

FY 2024 Equity Action Plan
U.S. Office of Government Ethics

(1) Executive summary

The U.S. Office of Government Ethics (OGE) leads and oversees the executive branch ethics program, which is at work every day in more than 140 agencies. The executive branch ethics program works to prevent financial conflicts of interest to help ensure government decisions are made impartially to serve the public. OGE carries out its mission by developing and interpreting ethics laws and regulations, supporting and training executive branch ethics officials, administering the executive branch financial disclosure systems, monitoring senior leaders' compliance with ethics commitments, ensuring agencies comply with ethics program requirements, and making ethics information available to the public.

In the course of fulfilling this mission, OGE has determined that it can most effectively advance equity and remove barriers for underserved communities in (1) public participation, (2) ethics education, regulations, and interpretive guidance, (3) ethics documents for external stakeholders and (4) procurement. As described in detail below, OGE plans to undertake, or has already implemented, a variety of actions to further equity among federal employees, the general public, members of the greater executive branch ethics community, and disadvantaged businesses. Resulting from its earlier assessments of the programs that affect each of these groups, OGE has arrived at tangible actions that should bear quantifiable results. Moreover, as also specified below, OGE has developed plans for holding itself accountable for carrying out its planned actions and for monitoring their success.

(2) Strategies to Advance Equity in FY 2024

STRATEGY #1 - EXPAND OPPORTUNITIES FOR PUBLIC PARTICIPATION

Whole-of-Government Equity Objective(s): N/A

Collaborating Agencies: All executive branch agencies

Barriers to Equity:

- OGE seeks to expand opportunities for the public to participate in the rulemaking and forms renewal process. Regulations are a critical way that the federal government makes and implements policy, ranging from how benefit programs are administered to how the federal government enforces workplace safety and health protections, and touching countless other areas of Americans' lives. The federal regulatory process provides opportunities for members of the public to offer their perspectives on specific proposals, including through written comments and meetings during regulatory review. However, federal agencies do not always hear from communities that might be affected by proposed regulatory actions — especially historically underserved communities.

Evidence Base to Support Strategy:

- The [Fifth U.S. Open Government National Action Plan](#) includes evidence that supports the need for broadening public participation in the rulemaking process.

Actions to Achieve Equity:

To address these barriers, OGE will:

- Expand outreach efforts to underserved communities by identifying points of contact in these communities in order to share opportunities for participation
- Maintain/refine OGE's rulemaking page on its website
- Research the use of regulations.gov
- Create a new webpage to document all current stakeholder outreach opportunities

Proposed Metrics (Outputs and Outcomes):

Near-to Medium-Term (Likely to be mostly outputs)

OGE will track its near-to-medium progress by:

- The successful and timely creation of its new webpages related to public participation

Longer Term (Outcomes)

OGE will track its longer-term progress by:

- Tracking and analyzing the number and sources of page views of both its new webpage that documents stakeholder outreach opportunities and its rulemaking webpage
- Analyzing social media statistics related to public participation
- Recording and analyzing the number of comments received by external stakeholders

STRATEGY #2- INCREASE INCLUSIVITY OF ETHICS PROGRAM MATERIALS TO ENABLE FEDERAL EMPLOYEES TO BETTER SERVE THE PUBLIC

Whole-of-Government Equity Objective(s): N/A

Collaborating Agencies: All executive branch agencies

Barriers to Equity:

- OGE seeks to address potential inequities that may exist in ethics regulations and guidance, as well as in the delivery and content of required ethics education to federal employees, which in turn may impact an employee's understanding of their ethical obligations under the Ethics in Government Act, the criminal conflict of interest laws, and ethics regulations. A lack of understanding could negatively impact how federal employees carry out their work and deliver services to the public, including underserved communities.

Evidence Base to Support Strategy:

- Lack of inclusivity in the language used or the individuals represented in the training will keep target audiences from absorbing the training as effectively as they would otherwise. (See *Legalese v. Plain English: An Empirical Study of Persuasion and Credibility in Appellate Brief Writing*)
- In the summer of 2021, OGE conducted DEIA listening sessions for ethics officials across the executive branch. Ethics officials indicated that target audiences may be more receptive to ethics training if they see themselves represented in the training presentations and the training presenters.
- OGE's listening sessions revealed that not all training products, such as webinars, PowerPoints, and training aids, are fully accessible to those who have visual, aural, or cognitive impairments.

