presidential Transition Act by actively participating as a member of the executive branch-wide Agency Transition Directors Council. OGE also actively lent its expertise and experience to the Agency Transition Directors Roundtable through the Partnership for Public Service's Center for Presidential Transition. OGE met with representatives of the major campaigns to provide resources, training, and support regarding the nominee review process, ethics proposals, and the *Integrity* electronic filing system, and presented to external stakeholders, congressional staff, and other interested parties about its preparations.

**Milestone:** OGE met its milestone to actively engage and/or coordinate with agencies and organizations focused on preparing for and executing smooth Presidential transitions as described above.

**U.S. OGE** @OfficeGovEt...  
To help the ethics community prepare for the Presidential election, OGE offers a variety of training opportunities. Watch the latest: An Interview with Dr. Martha Joynt Kumar, Director @WH\_Transition

***CONDUCTED INTERNAL AND EXTERNAL ELECTION READINESS TRAINING***

OGE developed and implemented comprehensive transition-related training for OGE staff and ethics officials. OGE hosted multiple training events for ethics officials, including discussions with experts

on Presidential transitions to help the community know what to expect, courses to ensure ethics officials had the expertise to carry out their enhanced responsibilities, as well as practical workshops to help ensure agency ethics programs were in top form to assist in the Presidential transition. Internally, OGE built capacity to handle the surge in volume of nominee financial disclosure reports associated with a transition by drawing on cross-functional professional staff, including recently filled vacancies, and implementing an intensive experiential learning plan over the year prior to the election.

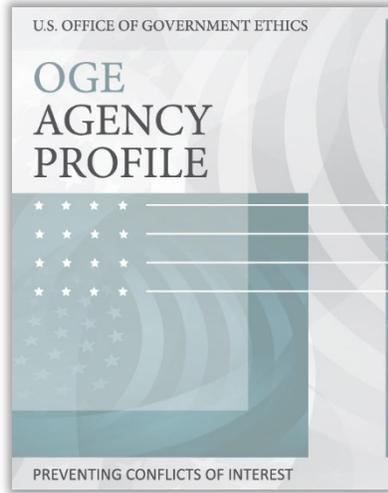
**U.S. OGE** @OfficeGovE...  
OGE has created a library of educational resources to help ethics officials prepare for the presidential election and beyond. You can see these resources on OGE's Institute for Ethics in Government here: [extapps2.oge.gov/Training/OGETr...](https://extapps2.oge.gov/Training/OGETr...)

In addition, OGE trained and collaborated with a variety of external stakeholders. For example, because of its unique role, OGE provided training to Senate staff on OGE's role in the nomination process. OGE also regularly updated its stakeholders and the public on the progress made through these collaborations, through its quarterly meetings with ethics officials, [Twitter feed](#), and [website](#).

***EXAMPLES OF TRAINING RELATED TO ELECTION READINESS***

- PEER-TO-PEER WORKSHOP: PRE- AND POST-ELECTION READINESS
- INTEGRITY TRAINING
- ETHICS ISSUES FOR PROFESSORS
- REPORTING FOR MANAGED ACCOUNTS AND PRIVATE INVESTMENT FUNDS AND EIF DETERMINATION
- REPORTING AND CONFLICTS ANALYSIS FOR EMPLOYEE BENEFITS
- CONFLICTS OF INTEREST EXEMPTIONS FOR MUTUAL FUNDS
- REVISED GUIDE TO DRAFTING NOMINEE ETHICS AGREEMENTS
- REVIEWING TERMINATION REPORTS

## ***TRANSITION PREPARATION FOR OGE'S AGENCY REVIEW TEAM***



In addition to its executive branch-wide role, OGE also prepared to be reviewed as an agency by the incoming administration through an assigned agency review team. To prepare, OGE developed written materials, including [OGE's Agency Profile](#), to explain the agency's mission, operations, current challenges, and opportunities. OGE's Profile provides an overview of the executive branch ethics program and OGE. It includes detailed information about OGE's leadership, structure, and components; major functional areas; and critical management practices.

