

ETHICS PROGRAM REVIEW FOLLOW-UP REPORT

Agency: U.S. Department of Energy

Follow-up to OGE Report Number: 21-18

Report No.: 23-04F

Date: November 29, 2022

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

As a result of its review of the U.S. Department of Energy (DOE) ethics program, the Office of Government Ethics (OGE) issued three recommendations in its April 2021 review report. OGE conducted a follow-up review to assess whether the DOE 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	Ensure that confidential financial disclosure reports are certified timely.	<p>DOE ethics officials indicated that DOE maintains a weekly dashboard that separately tracks review and certification timeliness for annual and new entrant confidential reports. Headquarters ethics staff are sent a weekly email of individual confidential reports that will reach 60 days from the filing day within the following week and are instructed to prioritize those for review.</p> <p>To evaluate confidential financial disclosure report certification timeliness, OGE reviewed a sample of 40 confidential reports and found that all were certified timely.</p>	Closed
2	Ensure that all SGEs file their confidential financial disclosure reports by the agency established deadline, or in no event later than the first committee meeting, as required by 5 C.F.R. § 2634.903(b)(3).	<p>DOE ethics officials indicated that all SGEs who are considered for appointment or reappointment as advisory committee members are required to submit an OGE-approved alternative confidential financial disclosure report prior to their appointment, pursuant to 5 C.F.R. § 2634.903(b)(3).</p> <p>To evaluate the timeliness of SGE confidential financial disclosure report filing, OGE examined the alternative confidential financial disclosure reports filed by the SGE members of the Basic Energy Sciences Advisory Committee (BESAC) in 2021 and 2022. OGE found that all 20 members filed the confidential financial disclosure report by the agency established deadline or, when applicable, before the first committee meeting in August 2021.</p>	Closed

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Ensure that expert and consultant SGEs complete ethics training each year as required

DOE ethics officials indicated that DOE experts and consultants who are SGEs are included in DOE's initial and annual ethics training procedures for all filers. DOE maintains a weekly dashboard that separately tracks completion of new entrant and annual ethics training for all filers. Multiple reminders are sent until the training is completed. When the training is overdue, those who have not completed required training are contacted directly by the ethics staff to complete the training. If it is not completed within 10 business days this direct contact, ethics staff contacts the employee's supervisor or the Administrative Office for employee's program until training is completed.

To evaluate their completion of ethics training, OGE reviewed DOE's ethics training records for the expert and consultant SGEs and found that all received the required training in 2021.

Closed

Based on the results of OGE's follow-up review, all recommendations are closed.