Actions to Achieve Equity:

To address these barriers, OGE will:

- Update its standard operating procedure for developing its advisories to ensure that these resources are reviewed for diversity, equity, inclusion, and accessibility
- Develop a style guide that incorporates the principles of diversity, equity, inclusion, and accessibility
- Provide training for proofreaders/editors on the principles of diversity, equity, inclusion, and accessibility
- Continue to hold the Inclusion and Accessibility workshops for ethics officials so that they can implement the principles they have learned into the ethics education they will deliver to employees and to receive feedback from their peers

Proposed Metrics (Outputs and Outcomes):*Near- to Medium-Term (Likely to be mostly outputs)*

OGE will track its near-to-medium progress by:

- Tracking the number of OGE-created materials it has updated for diversity, equity, inclusion, and accessibility principles
- Tracking the number of reviews it has conducted for DEIA principles in its new ethics education materials, regulations, and guidance
- Tracking the number of Inclusion and Accessibility workshops offered to executive branch ethics officials and collecting feedback on those workshops.
- Collecting data, such as the number of agencies that considered inclusivity and accessibility when designing and delivering their ethics education to federal employees

Longer-Term (Outcomes)

OGE will track its longer-term progress by:

- Encouraging agencies to survey their employees about the inclusivity of the training after conducting ethics education
- Considering examining each agency's progress as part of regular agency ethics program reviews

STRATEGY #3 – IMPROVE EQUITABLE ACCESS AND INCLUSIVITY OF ETHICS MATERIALS FOR EXTERNAL STAKEHOLDERS

Barriers to Equity:

- OGE is trying to address the potential inequitable awareness of, and access to, ethics records, including public financial disclosure records, which serve to support public confidence in the impartiality of government decision-making within the existing statutory requirements.

Evidence Base to Support Strategy:

- Per the U.S. Census, American Community Survey, 21.6% of people speak a language other than English at home.
- Per the Literacy Project, the average reading competence in the United States is at the 7th to 8th grade level.
- Further, per the National Assessment of Adult Literacy (NAAL), 12% of adults (25 million) function at a below basic document literacy level, and 22% (47 million) function at a basic document literacy level. Document literacy includes the knowledge and skills needed to perform document tasks (i.e., to search, comprehend, and use non-continuous texts in various formats). Examples include job applications, payroll forms, transportation schedules, maps, tables, and drug or food labels.
- In his book *Sludge*, Cass Sunstein discusses impacts of administrative burden on underserved communities, such as preventing people from obtaining access to benefits for which they are eligible, including information. Examples of “sludge” include lengthy forms, complicated websites, waiting time, and bureaucratic jargon. Sunstein’s studies indicate “sludge” has disproportionate effects on the historically marginalized, like the elderly, sick, people of color, and people with low incomes.
- In addition, in their book *Administrative Burden: Policymaking by Other Means*, Pam Herd and Don Moynihan explain that “learning costs” can also impact full and equal participation. Learning costs refer to time and effort expended to learn about a program, protection, or service, ascertaining eligibility status, the nature of benefits or protections, conditions that must be satisfied, and how to gain access to benefits or protections.

Actions to Achieve Equity:

To address these barriers, OGE will:

- Re-write/simplify the instructions of OGE's forms as part of the forms renewal process
- Incorporate inclusion principles when drafting new ethics materials for external stakeholders
- Continue to translate the online OGE Form 201 into other languages

Proposed Metrics (Outputs and Outcomes):

Near-to Medium-Term (Likely to be mostly outputs)

OGE will track its near-to-medium progress by:

- Tracking the number of translations
- Tracking the number of forms simplified
- Tracking the number of documents revised for inclusion

Longer-Term (Outcomes)

OGE will track its longer-term progress by:

- Tracking and analyzing the number of page views of translated pages or similar website data
- Conducting post-request surveys that includes asking if requestors are from underserved communities

STRATEGY #4 – USE THE AGENCY’S PURCHASING POWER TO REDUCE INEQUITIES

Barriers to Equity:

OGE is trying to reduce inequity by using its purchasing power as a federal agency in ways that benefit historically underserved communities, such as by making purchases from, and entering into contracts with, small and disadvantaged businesses (SDB).

Evidence Base to Support Strategy:

- OGE has historically met or exceeded federal goals for Government Purchase Card (GPC) purchases from, and contracts with, small and disadvantaged businesses, and intends to further increase its efforts and take additional steps to ensure accountability in its processes.

Actions to Achieve Equity:

To address these barriers, OGE will:

- Continue to maximize its use of small and disadvantaged businesses when making GPC purchases and letting contracts and will further formalize its procedures to ensure it continues to excel in this area. Per OMB Memo M-24-01, for FY 2024, the interim goal for the share of contract spending with SDBs is 13 percent; OGE will continue to exceed the goal with an established agency goal of 15%.
- Further formalize our processes and procedures for purchasing and contracting to ensure ongoing success and accountability.

Proposed Metrics (Outputs and Outcomes):

Near-to Medium-Term (Likely to be mostly outputs)

OGE will track its near to medium progress by:

- Tracking its actual spending and contracting against federal goals, in order to meet or exceed them.

Longer-Term (Outcomes)

OGE will track its longer-term progress by:

- Tracking its performance in driving GPC purchases and contracts to underserved communities via small and disadvantaged businesses