OGE provided a briefing to its review team, the Profile, and additional materials responsive to the review team's requests during the transition and received positive feedback on its materials and responsiveness.

## ***PROVIDED KEY TRANSITION RESOURCES***

To ensure election readiness, OGE developed and made available [numerous](#) tools and documents to help new leaders understand their ethics responsibilities and support the transition team and new administration. OGE used the materials to deliver briefings, presentations, and ongoing support to the campaigns, transition team, potential nominees, appointees, and ethics officials.

- [OGE's Presidential Transition Guide](#) The Presidential Transition Act requires Federal agencies to prepare for a possible Presidential transition in each Presidential election year. OGE developed this Guide as a resource for the Presidential Transition Team to explain the nominee ethics process, provide strategies for establishing a strong ethical culture in a Presidential administration, and share useful reference materials.
- [OGE's Nominee Guide](#) OGE developed this Guide as a resource for potential Senate-confirmed, Presidential nominees. It is organized to take a nominee through the life cycle of a person who will serve as a Senate-confirmed Presidential appointee (PAS official).
- [OGE's Nominee Public Financial Disclosure Review Checklists](#) OGE developed this collection of public financial disclosure checklists for prospective incoming Presidential nominees who file public financial disclosure reports, as well as for agency reviewers. The collection



includes a general checklist applicable to all nominees and supplemental checklists that target certain categories of professionals.

- [OGE's Guide to Drafting Nominee Ethics Agreements](#) Ethics agreements reflect a nominee's commitments to resolve their conflicts of interest and comply with the ethics laws and regulations. Agency ethics officials, in collaboration with OGE staff, draft each ethics agreement using standardized language, tailored as appropriate, from this Guide.
- [OGE's Integrity User Guide](#) Presidential nominees in the executive branch file public financial disclosure reports through *Integrity*, the executive branch electronic financial disclosure system. The online user manual for Integrity provides useful explanations of the system's features.



### ***SUPPORTED THE WHITE HOUSE ETHICS PROGRAM***

OGE played a critical role in providing support for the new administration in establishing its ethics program in the Executive Office of the President, as well as the Office of the Vice President, the Council of Economic Advisers, and the National Security Council. This process is similar to the extensive assistance OGE provides in setting up an ethics program within any newly established agency. OGE provided significant training and assistance in facilitating the new White House ethics program, including providing a detailee to help staff the program, support for document releases and program resources, as well as reviewing complex new entrant reports for those White House filers whose reports are reviewed by OGE. In addition, OGE provided critical assistance to the outgoing administration in closing their program, including reviewing termination reports.

### **STRATEGIC OBJECTIVE 3.2: PROVIDE ASSISTANCE TO THE PRESIDENT AND THE SENATE IN THE PRESIDENTIAL APPOINTMENT PROCESS**

The nominee function is never more important than during the transition between Presidential administrations. A Presidential transition is a critical time when the nation is vulnerable, with the potential for manmade, natural, or economic disasters to strike while the government's top leadership positions are vacant.

OGE works expeditiously to provide assistance to the President and the Senate in the Presidential appointment process by conducting expert second-level reviews of financial disclosure reports of nominees to the highest-level executive branch

#### ***RELATED TRANSITION WORK***

- *INTEGRITY* SUPPORT
- LEGAL GUIDANCE
- ETHICS AGREEMENT CERTIFICATION
- CERTIFICATES OF DIVESTITURE
- TERMINATION REPORTS
- INCREASED EXTERNAL INTEREST
- POSTED DOCUMENTS
- FULFILLED DOCUMENT REQUESTS

positions. This helps to ensure that their potential conflicts of interest are identified and resolved so they can serve the public with integrity. Key highlights of OGE’s work are described below.

