# CY18 ANNUAL AGENCY ETHICS PROGRAM QUESTIONNAIRE

August 27, 2019 Wendy Pond, Senior Desk Officer Office of Government Ethics

# AGENDA

- Annual Questionnaire <u>Background</u>
- How to <u>Access</u> the Individual Responses and the Summary Document
- Benchmarking Your Agency
  - Agency Practices
  - Compliance with Training and Financial Disclosure Requirements

## BACKGROUND

 The of the Ethics in Government Act of 1978, as amended, requires executive branch agencies to submit an annual report to OGE (5 U.S.C., app, section 402(e)(1)).

 OGE regulations stipulate that the report is due to OGE on or before February 1 of each year and covers the previous calendar year (5 C.F.R. § 2638.207).

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#### **Open Government**

#### Officials' Individual Ethics Disclosures

To help citizens ensure that their government leaders are free from financial conflicts of interest, OGE publishes ethics disclosures and associated documents.

Financial Disclosures, Ethics Agreements, and Compliance Documents for:

- Presidential and Vice Presidential Candidates
- President and Vice President
- Cabinet secretaries and other government agency heads
- Senior White House personnel and other top senior government officials
- Other agency officials

Certificates of Divestiture

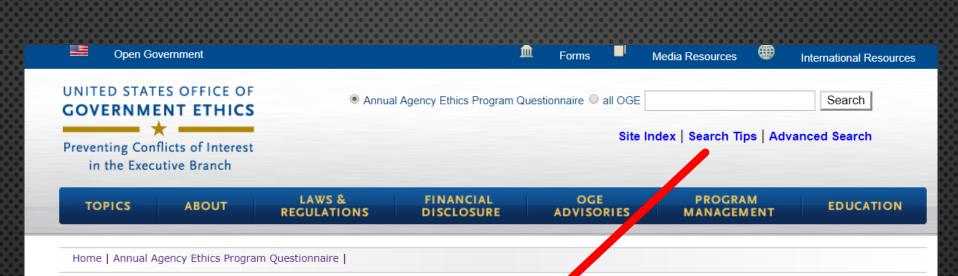
Ethics Pledge Waivers (Trump Ethics Pledge E.O. 13770) Ethics Pledge Waivers (Obama Ethics Pledge E.O. 13490)

#### Ethics Program Oversight Documents and Reports

OGE performs oversight reviews and data collections to ensure that agency ethics programs are functioning properly. We publish the results so that citizens can assess our effectiveness.

Oversight Reports

- Program Review Reports
- Annual Agency Ethics Program Questionnaire Results
- OGE Special Reports
- Agency Travel Reports



#### Annual Agency Ethics Program Questionnaire

This section features, by calendar year, summary reports and individual agency responses to the Annual Agency Ethics Program Questionnaire. The Annual Agency Ethics Program Questionnaire and for extensive information about agency ethics programs, including core elements of the ethics program that assist in the identification and resolution of potential conflicts of interest.

#### collapse all / expand all

CY18

Annual Agency Ethics Program Questionnaire - Agency Responses (CY18)

Annual Agency Ethics Program Questionnaire - Summary Report (CY18)

CY17

Annual Agency Ethics Program Questionnaire - Agency Responses (CY17) Annual Agency Ethics Program Questionnaire - Summary Report (CY17) Video Presentation: "Benchmarking Your Ethics Program"

## OVERNMENT ETHICS

#### 2018 AGENCY ETHICS PROGRAM QUESTIONNAIRE

Blank questionnaire in PDF format

Click here to return to OGE.gov

COLUMN THE REAL

Agency/Dept Administrative Conference of the United States Advisory Council on Historic Preservation African Development Foundation American Battle Monuments Commission Appalachian Regional Commission Appraisal Subcommittee Architectural and Transportation Barriers Compliance Board (United States Access Board) Arctic Research Commission Armed Forces Retirement Home Armed Services Board of Contract Appeals Barry Goldwater Scholarship and Excellence in Education Foundation Board of Governors of the Federal Reserve System Bureau of Consumer Financial Protection Central Intelligence Agency Chemical Safety and Hazard Investigation Board Commission of Fine Arts



# AGENDA

#### Annual Questionnaire <u>Background</u>

- How to <u>Access</u> the Individual Responses and the Summary Document
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DID YOUR AGENCY CONDUCT A SELF-ASSESSMENT TO EVALUATE ANY ASPECT OF THE ETHICS PROGRAM?

