



# Ethics Program Review

U.S. Department of Agriculture Headquarters

Report No. 18-11  
November 2017



The United States Office of Government Ethics (OGE) conducted a review of the United States Department of Agriculture (USDA) Headquarters ethics program from March through June 2017. The review covered program activities for calendar year 2016. The following summarizes the results of that review.

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## Objectives, Scope and Methodology

**Objectives:** OGE provides overall leadership and oversight of the executive branch ethics program designed to prevent and resolve conflicts of interest. The Ethics in Government Act gives OGE the authority to evaluate the effectiveness of executive agency ethics programs.<sup>1</sup> OGE uses this evaluation authority largely to conduct reviews of agency ethics programs. The purpose of a review is to identify and report on the strengths and weaknesses of an ethics program by evaluating (1) agency compliance with ethics requirements as set forth in relevant laws, regulations, and policies and (2) ethics-related systems, processes, and procedures for administering the program.

**Scope:** OGE examined all elements of the ethics program administered by the Office of Ethics (OE) within USDA Headquarters. These elements include: program administration, financial disclosure, education and training, ethics counseling, agency-specific ethics rules on outside employment, conflict remedies, enforcement, and special government employees. OGE also examined the oversight and guidance OE provides for USDA’s ethics program department – wide.

**Methodology:** OGE examined a variety of documents provided by USDA ethics officials, including USDA’s response to OGE’s Annual Agency Ethics Program Questionnaire for 2016, written procedures for administering the ethics program, samples of public and confidential financial disclosure reports filed in 2016, ethics training materials, and a sample of the ethics counseling provided to employees. In addition, OGE met with agency ethics officials including OE’s Director, Deputy Director, Senior Ethics Advisor, and Branch Chief to clarify the

<sup>1</sup> See 5 U.S.C. app. § 402 and 5 C.F.R. part 2638.

information gathered, follow up on issues identified during the review, and discuss ethics program operations in further detail.

## **Agency Background**

USDA is the cabinet-level department of the federal executive branch whose mission is to provide leadership on food, agriculture, natural resources, and related issues. USDA is made up of 29 agencies and offices with nearly 100,000 employees at more than 4,500 locations across the country and abroad. The department operates under the leadership of the Secretary, a presidentially appointed, Senate-confirmed (PAS) appointee (PAS).

## **Program Administration**

USDA's ethics program is managed by OE, which reports directly to USDA's General Counsel. OE is comprised of an Office of the Director and a Mission Areas Ethics Programs Support Branch. The Director of OE serves as the agency's Designated Agency Ethics Official (DAEO) and has overall leadership, coordination, and directional responsibility for the program. The Deputy Director of OE serves as the Alternate DAEO (ADAEO).

Assisting the DAEO and ADAEO in carrying out the day-to-day management of the ethics program are 20 additional ethics officials. These officials consist of a Branch Chief, a Senior Advisor for Financial Disclosure, seven Senior Ethics Advisors, six Ethics Specialists, an Administration Management Specialist, and four Program Support Specialists.

The duties of OE include developing policies and procedures for the overall operation of USDA's ethics program, designing and implementing USDA's ethics training program, providing employees with ethics counseling services, and administering and monitoring USDA's financial disclosure program, including the review and certification of the public and confidential financial disclosure reports required to be filed within USDA. OE also serves as liaison to OGE.

During the review, ethics officials stated that the systematic reductions in staffing within OE over the past 10 years have had a significant deleterious impact on OE's ability to meet the requirements imposed on Federal Ethics Programs, particularly as they relate to the timely collection and review of thousands of financial disclosure reports from across the Department. Ethics officials added that, in 2006, the USDA Ethics Program was consolidated and streamlined into the current Office of Ethics with 36 full-time equivalent employees (FTEs). From 2009 to 2012, the number of FTEs at OE was reduced from 36 to 24.

## **Financial Disclosure**

Title I of the Ethics in Government Act requires that agencies administer public and confidential financial disclosure systems. Financial disclosure serves to prevent, identify, and resolve conflicts of interest by providing for a systematic review of the financial interests of officers and employees. The financial disclosure process also offers an opportunity for ethics officials to provide ethics-related counseling to report filers.

## Financial Disclosure Written Procedures

Each executive branch agency must establish written procedures for collecting, reviewing, evaluating, and (where applicable), making available to the public financial disclosure reports filed by the agency's officers and employees.<sup>2</sup> OGE examined USDA's written procedures and determined that they meet applicable requirements.