***PROVIDED EXPERT SECOND-LEVEL REVIEWS OF FINANCIAL DISCLOSURE REPORTS OF NOMINEES TO THE HIGHEST-LEVEL EXECUTIVE BRANCH POSITIONS***

During Presidential transitions, the number of nominee financial disclosure reports being reviewed by OGE typically doubles in volume and the reports increase in complexity. In fiscal year 2021, this trend continued, as OGE worked to analyze and resolve potential conflicts of interest of hundreds of the highest-level, incoming executive branch leaders. OGE’s review of nominees’ disclosures presented a critical opportunity to evaluate their financial interests for potential conflicts of interest and introduced top leaders to the importance of ethical leadership. OGE requires PAS officials to publicly confirm that they have timely complied with the written commitments they made during their confirmation process by completing and signing a Certification of Ethics Agreement Compliance, which OGE posts to its [website](#). In fiscal year 2021, across the two administrations OGE reviewed the reports of nominees for approximately forty-seven percent (47%) of all PAS positions. OGE cleared eighty-seven percent (87%) of the nominee reports it received in fiscal year 2021. The average time to review these reports was 34 days, which was 7 days faster than the total historical average from fiscal year 2009 through fiscal year 2020.

**Performance Goals:** OGE exceeded both of its performance goals related to the nominee financial disclosure work.

	Target	Actual
Initial comments on draft financial disclosure reports of Presidential nominees for Senate-confirmed appointments are provided to the agency within established time frames.	85%	95%
Final financial disclosure reports of Presidential nominees for Senate-confirmed appointments are certified by OGE within seven calendar days of receipt from the agency.	90%	98%

## **STRATEGIC GOAL 4: ENGAGE THE PUBLIC IN OVERSEEING GOVERNMENT INTEGRITY**

To effectively carry out its mission of preventing conflicts of interest, OGE must engage the public about the systems in place to detect and resolve conflicts of interest of their government leaders so that the public can hold its government accountable.

*The absence of transparency weakens trust in government. If the public does not have the information it needs to ensure that government leaders are free from conflicts of interest, their trust in government may erode, and they may become convinced that leaders are prioritizing private interests over the nation's interests.*

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

### **STRATEGIC OBJECTIVE 4.1: INFORM THE PUBLIC ABOUT OGE AND THE EXECUTIVE BRANCH ETHICS PROGRAM**

In fiscal year 2021, OGE proactively engaged stakeholders on critical ethics issues. OGE provided relevant, understandable information through effective communication channels, including its [website](#); collaborated with a broad array of citizens; and timely responded to requests for information and assistance. Key highlights of OGE's work are described below.

#### ***PROACTIVE STAKEHOLDER ENGAGEMENT***

In fiscal year 2021, OGE proactively engaged with a variety of stakeholders, including through holding listening sessions on OGE's [draft strategic plan](#) for fiscal years 2022-26. OGE also began assessing equity within the executive branch ethics program by holding listening sessions with ethics officials to identify any barriers to equity within the ethics program. In addition, OGE conducted tribal consultations to engage in regular, meaningful, and robust consultation with tribal officials in the development of policies with tribal implications, in accordance with the President's [Memorandum on Tribal Consultation and Strengthening Nation-to-Nation Relationships](#).

#### ***REFINED ITS NEWLY REDESIGNED, PRIMARY COMMUNICATION TOOL: THE OGE WEBSITE***

OGE launched its redesigned [website](#) in early fiscal year 2021 with increased search functionality to improve public access to ethics documents and ethics officials' access to key resources needed to perform their jobs. A plethora of relevant and informative documents are available. OGE used in-house information technology specialists to design,

develop, and create internal applications, significantly increasing staff efficiency and reducing contracting costs. OGE has continued to refine its website, based on feedback from users. See page 35 for additional information about the posting of key ethics documents on OGE’s website.