60%

Yes

40%

No

## EXAMPLES OF CHANGES RESULTING FROM SELF-ASSESSMENT

- Added additional language for applicant/new hire ethics notifications and requirements
- Changed substance and tracking of FACA SGE annual training and submission of conflicts forms
- Reevaluated which agency personnel should be required to file financial disclosures, and documented the results of the assessment

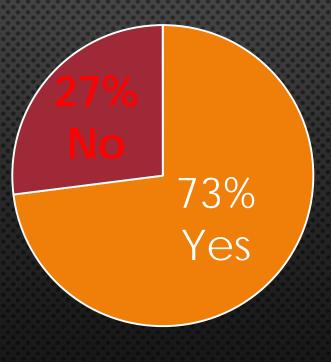
## EXAMPLES OF CHANGES RESULTING FROM SELF-ASSESSMENT (CONT'D)

- At HQ, redistribution of administrative ethics work, redistribution of assignments among attorneys
- Greater use of ethics inter and intranet websites, connecting different databases such as HR employee records and ethics records tracking systems
- Created new intake forms to gather complex factual information regarding outside employment

#### EXAMPLES OF CHANGES RESULTING FROM SELF-ASSESSMENT (CONT'D)

 Began preparing monthly status updates tracking the status of financial disclosure reports, ethics training, and postemployment counseling

 Revised educational materials and the ethics annual communications plan (e.g., emails to all-hands, information distributed to management officials, information on our intranet site) to incorporate additional topics and specific ethics questions based on the survey responses. We also offered specialized training to offices based on their survey responses. DID THE AGENCY HEAD MEET WITH THE ETHICS STAFF TO DISCUSS THE STRENGTHS AND WEAKNESSES OF THE ETHICS PROGRAM?



UNITED STATES OFFICE OF GOVERNMENT ETHICS	
	OCT 4 2018
MEMORANDUM	
To: Agency Heads	

Until then, as the leader of your agency and its ethics program, you can take action now to protect your agency and its mission. Consider demonstrating your commitment to ethical leadership by communicating it directly to your staff, meeting with your ethics team to make sure they have the support they need, and inviting your ethics officials to executive planning meetings to help foresee and prevent ethics challenges.

#### your ethics program.

Until then, as the leader of your agency and its ethics program, you can take action now to protect your agency and its mission. Consider demonstrating your commitment to ethical leadership by communicating it directly to your staff, meeting with your ethics team to make sure they have the support they need, and inviting your ethics officials to executive planning meetings to help foresee and prevent ethics challenges.

Together, we can secure the public's trust and deliver for the American people on their expectation of selfless governing and honest government.

Thank you for your service to our country.

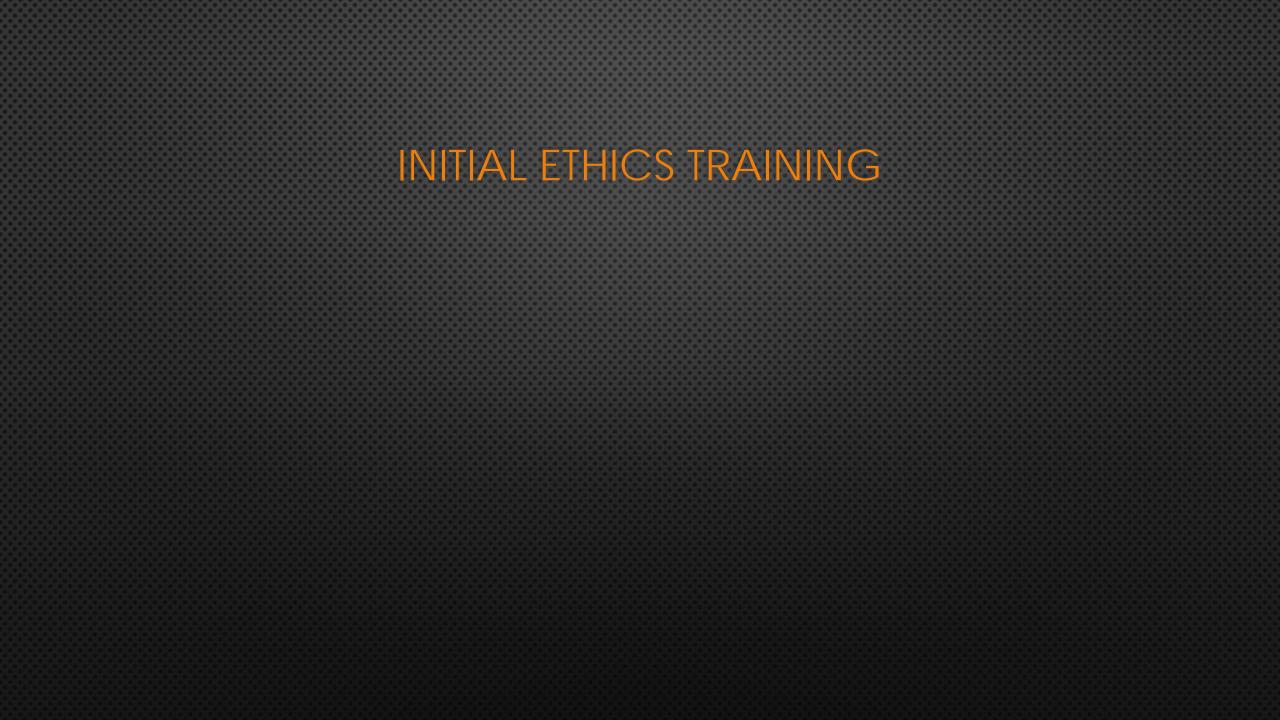
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#### Annual Questionnaire <u>Background</u>

