

ETHICS PROGRAM INSPECTION REPORT

Agency: Federal Retirement Thrift Investment Board

Report No.: 21-111

Date: March 18, 2021

Period Covered by Review: January 1, 2020 through December 31, 2020

UNITED STATES OFFICE OF
GOVERNMENT ETHICS


Preventing Conflicts of Interest
in the Executive Branch

| 1.0 AGENCY DATA | | |
|---|--|---|
| EMPLOYEES | | |
| 1.1 | Number of full-time agency employees. | 287 |
| 1.2 | Number of Presidentially appointed, Senate-confirmed (PAS) public financial disclosure reports required to be filed. | 4 |
| 1.3 | Number of non-PAS public financial disclosure reports required to be filed. | 14 |
| 1.4 | Number of confidential financial disclosure reports required to be filed. | 96 |
| ETHICS PROGRAM | | |
| 1.5 | Title of Designated Agency Ethics Official (DAEO). | General Counsel |
| 1.6 | Grade level of DAEO. | SES |
| 1.7 | Title of Alternate DAEO (ADAEO). | Assistant General Counsel for Agency Operations |
| 1.8 | Grade level of ADAEO. | GS-15 |
| 1.9 | Title of the primary, day-to-day ethics program administrator. | Attorney-Advisor |
| 1.10 | Grade level of the primary, day-to-day ethics program administrator. | GS-14 |
| 1.11 | Current number of full-time ethics officials. | 0 |
| 1.12 | Current number of part-time ethics officials. | 4 |
| 1.13 | Number of reporting levels between the DAEO and the agency head. | 1 |
| COMMENTS | | |
| 1.2: A five-member Board of Directors and an Executive Director lead FRTIB. Members of the Board of Directors are PAS officials who serve part time as special government employees (SGE), and therefore, file confidential financial disclosure reports. At the time of OGE's Inspection, there were only four Board Members. OGE verified that all four Board Members filed their financial disclosure reports timely and received the required initial ethics training/annual ethics training. | | |

| 2.0 LEADERSHIP | | | | |
|--------------------------------|--|-------------------------------------|--------------------------|--------------------------|
| COMPLIANCE REQUIREMENTS | | Yes | No | N/A |
| 2.1 | OGE has received an up-to-date designation from the agency head naming the DAEO. <i>See</i> 5 C.F.R. § 2638.107(a). | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2.2 | OGE has received an up-to-date designation from the agency head naming the ADAEO. <i>See</i> 5 C.F.R. § 2638.107(a). | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| COMMENTS | | | | |
| None. | | | | |

| 3.0 PUBLIC FINANCIAL DISCLOSURE (OGE Form 278e, OGE Form 278-T) | | | | |
|--|--|-------------------------------------|--------------------------|-------------------------------------|
| COMPLIANCE REQUIREMENTS | | Yes | No | N/A |
| The agency has written policies and procedures in place governing: <i>See</i> 5 U.S.C. app. IV, § 402(d)(1). | | | | |
| 3.1 | • Collection of public financial disclosure reports. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3.2 | • Review/evaluation of public financial disclosure reports. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3.3 | • Public availability of public financial disclosure reports. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3.4 | The agency can demonstrate that late filing fees are collected or, where appropriate, waivers are issued when public filers do not timely file financial disclosure reports. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3.5 | Public financial disclosure reports are securely maintained. <i>See</i> OGE/GOVT-1. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

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| 3.6 | Public financial disclosure reports are retained in accordance with the retention requirements. <i>See</i> 5 C.F.R. § 2634.603(g)(1). | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3.7 | There is reasonable assurance that the lead human resources official or designee promptly (no later than 15 days after appointment) notifies the DAEO of all appointments to positions that require incumbents to file public financial disclosure reports. <i>See</i> 5 C.F.R. § 2638.105(a)(1). | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3.8 | There is reasonable assurance that the lead human resources official or designee promptly (no later than 15 days after termination) notified the DAEO of all terminations of employees in positions that require incumbents to file public financial disclosure reports. <i>See</i> 5 C.F.R. § 2638.105(a)(2). | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| DATA ANALYSIS | | % | | |
| 3.9 | Percentage of sampled non-PAS new entrant reports filed timely. <i>See</i> 5 C.F.R. § 2634.201(b). | N/A | | |
| 3.10 | Percentage of sampled non-PAS annual reports filed timely. <i>See</i> 5 C.F.R. § 2634.201(a). | 100% | | |
| 3.11 | Percentage of sampled non-PAS termination reports filed timely. <i>See</i> 5 C.F.R. § 2634.201(e). | 100% | | |
| 3.12 | Percentage of sampled non-PAS public financial disclosure reports reviewed within 60 days of receipt. <i>See</i> 5 C.F.R. § 2634.605(a). | 100% | | |
| 3.13 | Percentage of sampled non-PAS public financial disclosure reports certified within 60 days of receipt. <i>See</i> 5 C.F.R. § 2634.605(a). | 88% | | |
| 3.14 | Percentage of sampled PAS annual reports filed timely. <i>See</i> 5 C.F.R. § 2634.201(a). | N/A | | |
| 3.15 | Percentage of sampled PAS termination reports filed timely. <i>See</i> 5 C.F.R. § 2634.201(e). | N/A | | |
| 3.16 | Percentage of sampled PAS annual and termination reports reviewed within 60 days of receipt. <i>See</i> 5 C.F.R. § 2634.605(a). | N/A | | |
| 3.17 | Percentage of sampled PAS annual and termination reports certified within 60 days of receipt. <i>See</i> 5 C.F.R. § 2634.605(a). | N/A | | |
| COMMENTS | | | | |
| <p>3.4: FRTIB did not have any late filers during the period covered by the Inspection..</p> <p>3.7, 3.9: FRTIB did not have any new entrant public filers during the period covered by the Inspection.</p> <p>3.14: As mentioned above, a five-member Board of Directors lead FRTIB. Members of the Board of Directors are PAS officials who serve part time as special government employees (SGE), and therefore, file confidential financial disclosure reports. At the time of OGE's Inspection, there were only four Board Members. 3.14-3.17: FRTIB does not have any PAS who file public financial disclosure reports.</p> | | | | |