***PROVIDED RELEVANT, UNDERSTANDABLE INFORMATION***

In order to enhance public confidence in the impartiality of government decision-making, OGE worked to communicate effectively about the ethics program and created communications that were accurate, compelling, relevant, tailored to each targeted audience, and delivered through effective communication channels. For example, using social media, including [Twitter](#), [YouTube](#) and [LinkedIn](#), OGE created content to help citizens understand the structure of the ethics program, learn how to access various ethics documents, and contribute to government accountability. OGE used social media to keep citizens informed about OGE’s efforts to prepare the executive branch ethics program for the Presidential election and how to access financial disclosures and related ethics documents for Presidential nominees.



**Performance Indicator:** An indicator of OGE’s success in expanding its outreach efforts is the number of page views of web pages targeted to the public on OGE’s website (1,232,101), as well as OGE’s Twitter engagement rate (1.25%).



***COLLABORATED WITH AND ENGAGED A BROAD ARRAY OF STAKEHOLDERS***

Ethics in government is a shared concern across all segments of society. OGE sees value in participating in forums where diverse stakeholders can openly discuss ideas and share information to help inform OGE’s efforts. To share information and foster valuable collaboration, OGE continued to participate as a member of private sector, state, and local ethics organizations, such as the Council on

Governmental Ethics Laws (COGEL) and the Association for Practical and Professional Ethics (APPE), in addition to federal interagency groups. OGE also accepted speaking invitations to address its external audiences, including invitations from professional

associations and international anti-corruption groups, to discuss topics including conflicts of interest, ethical leadership, and program management.

**Performance Indicator:** An indicator of OGE’s success in expanding its outreach efforts conducted during the fiscal year. OGE conducted 22 outreach activities during the fiscal year.

### ***TIMELY RESPONDED TO EXTERNAL REQUESTS FOR INFORMATION AND ASSISTANCE***

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

In fiscal year 2021, OGE responded to approximately 150 requests for assistance from the press to support more accurate reporting about the ethics laws and regulations and OGE’s work. These interactions multiplied OGE’s ability to reach the public to promote further understanding of the executive branch ethics program and its role in ensuring government integrity. OGE also responded to requests for assistance from other stakeholders, including more than 260 requests from private citizens. This engagement promoted understanding of the executive branch ethics program and related ethics laws and regulations.

**Performance Indicator:** An indicator of OGE’s success in expanding its outreach efforts is the number of requests from external stakeholders. In fiscal year 2021, OGE received approximately 460 requests from non-government, external stakeholders. This coverage helped the public understand the framework for government ethics in the executive branch.

### **STRATEGIC OBJECTIVE 4.2: MAKE ETHICS INFORMATION PUBLICLY AVAILABLE**

Transparency is critical to ensuring public confidence in the ethics program and strengthening trust in government. OGE made ethics information publicly available by timely posting documents online and administering a strong Freedom of Information Act program. Key highlights of OGE’s work are described below.

In fiscal year 2021, OGE shared key highlights from its Annual Questionnaire with ethics officials and the public by posting on its website a [report](#) summarizing data highlights and trends, as well as each agency’s [responses](#) to the Annual Questionnaire. In addition, OGE continued to publish a [dashboard](#) displaying the number of referrals of

potential violations of the criminal conflict of interest laws it received from agencies, by quarter, as well as the statutes implicated in the referrals.

To facilitate transparency, OGE continued to provide three new document collections on its redesigned website with significantly enhanced search and filters: (1) [Legal Research](#); (2) [Individuals Disclosures](#); and (3) [Ethics Program Documents](#). These document collections bring together previously disparate content into tables with advanced search capacities and filters that enable OGE's website visitors to more quickly find the information they seek and to gain new insights.