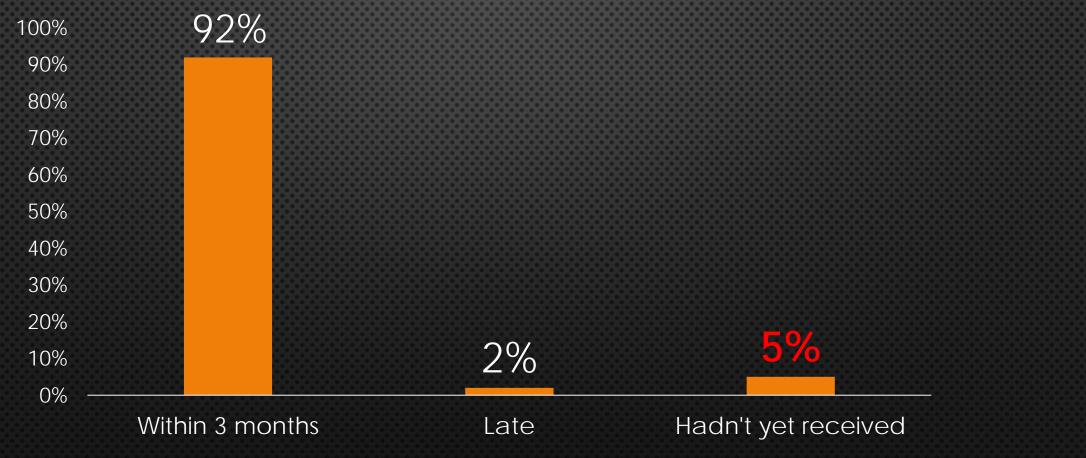
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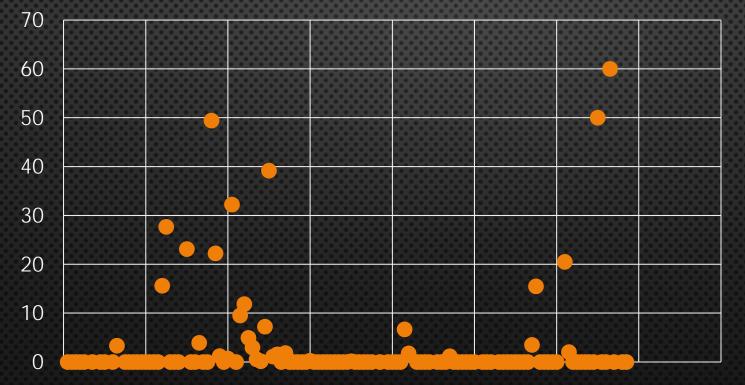




## Timeliness of Initial Ethics Training for New Employees

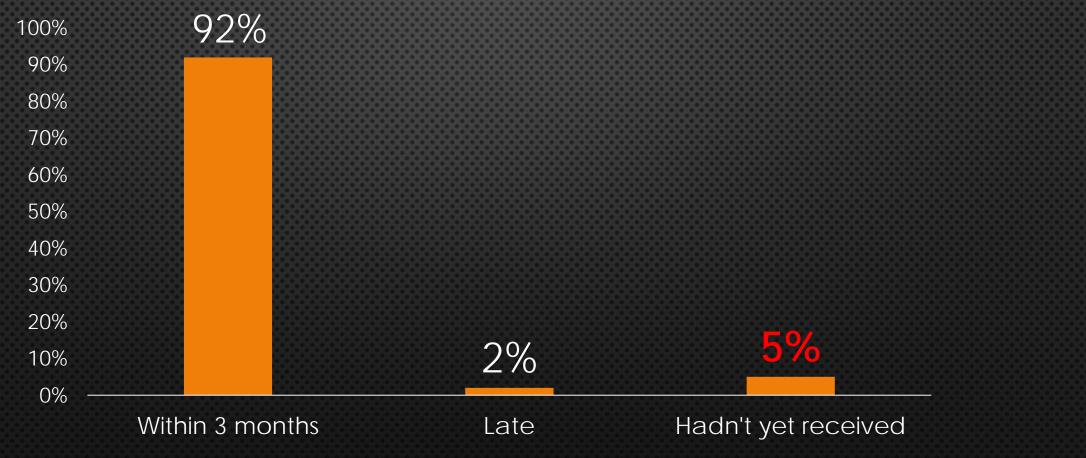


Percentage of Employees who Had Not Yet Received Initial Ethics Training, by Agency

