

ETHICS PROGRAM REVIEW FOLLOW-UP REPORT

Agency: U.S. Election Assistance Commission

Follow-up to OGE Report Number: 19-44I

Report No.: 21-04IF

Date: December 16, 2020

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

As a result of its inspection of the U.S. Election Assistance Commission's (EAC) ethics program, the Office of Government Ethics (OGE) issued ten recommendations in its September 2019 inspection report. OGE attempted to conduct a follow-up review in October 2020 to determine whether EAC had taken sufficient action to resolve the deficiencies underlying these recommendations. However, EAC officials stated that relevant records are stored in EAC's office space and cannot be accessed remotely; therefore, OGE was not able to make its determination.

Consistent with guidance from the Office of Management and Budget, all OGE and EAC staff members are working remotely during the COVID-19 pandemic. EAC ethics officials would need to physically enter their office space to obtain relevant documents that would allow OGE to conduct a follow-up review. OGE's policy during the COVID-19 pandemic is that OGE personnel will not enter an agency's facilities and prohibits OGE from asking an agency to send staff to agency offices or otherwise violate social-distancing or other mitigation policies to assess compliance. As a result, all ten recommendations will remain open. When circumstances permit, OGE will conduct a follow-up review to determine whether these recommendations can be closed.

	Recommendation	Agency Action and OGE Finding	Status
1	Update the agency's written procedures for public financial disclosure to address how the agency handles the collection, review and public availability of periodic transaction reports (OGE Form 278-T). OGE also recommends that these procedures properly reflect the agency's use of Integrity, OGE's secure public-facing web-based electronic financial disclosure reporting system, in administering the agency's public financial disclosure system.	OGE will keep this recommendation open pending additional follow-up.	Open
2	Destroy all public and confidential financial disclosure reports found to exceed the six-year retention period in accordance with the retention requirements at 5 C.F.R. §§ 2634.603(g)(1) and 2634.604.	OGE will keep this recommendation open pending additional follow-up.	Open
3	Update the agency's written procedures for confidential financial disclosure by removing references to the OGE Optional Form 450-A.	OGE will keep this recommendation open pending additional follow-up.	Open

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4	Ensure that all confidential financial disclosure reports are filed timely as required by 5 C.F.R. § 2634.903(a)(b). Also, ensure that reports with inaccurate information are returned to filers for correction.	OGE will keep this recommendation open pending additional follow-up.	Open
5	Ensure that all written offers of employment meet the requirements of 5 C.F.R. § 2638.303.	OGE will keep this recommendation open pending additional follow-up.	Open
6	Develop written procedures for issuing notices to prospective employees and ensure that prospective employees receive the notices, as required by 5 C.F.R. § 2638.303.	OGE will keep this recommendation open pending additional follow-up.	Open
7	Ensure that all written notices to new supervisors meet the requirements of 5 C.F.R. § 2638.306.	OGE will keep this recommendation open pending additional follow-up.	Open
8	Develop written procedures for issuing notices to new supervisors and ensure supervisors receive the notices as required by 5 C.F.R. § 2638.306.	OGE will keep this recommendation open pending additional follow-up.	Open
9	Establish written procedures for initial ethics training as required by 5 C.F.R. § 2638.304(f).	OGE will keep this recommendation open pending additional follow-up.	Open
10	Ensure that all SGE members indicate their reporting status on the first page of the confidential report as New Entrant each year.	OGE will keep this recommendation open pending additional follow-up.	Open