### ***TIMELY MADE ETHICS DOCUMENTS AVAILABLE ONLINE***

As a result of the Presidential transition, there was a significant increase in interest in ethics documents in fiscal year 2021, and OGE continued to timely make thousands of ethics documents available to the public on its [website](#). These documents included public financial disclosure reports and ethics agreements, program review reports on agency ethics programs, reports on payments for travel received from non-federal sources in connection with attendance of employees at certain meetings, and written policy guidance. As part of its website redesign in fiscal year 2020, OGE made significant improvements to how the public can view, search, and filter these ethics documents.

Each year, approximately 26,000 individuals file public financial disclosures across the more than 130 agencies, providing critical transparency to help the public hold its government accountable. To assist the press and public citizens to understand the process and timing of their release, OGE held a press call and provided a [point of contact](#) at each agency for submitting document requests on OGE's ethics contact page.

Of significance, in fiscal year 2021, OGE processed 8,800 requests from the public and the news media to inspect nearly 18,500 documents under the Ethics in Government Act, including public financial disclosure reports, periodic transaction reports, certificates of divestiture, and other covered records. This is one-hundred and twelve percent (112%) more than the previous year.



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

Target: 85% | Actual: 99%

## ***ADMINISTERED A STRONG FREEDOM OF INFORMATION ACT (FOIA) PROGRAM***

The Freedom of Information Act (FOIA) is critical in helping to ensure transparency in government, providing the public with access to [important documents](#). OGE has prioritized implementing FOIA guidelines by maintaining and updating its effective system for responding to FOIA requests, along with increasing proactive disclosures, utilizing technology, improving timeliness in responding to requests, and applying a presumption of openness in responding to requests.

In fiscal year 2021, OGE reduced the backlog of FOIA requests caused by a dramatic increase in FOIA requests in prior fiscal years. OGE also continues to conduct regular self-assessments of its FOIA processing procedures and response templates and, when appropriate, make changes to increase efficiency, improve search processes, increase transparency, and otherwise improve the operation of OGE's FOIA program. In fiscal year 2021, OGE responded to 109 FOIA requests.

## **SECTION IV – MANAGING FOR RESULTS**

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

### **MANAGEMENT OBJECTIVES**

OGE devotes significant resources to sustain a strong culture of performance management, strengthen organizational compliance and fiscal stewardship, and continuously enhance its information systems and processes. These efforts are critical to OGE achieving its mission-focused strategic objectives.

Organized by management objective, this section highlights major accomplishments that OGE achieved in fiscal year 2021.

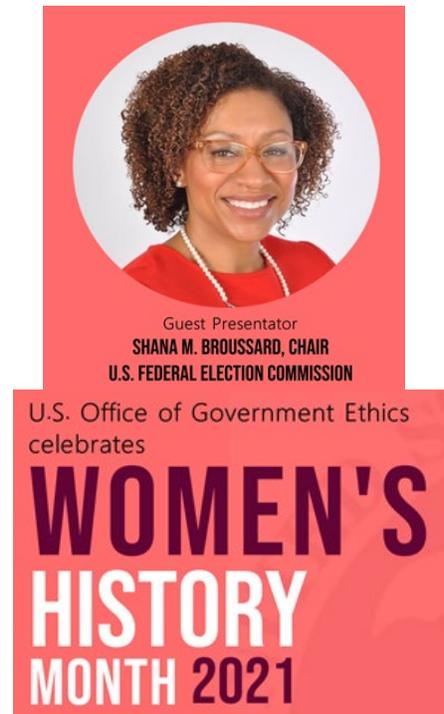
#### **MANAGEMENT OBJECTIVE 5.1: SUSTAIN A STRONG CULTURE OF PERFORMANCE MANAGEMENT**

OGE is committed to sustaining a strong culture of performance management by providing continuous professional development opportunities, frequent internal communications, and a wide variety of opportunities to create collaboration, inclusion, and recognition among its staff.