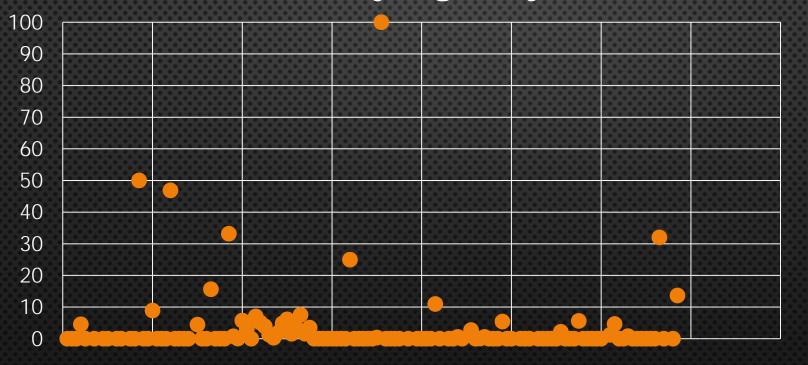


Each orange dot represents 1 agency

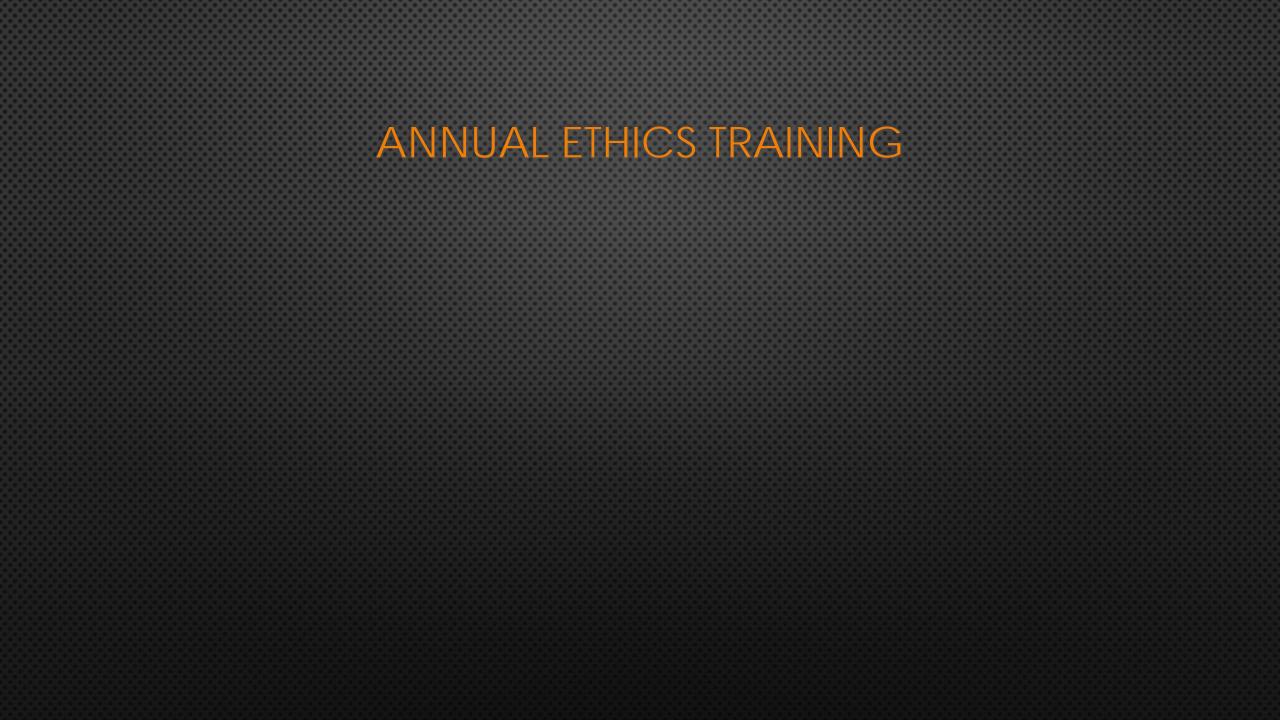
## Timeliness of Initial Ethics Training for New Employees



