

ETHICS PROGRAM REVIEW FOLLOW-UP REPORT

Agency: International Boundary and Water Commission, US Section

Follow-up to OGE Report Number: 22-01I

Report No.: 23-08IF

Date: January 24, 2023

**UNITED STATES OFFICE OF
GOVERNMENT ETHICS**Preventing Conflicts of Interest
in the Executive Branch

As a result of its review of the International Boundary and Water Commission, US Section (IBWC) ethics program, the Office of Government Ethics (OGE) issued seven recommendations in its November 2021 review report. OGE conducted a follow-up review to assess whether the IBWC has taken sufficient action to resolve the deficiencies underlying these recommendations. The results of the follow-up review are summarized below.

	Recommendation	Agency Action and OGE Finding	Status
1	Revise public financial disclosure written procedures to include the requirements for the submission of termination reports, the certification of reports within 60 days and the policies to ensure the public availability of public financial disclosure reports.	IBWC is developing the written procedures.	Open
2	Develop a process to ensure that the lead human resources official or designee promptly (no later than 15 days after appointment) notifies the DAEO of all appointments to positions that require incumbents to file confidential financial disclosure reports.	<p>The IBWC provided the following: “Human Resources office (HRO) notifies the ethics office of all appointments of new employees. Then, the Ethics Coordinator identifies each new entrant confidential financial disclosure report filer using a chart of the agency organization that includes the financial disclosure status for each position. The Ethics coordinator contacts the new entrant confidential financial disclosure report filer and follows up to collect the completed form within 10 working days.”</p> <p>OGE reviewed a sample of notification emails HRO provided to the ethics office. The notification emails in the sample were provided to ethics officials within 15 days of the respective new employee’s appointment.</p>	Closed

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3	Ensure that new entrant confidential reports are filed and reviewed timely.	The Ethics Coordinator uses a spreadsheet to track confidential financial disclosure reports and contact filers to remind them to file their reports. OGE examined a sample of new entrant reports filed by IBWC employees and found that 67% were filed by or within a few days of the applicable due date and all of them were reviewed and certified timely. This is a significant improvement from OGE's finding where none of the new entrant reports examined during the initial inspection were filed timely. OGE encourages IBWC to continue taking steps to improve the rate of timely filing of new entrant confidential reports.	Closed
4	Ensure that confidential reports are reviewed and certified timely.	OGE reviewed a sample of confidential financial disclosure reports and found that 78% of them were reviewed and certified timely. This is a significant improvement over OGE's finding that only 38% of the reports examined during the initial review were reviewed and certified timely. OGE encourages IBWC to continue taking steps to ensure that all confidential financial disclosure reports are reviewed and certified timely.	Closed
5	Ensure that written offers of employment for positions covered by the Standards of Conduct provide a statement regarding financial disclosure requirements and an explanation that new entrant reports must be filed within 30 days of appointment, where applicable.	The DAEO indicated that the Human Resources Office is updating their current written offer letter to include a statement regarding financial disclosure requirements and an explanation that new entrant reports must be filed within 30 days of appointment, where applicable.	Open
6	Ensure that each employee upon initial appointment to a supervisory position is given the required ethics-related materials in accordance with 5 C.F.R. § 2638.306.	The DAEO provided a PowerPoint presentation given during new employee orientation to advise new supervisors of their ethics-related responsibilities. OGE examined the presentation and determined that it contained the required ethics-related materials.	Closed

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7	Ensure and track that new employees receive initial ethics training within three months of appointment.	Ethics officials created a spreadsheet that tracks initial ethics training (IET) completion for new employees. OGE reviewed the spreadsheet and determined that 92% of new employees hired between December 2021 and May 2022 received IET timely.	Closed
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Based on the results of OGE's follow-up review, recommendations 2-4, 6, and 7 are closed. OGE will conduct an additional follow-up review in approximately six months to assess whether IBWC has taken sufficient action to resolve the deficiencies underlying the recommendations which remain open.