## Public Financial Disclosure

Within 30 days of assuming a covered public filing position, an individual must file a public financial disclosure report.<sup>3</sup> The individual must subsequently file an annual report by May 15 each year and a termination report within 30 days of departing the public filing position.<sup>4</sup> The reports are required to be reviewed for potential conflicts of interest and certified within 60 days of receipt by the ethics office, unless additional information is being sought from the filer or remedial action is being taken.<sup>5</sup>

To evaluate the administration of USDA's public financial disclosure system, OGE examined a sample of 22 new entrant, 13 annual, and 4 termination public reports that were required to be filed with OE in 2016. Table 1 below presents the results of OGE's examination.

**Table 1. OGE's Examination of USDA Public Financial Disclosure Reports**

	New Entrant		Annual		Termination		Total	
<b>Reports Examined</b>	22		13		4		39	
<b>Filed Timely</b>	14	(64%)	12	(92%)	4	(100%)	30	(77%)
<b>Certified Timely</b>	7	(32%)	13	(100%)	3	(75%)	23	(59%)

As indicated in Table 1, OGE found that only 64% of new entrant reports examined were filed timely. Additionally, only 32% of the new entrant reports examined were certified timely. The ADAEO explained that the high percentage of late new entrant reports was primarily due to OE not receiving timely notifications when career employees entered into covered public filing positions. He also explained that certification of these reports was late due to ethics officials being otherwise occupied with other duties related to the 2016 Presidential transition.

### Recommendation

1. Ensure that new entrant public financial disclosure reports are filed and certified timely.

<sup>2</sup> See 5 U.S.C. app. § 402(d)(1).

<sup>3</sup> See 5 C.F.R. § 2634.201(b).

<sup>4</sup> See 5 C.F.R. § 2634.201(a) and (e).

<sup>5</sup> See 5 C.F.R. § 2634.605.

## Confidential Financial Disclosure

Within 30 days of assuming a covered confidential filing position, an individual must file a confidential financial disclosure report.<sup>6</sup> The individual must also subsequently file an annual report by February 15 each year.<sup>7</sup> The reports are required to be reviewed for potential conflicts of interest and certified within 60 days of receipt by the ethics office, unless additional information is being sought from the filer or remedial action is being taken.<sup>8</sup>

To evaluate the administration of USDA's confidential financial disclosure system, OGE examined a sample of 25 new entrant and 25 annual confidential reports that were required to be filed with OE in 2016. Table 2 below presents the results of OGE's review.

**Table 2. OGE's Examination of USDA Confidential Financial Disclosure Reports**

	New Entrant		Annual		Total	
<b>Reports Examined</b>	25		25		50	
<b>Filed Timely</b>	6	(24%)	23	(92%)	29	(58%)
<b>Certified Timely</b>	13	(52%)	23	(92%)	36	(72%)

As indicated in Table 2, OGE found that only 24% of new entrant reports examined were filed timely. Additionally, only 52% of the new entrant reports examined were certified timely. The ADAEO explained that because of limited staff and resources, priority was given to dealing with issues related to the Presidential transition, conducting ethics training, and certifying termination public financial disclosure reports. This prioritization contributed to the late filing and certification of new entrant confidential reports.

### Recommendation

2. Ensure that new entrant confidential financial disclosure reports are filed and certified timely.

### **Education and Training**

During the period covered by OGE's review, each agency's ethics training program was required to include at least an initial ethics orientation for all new employees and annual ethics training for covered employees.<sup>9</sup> An ethics training program is essential to raising awareness among employees about the ethics laws and rules that apply to them and the availability of agency ethics officials to provide ethics counseling.

<sup>6</sup> See 5 C.F.R. § 2634.903(b).

<sup>7</sup> See 5 C.F.R. § 2634.903(a).

<sup>8</sup> See 5 C.F.R. § 2634.605.

<sup>9</sup> Subsequent to the period covered by OGE's review, the regulation governing executive branch agency ethics training at C.F.R. part 2638 was amended. These amendments became effective January 1, 2017.

## **Initial Ethics Orientation**

To meet initial ethics orientation requirements in 2016, all new agency employees were required to receive ethics officials contact information along with the following materials within 90 days of beginning work: (1) the Standards of Conduct for Employees of the Executive Branch (Standards of Conduct) and any agency supplemental standards of conduct to keep or review; or (2) summaries of the Standards of Conduct, any agency supplemental standards of conduct, and the Principles of Ethical Conduct (Principles) to keep. Employees were also to receive one hour of official duty time to review the material.