Percentage of Employees who Received Initial Ethics Training Late, by Agency



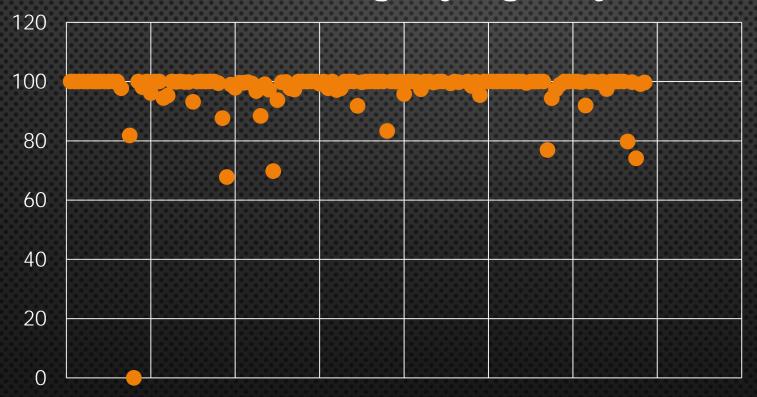
Each orange dot represents 1 agency





# Of the 410,952 employees required to receive annual ethics training 390,791 received it

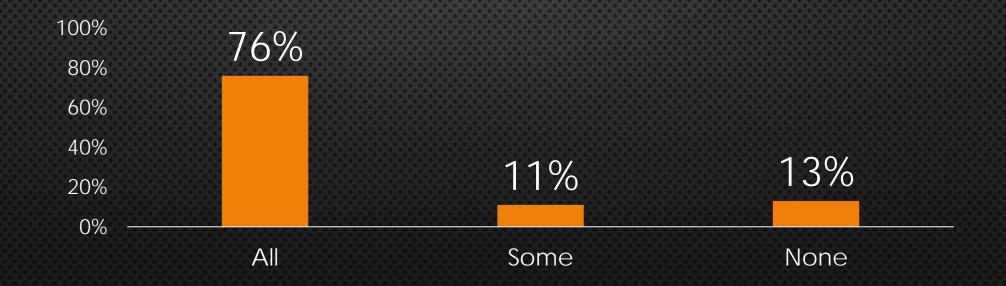
Percentage of Employees who Completed Required Annual Ethics Training, by Agency



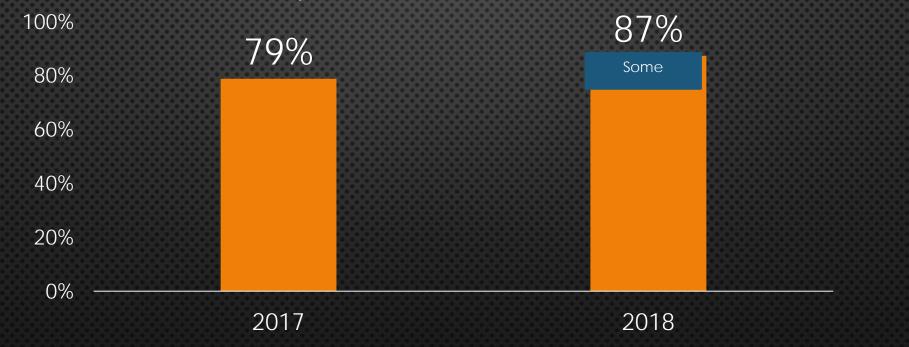
Each orange dot represents 1 agency

#### ETHICS NOTICE TO PROSPECTIVE EMPLOYEES: Certification that notice is being issued

Did all of the office(s) responsible for issuing ethics notices to prospective employees provide the DAEO with the required certification?



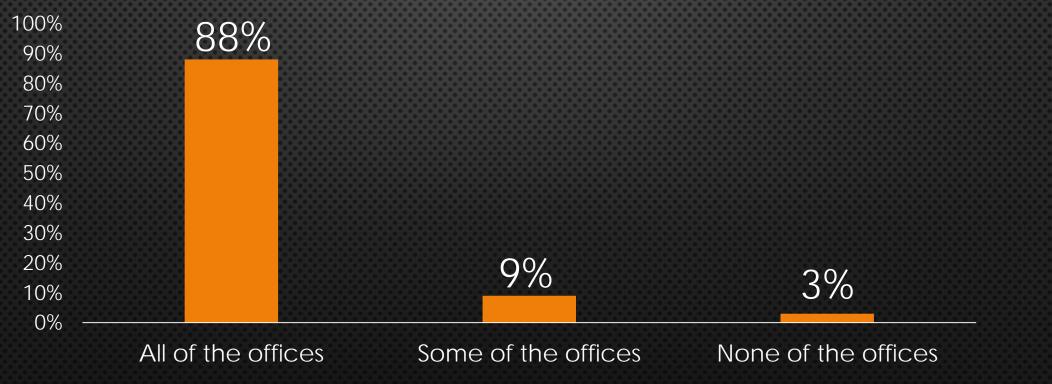
Did all of the office(s) responsible for issuing ethics notices to prospective employees provide the DAEO with the required certification?\*