| | | | | |
|------------|---|-------------------------------------|--------------------------|-------------------------------------|
| 4.0 | CONFIDENTIAL FINANCIAL DISCLOSURE | | | |
| | COMPLIANCE REQUIREMENTS | Yes | No | N/A |
| | The agency has written policies and procedures in place governing: <i>See</i> 5 U.S.C app. IV, § 402(d)(1). | | | |
| 4.1 | <ul style="list-style-type: none"> • Collection of confidential financial disclosure reports. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4.2 | <ul style="list-style-type: none"> • Review/evaluation of confidential financial disclosure reports. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4.3 | Confidential financial disclosure reports are securely maintained. <i>See</i> OGE/GOVT-2. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4.4 | Confidential financial disclosure reports are retained in accordance with the retention requirements. <i>See</i> 5 C.F.R. § 2634.604. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4.5 | The agency's OGE-approved alternative confidential financial disclosure system complies with plans approved by OGE. <i>See</i> 5 C.F.R. § 2634.905(a). | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4.6 | There is reasonable assurance that the lead human resources official or designee promptly (no later than 15 days after appointment) notifies the DAEO of all appointments to positions that require incumbents to file confidential financial disclosure reports. <i>See</i> 5 C.F.R. § 2638.105(a)(1). | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

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| | DATA ANALYSIS | % |
|------|--|------|
| 4.7 | Percentage of sampled confidential new entrant reports filed timely. <i>See</i> 5 C.F.R. § 2634.903(b). | 75% |
| 4.8 | Percentage of sampled confidential annual reports filed timely. <i>See</i> 5 C.F.R. § 2634.903(a). | 100% |
| 4.9 | Percentage of sampled reports reviewed within 60 days of receipt. <i>See</i> 5 C.F.R. § 2634.605(a). | 100% |
| 4.10 | Percentage of sampled confidential financial disclosure reports certified within 60 days of receipt. <i>See</i> 5 C.F.R. §§ 2634.605(a) and 2634.909(a). | 100% |

| COMMENTS | |
|----------|--|
| | <p>4.4: OGE was not able to assess whether FRTIB was in compliance with this requirement. The relevant records are stored in FRTIB's office space and cannot be accessed remotely. Consistent with guidance from the Office of Management and Budget, all OGE staff and most of the FRTIB staff are working remotely during the COVID-19 pandemic. FRTIB and OGE staff would need to physically enter FRTIB's office space to allow OGE to make its assessment. 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. OGE will assess FRTIB's compliance with this requirement when circumstances permit.</p> <p>4.5: FRTIB does not use an OGE-approved alternative confidential financial disclosure system.</p> |

5.0 Notices to Prospective Employees

| COMPLIANCE REQUIREMENTS | | | | Yes | No | N/A |
|---|--|--|-------------------------------------|-------------------------------------|--------------------------|-----|
| Written offers of employment for positions covered by the Standards of Conduct provide: <i>See</i> 5 C.F.R. § 2638.303. | | | | | | |
| 5.1 | | <ul style="list-style-type: none"> • A statement regarding the agency's commitment to government ethics. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| 5.2 | | <ul style="list-style-type: none"> • Notice that the individual will be subject to the Standards of Conduct and the criminal conflict of interest statutes as an employee. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| 5.3 | | <ul style="list-style-type: none"> • Contact information for an appropriate agency ethics office or an explanation of how to obtain additional information on applicable ethics requirements. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| 5.4 | | <ul style="list-style-type: none"> • Where applicable, notice of the time frame for completing initial ethics training. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| 5.5 | | <ul style="list-style-type: none"> • Where applicable, a statement regarding financial disclosure requirements and an explanation that new entrant reports must be filed within 30 days of appointment. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| 5.6 | | The agency has established written procedures for issuing the notice to prospective employees. <i>See</i> 5 C.F.R. § 2638.303(c). | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| 5.7 | | The agency's written procedures are reviewed by the DAEO each year. <i>See</i> 5 C.F.R. § 2638.303(c). | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 5.8 | | The agency can demonstrate that there is an effective process for ensuring all covered employees receive the required information with their written offer of employment. <i>See</i> 5 C.F.R. § 2638.303. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |

| COMMENTS | |
|----------|---|
| | <p>5.7: FRTIB did not have established written procedures for issuing notices to prospective employees prior to this OGE inspection. The procedures were drafted during the review.</p> <p>5.8: Based on the sample of written offers of employment provided, it is reasonable to assume that the agency has an effective process in place for ensuring all covered employees receive the required information.</p> |