In order to meet the initial ethics orientation requirements, OE provides individual live training to all new political appointees (PAS, non-career SES, and Schedule C appointees) on their first day at USDA. OE offers initial ethics orientation to all new non-political employees through USDA's e-training module known as AgLearn. This New Employee Ethics Training Module is part of USDA's onboarding portal in AgLearn. OGE reviewed the material covered in the orientations provided to new political and non-political employees and determined that the material met the applicable content requirements.

During OGE's review of USDA's ethics program, OE became aware of a technical system issue in AgLearn. This technical glitch had removed the initial ethics orientation assignment from new employees' To-Do Lists. In other words, the computerized procedure OE relied on within AgLearn for notifying new non-political employees to complete initial ethics orientation had failed. Because of this technical issue, OE was not able to track the number of new employees that needed to complete initial ethics training within the required three-month period.<sup>10</sup>

OE has taken remedial steps to address the breakdown in tracking initial ethics orientation for new non-political employees. First, the technical assignment glitch within AgLearn has been fixed so that all new employees will automatically have OE's New Employee Orientation Training assigned upon entry on duty. Also, staff at AgLearn developed a new monthly initial ethics orientation tracking report to identify all new in-processing employees and to track their completion of the orientation. Because USDA has taken steps to address the problem related to tracking initial ethics orientation, OGE is not making a recommendation for improvement.

## **Annual Ethics Training**

To meet the annual ethics training requirements in 2016, covered employees were required to receive annual training consisting of a review of: (1) the Principles; (2) the Standards of Conduct; (3) any agency supplemental standards of conduct; (4) the criminal conflict of interest statutes; and (5) ethics official contact information. Training length and delivery method could vary by an employee's financial disclosure filing status.

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<sup>10</sup> In 2016, 7,196 new employees were assigned initial ethics orientation. Of those new employees, 3,055 (42%) completed it and of those, 2,326 (76%) completed it within the 90 days of their hire.

In 2016, covered employees completed their annual ethics training either online or during in-person training sessions. The DAEO gives USDA's most senior leadership officials (PAS officials) in-person training at the weekly Secretary of Agriculture's sub-cabinet meetings.<sup>11</sup> The DAEO also makes himself available after the sub-cabinet meetings to answer any questions the PAS officials have.

In 2016, non-PAS covered employees generally completed their annual training online using USDA's AgLearn system. The online module is a videotaped ethics training session which poses interactive questions and answers. This training was required to be completed by non-PAS covered employees by June 30, 2016. OGE reviewed the materials USDA used to provide training and determined that the materials met applicable content requirements.

OE supplements the online training by providing live training to program offices throughout USDA. OE also provides live training to all of USDA's State Executive Directors and State Directors at the combined annual Farm Service Agency – Rural Development leadership conference held each year in Washington, DC.

An annual training record for USDA employees is maintained using AgLearn. Based on this record, OGE determined that 100% of those whose public financial disclosure reports OGE examined and 92% of those whose confidential financial disclosure reports OGE examined received annual ethics training in 2016.

### Model Practices

OGE identifies model practices and shares them when it appears they may benefit other executive branch agency ethics programs. OGE considers the following to be model practices implemented at USDA Headquarters.

- The DAEO presents an "Ethics Moment", which is a short ethics training update on a specific area of ethics law and provides "Ethics One-Pagers" handouts at the Secretary's weekly Sub-Cabinet meetings and high-level USDA leadership meetings which comply with applicable content requirements for annual training.
- OE provides discretionary training throughout the year, and to make the training sessions more relevant, OE staff developed numerous training modules which were carefully tailored to emphasize specific ethics rules and requirements for different audiences within the various agencies in USDA.
- To raise awareness of the ethics rules, OE staff leveraged technology to create long-distance training resources that can be accessed on-demand 24 hours a day, including the creation of 10 short ethics videos available on YouTube to all USDA employees, all Federal employees, and the public. Each video provides information on how to contact OE if employees have any questions.

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<sup>11</sup> USDA senior leadership consists of the Secretary, the Chief of Staff, the Deputy Chief of Staff, Assistant Secretaries, and Under Secretaries and their Deputies.