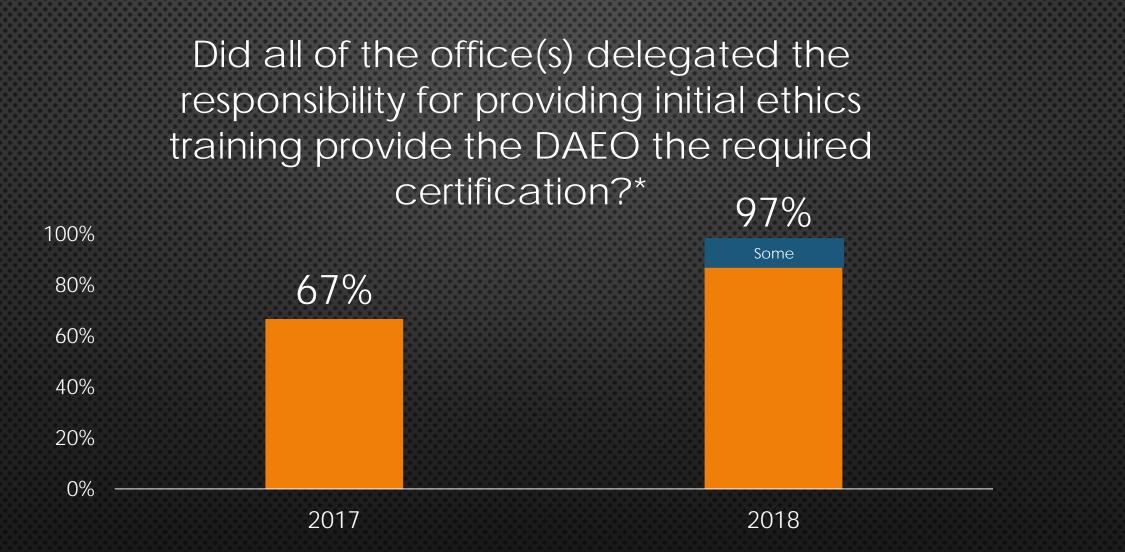


\* 2017 was a yes/no question. 2018 asked agencies to describe how many offices provided the certification: all, some, or none. The 2018 chart shows agencies that answered all and some.

## INITIAL ETHICS TRAINING: Certification that the initial ethics training is being provided

Did all of the office(s) delegated the responsibility for providing initial ethics training provide the DAEO the required certification?





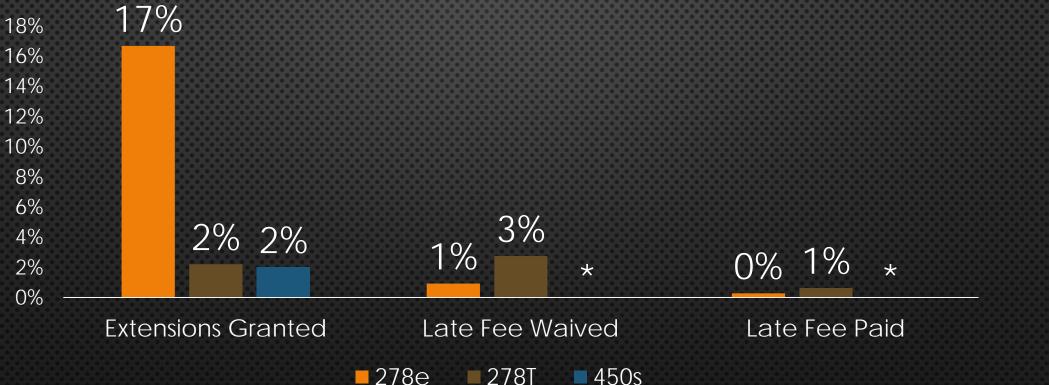
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# 99% compliance rate

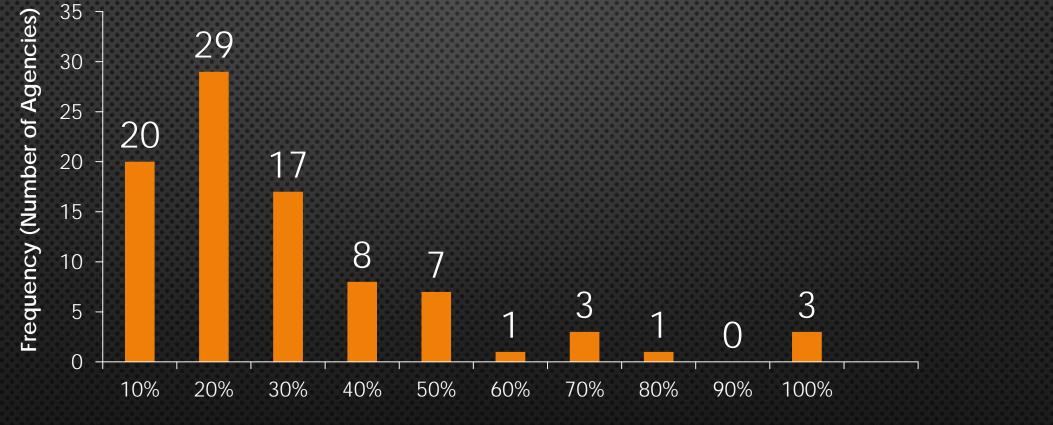
26,045 public financial disclosure reports filed out of the 26,205 required 380,863 confidential financial disclosure reports filed out of the 382,901 required