OGE continually focuses on developing the knowledge, skills, and abilities of its employees’ through personalized formal and informal professional development opportunities. In fiscal year 2021, all OGE employees participated in the OGE Employee Development Plan (EDP) program. Through the EDP process, employees, in collaboration with their supervisors, identify specific formal training, mentoring, self-study, and/or on-the-job training activities that they will complete in the covered period. Employees have the opportunity to lead significant projects, as well as participate in cross-functional teams and training. Notably, the EDP identifies objective measures for assessing the employee’s acquisition of the targeted knowledge or skills.

In fiscal year 2021, OGE also strengthened its culture of performance through frequent and varied internal communications. OGE conducted monthly Return to 1201 “all hands” meetings with OGE’s entire staff to discuss challenges associated with the pandemic and completing mission-work virtually, as well as safeguards and policies related to returning to the office. In addition, OGE continued to conduct quarterly all hands performance meetings to highlight OGE’s progress toward meeting agency goals. At those meetings a staff member from each division formally presents progress on achieving the division’s performance goals and signals upcoming projects and cross-functional work opportunities. Also, each division regularly held staff meetings to focus on progress toward division goals, share successes, and increase collaboration and information sharing. Throughout the year, OGE actively sought input from staff on a variety of operational and programmatic issues, including on the development of OGE’s new strategic plan.

OGE also took a wide variety of steps to create collaboration, inclusion, and recognition among its staff. For example, OGE held regular special emphasis program meetings in fiscal year 2021, which were open to OGE's entire staff and included numerous speakers from the federal and local communities including the Chair of the Federal Election Commission for Women's History Month and EPA's senior counsel for ethics for Asian American and Pacific Islander Heritage Month. In recognition of the stresses of COVID-19, OGE held frequent support meetings for employees who are also caregivers and highlighted employee wellness tips at "Wellness Wednesday" meetings. To increase collaboration and efficiency, OGE held regular "Working Smarter" workshops to share insights related to using technology. In addition, to recognize outstanding performance and progress toward the agency's performance goals, OGE held agencywide employee recognition events, including multiple themed days public service recognition week, an agencywide event, and an end of fiscal-year awards ceremony.



### ***CONTINUOUSLY REVIEWED AND IMPROVED OGE'S OPERATING PROCEDURES***

In an effort to work smarter in fiscal year 2021, OGE continued to review its processes and procedures for ways to make improvements in programs that support the ethics community and OGE's internal operations. OGE continued to streamline and standardize internal processes. In fiscal year 2021, OGE developed or updated eight standard operating procedures in each of its key program areas.

**Performance Goal:** OGE exceeded its performance goal to create or revise four standard operating procedures for key agency programs. Target: 4 | Actual: 8

### **MANAGEMENT OBJECTIVE 5.2: STRENGTHEN ORGANIZATIONAL COMPLIANCE AND FISCAL STEWARDSHIP**

OGE carries out its value that public service is a public trust in its mission work and in the ways that it conducts its agency operations. OGE is a compliance organization that takes seriously its compliance with government-wide directives and their important policy objectives. For example, OGE ensured that its employees received required annual training in the following program areas: ethics, cybersecurity, privacy, records management, No FEAR Act, Hatch Act, and whistleblower protection.

In fiscal year 2021, OGE worked to implement dozens of executive orders issued by the new administration that called for OGE to take action on a wide ranges of issues from

procurement and voting to diversity and inclusion. For example, in fiscal year 2021, OGE took significant steps to implement Executive Order 13895: Advancing Racial Equity and Support for Underserved Communities Through the Federal Government. OGE has a unique connection to this important work. The 13th [Principle of Ethical Conduct](#) requires employees to “adhere to all laws and regulations that provide equal opportunity for all Americans regardless of race, color, religion, sex, national origin, age, or handicap.” OGE has focused its immediate efforts on conducting assessments of its professional development practices, communications, and purchasing. OGE also began assessing equity within the larger executive branch ethics program by holding listening sessions with ethics officials to identify any barriers to equity within the ethics program. Using information from the assessment, OGE will develop strategies to advance equity within these program areas. Reflecting this work, OGE’s [draft strategic plan](#) for fiscal years 2022-26 includes OGE’s new crosscutting objective to advance equity in OGE’s programs and operations.