- OE developed an Ethics Pocket Guide Booklet for USDA’s supervisors and employees which summarizes the principal ethics laws and regulations and provides contact information for employees to contact OE. The purpose of the booklet is to serve as a quick reference guide to raise awareness and understanding of the ethics rules. OE has distributed these booklets to supervisors and employees throughout USDA.

## Ethics Counseling

The DAEO, acting directly or through other officials, is responsible for providing advice and counseling to prospective and current employees regarding government ethics laws and regulations, and providing former employees with advice and counseling regarding post-employment restrictions applicable to them.<sup>12</sup> A robust ethics counseling program is necessary to ensure that employees receive the guidance they need to comply with the ethics rules.

OGE reviewed a sample of the ethics-related counseling that EO ethics officials provided to USDA employees. The counseling addressed travel rules, gifts from outside sources, post-employment restrictions, fundraising, recusals, and misuse of position. OGE found the counseling to be consistent with applicable laws and regulations.

## Agency-Specific Ethics Rules

An agency may modify or supplement the Standards of Conduct, with the concurrence of OGE, to meet the particular needs of that agency.<sup>13</sup> A supplemental standards of conduct regulation is issued jointly by the agency and OGE and is published in title 5 of the Code of Federal Regulations.

USDA has issued jointly with OGE a supplemental standards of conduct regulation.<sup>14</sup> This supplemental regulation requires financial disclosure filers to obtain written approval prior to engaging in outside employment.

To evaluate employees’ compliance with USDA’s prior approval requirement, OGE reviewed the outside activities that were reported on the public and confidential financial disclosure reports that were examined during the evaluation of USDA’s financial disclosure systems. Six outside employment activities were disclosed in these financial disclosure reports. OGE determined that three were outside activities requiring prior approval under USDA’s supplemental regulation. OGE determined that in all three instances, employees complied with prior approval requirements.

## Conflict Remedies

The primary criminal conflict of interest law prohibits an employee from participating in an official capacity in a particular matter in which he or she has a financial interest.<sup>15</sup> Congress

<sup>12</sup> See 5 C.F.R. § 2638.104 (c)(4).

<sup>13</sup> See Executive Order 12674 and 5 C.F.R. § 2635.105.

<sup>14</sup> See 5 C.F.R. part 8301

included two provisions that permit an agency to issue a waiver of this prohibition in individual cases. Agencies must consult with OGE, where practicable, prior to issuing such a waiver.<sup>16</sup> USDA did not issue any waivers in 2016.

Additionally, the Ethics in Government Act expressly recognizes the need for PAS nominees to address actual or apparent conflicts of interest by requiring written notice of the specific actions to be taken in order to alleviate the conflict of interest.<sup>17</sup> This written notice is commonly known as an “ethics agreement.” In 2016, USDA had seven PAS officials with ethics agreements and these officials complied with the terms of their agreements.

## **Enforcement**

Executive branch offices are required to notify OGE when they refer a potential violation of a conflict of interest law to the Department of Justice (DOJ).<sup>18</sup> USDA’s Office of the Inspector General referred no cases of potential violations of the conflict of interest laws to DOJ in 2016. Moreover, in its response to the 2016 Annual Agency Ethics Program Questionnaire, USDA reported no disciplinary actions based wholly or in part upon violations of the criminal conflict of interest laws and no disciplinary actions based wholly or in part upon violations of the Standards of Conduct.

## **Special Government Employees**

A special government employee (SGE) is an officer or employee of the executive or legislative branch retained, designated, appointed, or employed to perform official duties, full-time or intermittently, for not more than 130 days in any 365-day period. SGEs are required to file financial disclosure reports and receive ethics training.<sup>19</sup>

USDA has 149 advisory committees. Of these committees, 130 were active in 2016. Six of the committees were established under the Federal Advisory Committee Act (FACA). To evaluate the ethics services provided to SGE advisory committee members, OGE selected two committees to examine: one FACA advisory committee, the Federal Crop Insurance Corporation (FCIC) Board, and one non-FACA committee, the Farm Service Agency State Committee.

### **Federal Crop Insurance Corporation Board**

#### Financial Disclosure

In 2016, there were six SGE members of the FCIC Board. OGE examined all six board members’ new entrant confidential disclosure reports. Table 3 below presents the results of OGE’s examination.

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<sup>15</sup> See 18 U.S.C. § 208.

<sup>16</sup> See Executive Order 12674.

<sup>17</sup> See 5 U.S.C. app. § 110.