#### Financial Disclosure: Percentage of Extensions Granted and Late Fees Waived and Paid



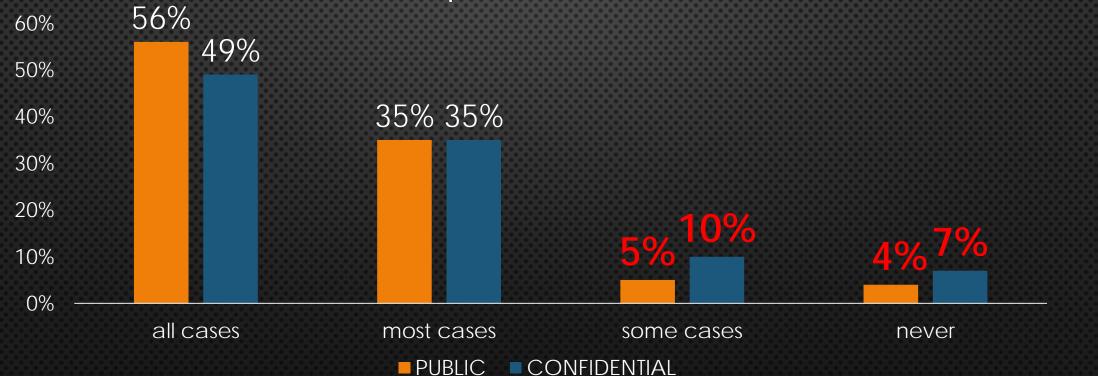
\* Late feels are applicable only to public disclosures. Agencies may use other administrative remedies to address late confidential disclosure filings

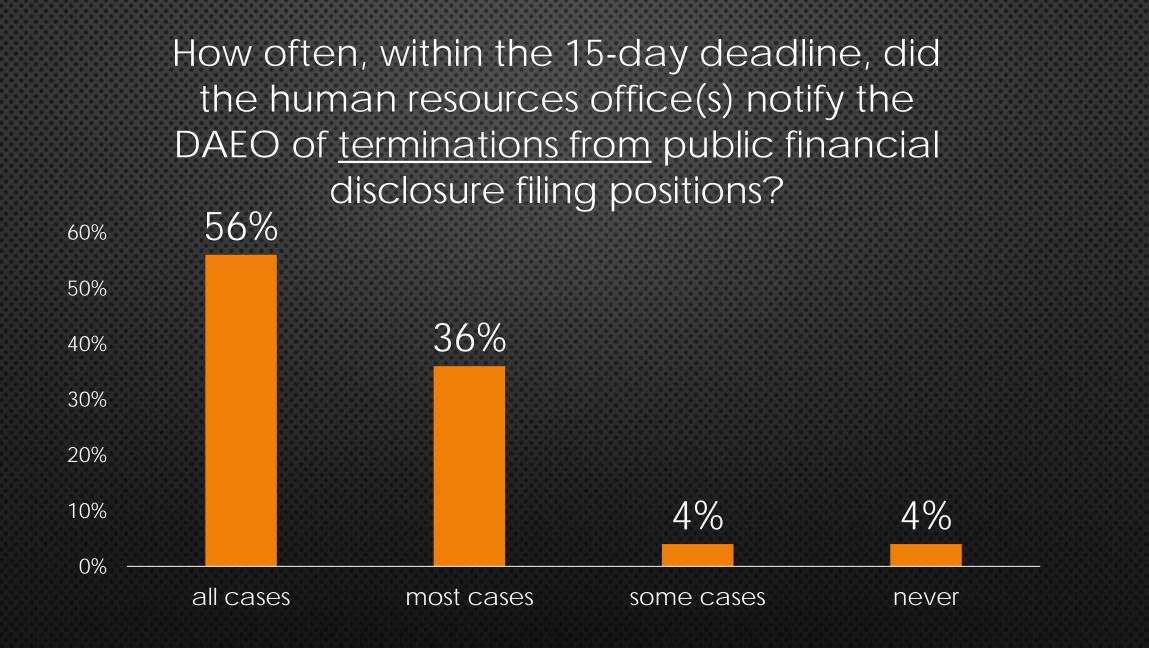
#### Frequency: Percent of 278 Reports Granted Filing Extensions



Percentage of Reports Granted Filing Extension

#### How often, within the 15-day deadline, did the human resources office(s) notify the DAEO of <u>appointments to</u> financial disclosure filing positions?





## USE OGE'S 2017 PRESENTATION ON RATIOS TO BENCHMARK YOUR AGENCY

 With the 2017 data, OGE calculated key ratios such as the ratio of full-time employees to full-time equivalent ethics officials, the ratio of 278s and 450s to ethics officials, and the ratio of employees required to receive training to ethics officials

Link to the presentation:

https://extapps2.oge.gov/Training/OGETraining.nsf/OGECourse.xsp?action= openDocument&documentId=E0918D9DA997B666852582F6004C2E0A

Example of ratios calculated for agencies with more than 10,000 employees Agencies with 10,000 or More Full Time Employees: Ratio of Full Time Employees per Ethics Official

- Department of Health and Human Services
  - Environmental Protection Agency
- National Aeronautics and Space Administration
  - General Services Administration
    - Department of Energy 📕
- Department of Defense Office of the Secretary of ...
  - Department of Justice
  - Department of Labor 📃
  - Department of Treasury
- Department of Defense Department of the Navy
  - Defense Intelligence Agency
  - Defense Logistics Agency
- Department of Defense Department of the Air Force
  - Department of the Interior
- Department of Defense Department of the Army
  - Department of State
  - Department of Homeland Security
  - Department of Transportation
  - National Security Agency
    Social Security Administration