OGE also continued to be an excellent fiscal steward of the resources entrusted to it. OGE demonstrated its commitment to effectively and efficiently managing funds appropriated by Congress to incur obligations for goods and services necessary to execute OGE mission goals, including through maximizing its use of shared services and interagency agreements. Notably, in fiscal year 2021, OGE maintained an unmodified opinion on its financial statements and an independent audit found no material internal control weaknesses. OGE’s financial position remained stable with efforts to increase efficiency and effectiveness in several areas including essential investments in human resources and critical systems.

**Performance Goal:** OGE met its goal for the number of employees that took required training (i.e., records management, cybersecurity, privacy, and ethics training).  
Target: 90% | Actual: 100%

**Performance Goal:** OGE met its performance goal of receiving an unqualified opinion on its annual financial report from an independent auditor.

### ***ENHANCED OGE’S RECORDS MANAGEMENT AND PRIVACY PROGRAMS***

OGE continued to enhance its records management program in order to ensure agency records are available to the public and OGE staff, and to comply with records management requirements. This work included: developing and conducting new training for records liaisons; conducting Controlled Unclassified Information (CUI) training, annual records management training, and onboarding new OGE employees; working with the National Archives and Records Administration (NARA) on general records schedules; issuing records management guidance; conducting an inventory of agency records systems and repositories; updating agency-specific disposition schedules; and updating records file plans.

In fiscal year 2021, OGE continued to safeguard privacy, maintaining critical executive branch-wide systems of records related to the ethics program, including

*Integrity.* To safeguard privacy, OGE's privacy program worked to ensure that the agency complies with the requirements of the Privacy Act and the executive branch privacy program requirements as established by OMB. This work included: reviewing new and proposed IT systems and projects that collect and manage privacy protected information and recertifying existing IT systems and projects; preparing and updating privacy-related documents, such as Systems of Records Notices (SORNs) and Privacy Impact Assessments (PIAs); and consulting on privacy issues as they arise.

### **MANAGEMENT OBJECTIVE 5.3: CONTINUOUSLY ENHANCE OGE'S INFORMATION SYSTEMS AND PROCESSES**

OGE prioritized continuously enhancing and securing its information systems and processes, including OGE's executive branch-wide electronic filing system, *Integrity*, as well as numerous internal applications. OGE continued to increase the use of technology, enhance management practices, and strengthen compliance activities.

#### *Maintained a resilient, stable, and secure IT infrastructure*

OGE maintains a resilient, stable, and secure IT infrastructure necessary to conducting its mission-critical work every day. In fiscal year 2021, OGE was able to continue delivering its mission critical work because of its existing virtual capabilities. For example, in its fiscal year 2018 IT refresh, OGE replaced desktop PCs with thin clients, adopting a Virtual Desktop Infrastructure (VDI). With VDI, OGE employees access the same virtual machine (VM) and the same network resources whether they authenticate to the network from any workspace in OGE's office location or from any approved telework location. Using secure OGE laptops via a Virtual Private Network (VPN) and 2-factor authentication via PIV cards, OGE was able to seamlessly facilitate an all-remote workforce in fiscal year 2021.

As potential security threats against automated systems grow and become more complex, OGE remained proactive to mitigate the risk of potential failures, to address evolving technology, and to prevent security breaches. Specifically, in fiscal year 2021, OGE completed IT updates necessary to maintain the security and efficiency of OGE's ongoing daily operations, including critical software updates. Most notably, OGE ensured a secure IT environment that protected the privacy and integrity of financial information provided to OGE by agency ethics officials and the most senior officials of the executive branch as part of the financial disclosure review process.