<sup>18</sup> See 5 C.F.R. § 2638.206.

<sup>19</sup> See 18 U.S.C. § 202(a).

**Table 3. OGE’s Examination of FCIC Board Confidential Financial Disclosure Reports**

<b>Reports Examined</b>	6	
<b>Filed Timely</b>	3	(50%)
<b>Certified Timely</b>	6	(100%)

As noted in Table 3, of the six confidential reports examined, only three were filed timely.<sup>20</sup> All six were certified timely.

Recommendation

3. Ensure that new entrant confidential financial disclosure reports filed by all SGE advisory committee members are filed timely

Ethics Training

In 2016, the ADAEO provided in-person ethics training titled, “Ethics and Special Government Employees: A Guide for the FCIC Board” to the six board members before the beginning of their first meeting. OGE determined that this training met applicable content requirements.

**Farm Service Agency State Committee**

Financial Disclosure

In 2016, the Farm Service Agency State Committee had 211 members. OGE asked for a sample of 21 new entrant confidential financial disclosure reports to examine. USDA was only able to provide 3 of the 21 requested reports. An OE staff member mistakenly deleted 163 of the 211 confidential reports that were housed in USDA’s electronic filing system. OE tried to have the reports recovered by technicians, but they were not able to recover the deleted reports. According to OE officials, they have taken corrective actions to ensure the accidental deletion of certified reports does not occur again. OE officials also informed OGE that USDA’s electronic filing system recorded that 147 of these 163 reports (90%) were reviewed and certified by an OE ethics advisor as having no conflicts prior to deletion. OE will provide a separate report to OGE detailing this point regarding conflicts of interest. Table 4 below presents the results of OGE’s examination of the three available reports.

<sup>20</sup> The three confidential reports not filed timely were, on average, 27 days late.

**Table 4. OGE’s Examination of the Farm Service Agency State Committee Confidential Financial Disclosure Reports**

<b>Reports Examined</b>	3	
<b>Filed Timely</b>	3	(100%)
<b>Certified Timely</b>	0	(0%)

As noted in Table 4, all three reports were filed timely, but none were certified timely. Each report had a notation from the OE reviewer stating that the reason for the late certification was “personnel turnover.”

Recommendations

4. Assess whether any Farm Service Agency State Committee SGE members whose 2016 confidential reports were deleted held any financial interests that conflicted with their committee duties in 2016. Provide OGE with a written report on this assessment.
5. Ensure that new entrant confidential financial disclosure reports filed by all SGE advisory committee members are certified timely.

Ethics Training

In 2016, Farm Service Agency State Committee members completed their ethics training using the online module, “Ethics Training for Farm Service Agency State Committee Members.” Of the 21 members whose confidential financial disclosure reports OGE originally requested to examine, all 21 completed the training.

**Agency Comments**

Thank you for the opportunity to review and comment on the draft of the U.S. Office of Government Ethics (OGE) Ethics Program Review Report (Report) for the U.S. Department of Agriculture (USDA). We appreciate the efforts of your team throughout this process. USDA is committed to ensuring that all of its employees uphold the highest standards of ethical conduct. We concur with the recommendations and request that the comments provided below be appended to the report to add context and a more complete picture of USDA’s ethics program, as well as address the recommendations in the Report. We also thank you for recognizing and highlighting four model practices implemented at USDA Headquarters.

As noted in the “Agency Background” section, USDA has nearly 100,000 employees spread across every county in the country, as well as nearly 100 countries around the world. Additionally, in 2016, USDA had more than 230 political appointees, the second-largest political staff in the Executive Branch. As noted in the “Program Administration” section, systematic reductions in staffing within OE over the past 10 years have had a significant deleterious impact on OE’s ability to meet the requirements imposed on Federal Ethics Programs, particularly those

related to the collection and review of financial disclosure reports. OE currently has a staff of 21 employees.

Despite OE's resource limitations, the USDA Office of Ethics has focused intently on using tailored ethics training and developing innovative training products to act as a "force multiplier" for its small staff to reach as many of USDA's employees as possible. We believe that these proactive efforts have served to strengthen the ethical culture at USDA. We greatly appreciate OGE for recognizing and highlighting four model practices implemented at USDA Headquarters, and while outside of the Program Review time period, we are proud of USDA's innovative new Ethics Mobile Application (the USDA Ethics App) which we have made downloadable on any smart phone, for free, to all Federal agencies and members of the public who wish to learn more about the ethics rules.