0

5,000

10,000

15,000

20,000

25,000

- Department of Agriculture
  - Department of Veterans Affairs

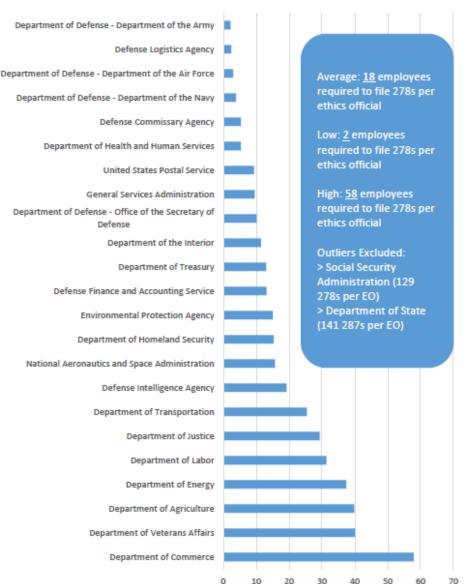
Average: <u>2,973</u> full time employees per ethics official

Low: <u>305</u> full time employees per ethics official

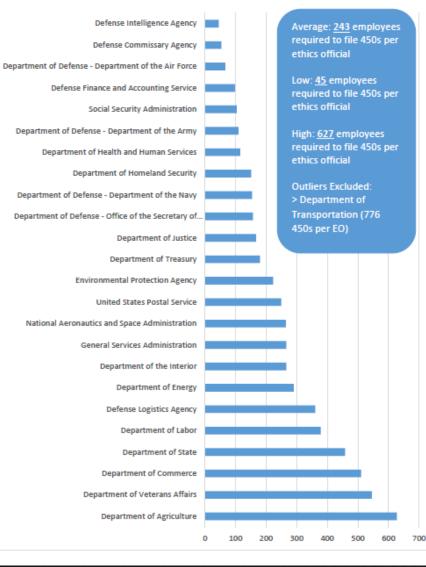
High: 22,639 full time employees per ethics official

Outliers Excluded: > United States Postal Service (58,741 FTEs to FO)

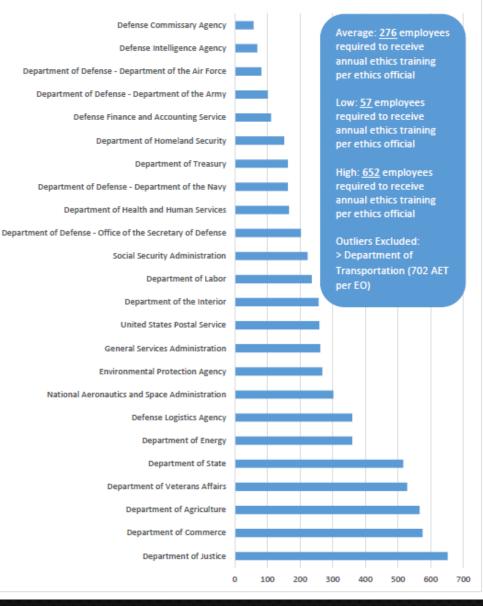
Example of ratios calculated for agencies with more than 10,000 employees Agencies with 10,000 or More Full Time Employees: Ratio of Required Public Financial (278) Reports per Ethics Official



Example of ratios calculated for agencies with more than 10,000 employees Agencies with 10,000 or More Full Time Employees: Ratio of Required Confidential Financial (450) Reports per Ethics Official



Example of ratios calculated for agencies with more than 10,000 employees Agencies with 10,000 or More Full Time Employees: Ratio of Employees Required to Receive Annual Ethics Training per Ethics Official



Program Element	Benchmark Ratios	Compliance Indicators	Other Indicators	Assessment & Action Item
	(Source: Annual	(Source: Annual	(Source: Agency Records)	
	Questionnaire)	Questionnaire and Agency		
		Records)		
Example: Initial	Our ratio: ~260 IET trainees	Percentage trained within 3-	70% of employees report better	Increase 3-month compliance
Ethics Training	per FTE ethics official	month deadline: 85%	understanding their ethics	rate: Identify and address the
_			obligations after taking training	reasons for late training
	Average ratio for our cohort:	Exec branch percentage: 91%		
	97			Increase the training
		Percentage of employees		comprehension: Follow up with
	Our rank in the cohort: 38	trained after 3 months: 15%		those who reported they didn't
				have a better understanding
				after training and ask for
				feedback
Initial Ethics	Our ratio	Percentage trained within 3-	Examples:	Jecuboun
Training		months	* Percent of employees who	
Training	Average ratio for our		better understanding their ethics	
	cohort	Percentage of employees	obligations after taking training	
	conorc	trained after 3 months	* Number of questions received	
	Over mark in the askert	trained after 5 months		
	Our rank in the cohort		after training	
Annual Ethics	Our ratio	Compliance rate	Examples (see above)	
Training				
	Average ratio for our			
	cohort			
	Our rank in the cohort			
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Ethics Program Self-Assessment Worksheet

## QUESTIONS? COMMENTS? SUGGESTIONS FOR USES OF ANNUAL QUESTIONNAIRE DATA?

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