#### **CONDUCTED AN AGENCY-WIDE CYBERSECURITY RISK ASSESSMENT AND MITIGATION PLAN**

In fiscal year 2021, OGE undertook a complete assessment of the cybersecurity risks associated with the agency's network, website, and internal applications. OGE used the results of this assessment to develop mitigation strategies that are tracked and managed through a Plan of Action and Milestones (POAM) process. Also, in fiscal year 2021, OGE

secured an independent, third-party review of its systems and efforts at mitigation to ensure OGE meets cybersecurity compliance targets.

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

***SUCCESSFULLY OPERATED INTEGRITY TO REVIEW, ANALYZE, AND CERTIFY THE FINANCIAL DISCLOSURE REPORTS OF THE HIGHEST-LEVEL PRESIDENTIAL APPOINTEES***

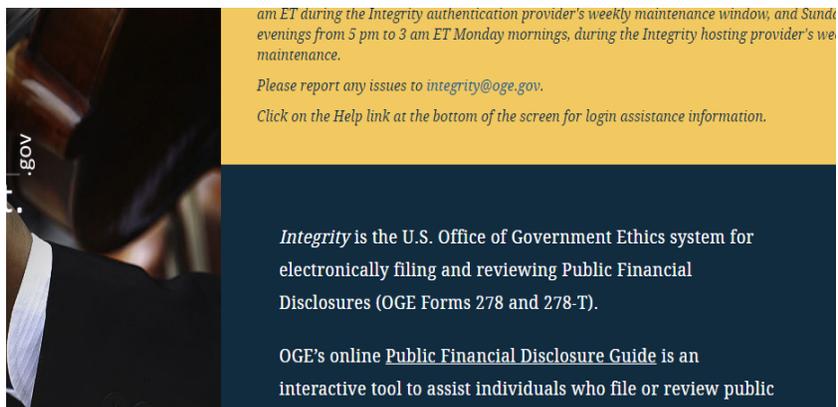
In fiscal year 2021, OGE continued to successfully operate [Integrity](#), its executive branch-wide electronic public financial disclosure filing system, during a time of high demand, as a result of the Presidential transition. With approximately 24,675 public filers using the system, OGE focused on ensuring high-quality system operations and support for *Integrity*. In addition to helping incoming PAS nominees, many of whom had extremely complex financial disclosure filings, more accurately and easily complete their disclosures, the system enabled the executive branch to seamlessly continue the public financial disclosure process, despite the COVID-19 pandemic.

In addition to the system's benefit for filers, OGE continued to provide a high level of support for agency ethics program administrators and reviewers through its Help Desk services and online tools. OGE provided a comprehensive online user guide and on-demand video tutorials, as well as regular biweekly *Integrity* webinars during the annual filing season. In its annual user survey, 92% of agency administrators who responded ranked the *Integrity* support provided by OGE as very satisfactory or satisfactory.

OGE also continued to convene its *Integrity* Advisory Council in fiscal year 2021 to seek input from representatives of agencies with a large *Integrity* user community about recommended changes to the system.

After considering this feedback, OGE determines how best to use available resources for *Integrity* enhancements.

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



Performance Goal	Target	Actual
Percent of non-maintenance downtime of <i>Integrity</i> , OGE's network, and OGE's website.	<i>Integrity</i> = Establish Baseline Network and Website = <1.0%	<i>Integrity</i> Baseline = .88% Network and Website = 0.00625%

***MAINTAINED AND DEVELOPED INTERNAL APPLICATIONS***

In fiscal year 2021, OGE worked to develop a redesigned agencywide intranet, in conformance with the IDEA Act, for sharing information, collaboration tools, workflow tools, operational systems, and other computing services to enhance productivity among OGE staff. In addition, in fiscal year 2021, OGE supported and refined numerous internal applications that streamlined workflows for agency programs, made data more retrievable, enhanced management practices, and strengthened compliance activities. These applications that support major programs, such as the desk officer and financial disclosure programs as well as internal operations such as requisition, budget formulation, and equipment tracking.