As to the specific recommendations made in the draft Program Review Report, we have the following comments.

Public Financial Disclosure: We would like to note that OE created and filled a new leadership position, the Senior Advisor for Financial Disclosure and Presidential Nominations, in late 2016. This position has responsibility for oversight of USDA's large financial disclosure program and in the past year the incumbent has already taken steps to address the shortcomings identified in OGE's program review, several of which are identified below.

Additionally, the data in the table measures only whether reports were certified within 60 days; it does not reflect the timeliness of initial reviews or the substantial work that is completed before certification can take place. Since New Entrant reports frequently need substantial revisions and supplemental information, and while they are often reviewed within 60 days, they are not in a state to be certified at the time of initial review. As the certification timelines for the Annual Public Financial reports show, USDA reviewers will certify reports in a timely fashion when the reports contain all the necessary information and comply with all applicable ethics laws and regulations. Being new to the Integrity.gov system, several of our reviewers were not in the practice of entering the "End Initial Review" date upon completion of the initial review. At OGE's suggestion, USDA is now using this field in Integrity.gov to more accurately reflect the stages of review that OGE-278e reports undergo. This will help more accurately reflect the review and conflict of interest analysis completed prior to certification, and will better assist with tracking timeliness of report certification. We expect that review and certification will be timelier in future reporting cycles.

Confidential Financial Disclosure: As indicated in the draft program review report, OE did devote a great deal of attention and staff hours in 2016 to off-boarding USDA's large number of political appointees (USDA had the second largest political staff in the Executive Branch). OE staff provided in-person briefings for 125 outgoing DC-Area appointees within a two-week period in December 2016, totaling 40 hours of individual briefings. Additionally, the ADAEO provided two briefings via teleconference and a follow-up written advisory to USDA's 100 field appointees. However, the primary reason for the New Entrant reports not being filed in a timely fashion is the result of OE not receiving timely notifications of filers entering OGE 450 filing positions. USDA is comprised of 17 sub-agencies, each with its own Human Resources office,

as well as more than a dozen smaller staff offices. It has traditionally proven extremely challenging to establish strong relationships with each Human Resources office to ensure that OE consistently receives timely notifications of filers entering OGE-450 filing positions. As a result, we have focused on making one thorough review of OGE 450 filing lists on an annual basis, at which point New Entrant filers that Human Resources failed to identify can be identified so the new employees can be asked to file their OGE-450 reports.

With that said, we do recognize the need to improve this process. Moreover, on May 23, 2017, at the DAEO's request, and with the DAEO's collaboration, USDA's Chief Human Capital Officer issued USDA Office of Human Resources Advisory #2017-4, entitled "Mandatory Ethics Requirement." This advisory disseminated the mandatory requirements to all USDA Human Resource Offices issued by OGE regarding the changes to 5 C.F.R. 2638, which became effective on January 1, 2017. Notably, the advisory also dictated mandatory language regarding ethical obligations to be included in all final job offers to new employees, new supervisors, and new employees whose positions require the submission of an OGE-450. In addition, the guidance mandates the requirement that servicing Human Resources officers contact the USDA Office of Ethics to identify all individuals who are required to file and submit the Confidential Financial Disclosure Report (OGE-450). As a further step to strengthen compliance, OE also contacted USDA's National Finance Center (NFC) earlier this year about obtaining access for OE staff to an enterprise system that contains filer status data for all USDA employees.

The guidance from USDA's Chief Human Capital Officer has already led to an improvement in the frequency and accuracy of the notifications sent to OE by HR offices throughout USDA, which we expect will lead to continued improvement in the filing and review of New Entrant reports. For example, several senior OE staff have conducted extensive outreach to the various HR offices in their Mission Areas, and have recently established processes with several of the sub-agencies, as well as the Human Resources office serving all of the staff offices, whereby OE receives a report of all new hires each pay period. We believe that these new reports will allow us to identify new filers in a timely fashion; we will look to replicate this process throughout USDA.

As noted above, we greatly appreciate OGE's recommendations and will continue to make timely financial disclosure report filing a high priority, as indicated in the curative steps we have already taken. As OGE observed in its 2012 Program Review, USDA's Ethics Program has suffered from significant understaffing. Since that Program Review, our staffing level has fallen. We would note that solving the effects of the long-term manpower shortage in the Office of Ethics has required, and will continue to require, extraordinary effort by the dedicated team at the Office of Ethics.