6.0 Notices to New Supervisors

| COMPLIANCE REQUIREMENTS | | | | Yes | No | N/A |
|--|--|---|-------------------------------------|--------------------------|--------------------------|-----|
| The agency must provide each employee upon initial appointment to a supervisory position with: <i>See</i> 5 C.F.R. § 2638.306. | | | | | | |
| 6.1 | | <ul style="list-style-type: none"> • Contact information for the agency's ethics office. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| 6.2 | | <ul style="list-style-type: none"> • The text of 5 C.F.R. § 2638.103. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |

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| 6.3 | <ul style="list-style-type: none"> A copy of, a hyperlink to, or the address of a Web site containing the Principles of Ethical Conduct. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 6.4 | <ul style="list-style-type: none"> Other information the DAEO deems necessary. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6.5 | The agency has established written procedures for supervisory ethics notices. <i>See</i> 5 C.F.R. § 2638.306(d). | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 6.6 | The agency's written procedures are reviewed by the DAEO each year. <i>See</i> 5 C.F.R. § 2638.306(d). | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 6.7 | The agency can demonstrate that there is an effective process for ensuring that new supervisors receive the required information within one year of appointment. <i>See</i> 5 C.F.R. § 2638.306(b). | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| COMMENTS | | | | |
| 6.4: The DAEO did not deem any other information necessary. | | | | |
| 6.6: Per the engagement questionnaire the agency's written procedures are reviewed every two years by the DAEO. | | | | |

| 7.0 Initial Ethics Training | | | | | | |
|---|--|-------------------------------------|-------------------------------------|--------------------------|----------|-----|
| COMPLIANCE REQUIREMENTS | | | | Yes | No | N/A |
| Each new employee of the agency subject to the Standards of Conduct must complete initial ethics training. <i>See</i> 5 C.F.R. § 2638.304. | | | | | | |
| 7.1 | The training presentation(s) addressed concepts related to conflicts of interest, impartiality, misuse of position and gifts. <i>See</i> 5 C.F.R. § 2638.304(e)(1). | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | |
| 7.2 | The agency provided new employees with either the following written materials or written instruction for accessing them: The summary of the Standards of Conduct distributed by the Office of Government Ethics or an equivalent summary prepared by the agency; provisions of any supplemental agency regulation that the DAEO determines to be relevant or a summary of those provisions; such other written materials as the DAEO determines should be included; instructions for contacting the agency's ethics officials. <i>See</i> 5 C.F.R. § 2638.304(e)(2). | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | |
| 7.3 | The agency has established written procedures for initial ethics training. <i>See</i> 5 C.F.R. § 2638.304(f). | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | |
| 7.4 | The agency's written procedures are reviewed by the DAEO each year. <i>See</i> 5 C.F.R. § 2638.304(f). | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | | |
| DATA ANALYSIS | | | | | % | |
| 7.5 | Percentage of new employees who received initial ethics training. <i>See</i> 5 C.F.R. § 2638.304. | 100% | | | | |
| 7.6 | Percentage of new employees who received initial ethics training within three months of appointment. <i>See</i> 5 C.F.R. § 2638.304(b). | 100% | | | | |
| COMMENTS | | | | | | |
| 7.4: According to the 2020 Annual Agency Ethics Program Questionnaire provided, "the DAEO reviews all ethics policies and procedures every two years, per FRTIB policy. In addition, the DAEO discusses ethics procedures with the ADAEO and primary ethics attorney at least biweekly at a regularly scheduled check-in. The DAEO has close awareness of all aspects of the ethics program." | | | | | | |

| 8.0 Annual Ethics Training | | | | | | |
|---|--|-------------------------------------|-------------------------------------|--------------------------|----|-----|
| COMPLIANCE REQUIREMENTS | | | | Yes | No | N/A |
| Each calendar year, public filers, confidential filers, and certain other employees must complete ethics training which meets specified requirements. <i>See</i> 5 C.F.R. §§ 2638.307 and 2638.308. | | | | | | |
| 8.1 | The training presentation(s) addressed concepts related to financial conflicts of interest, impartiality, misuse of position and gifts. <i>See</i> 5 C.F.R. §§ 2638.307(e)(1) and 2638.308(f)(1). | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | |
| 8.2 | The agency provided employees with either the following written materials or written instruction for accessing them: The summary of the Standards of Conduct distributed by the Office of Government Ethics or an equivalent summary prepared by the agency; provisions of any supplemental agency regulation that the DAEO determines to be relevant or a summary of those provisions; such other written materials as the DAEO determines should be included; instructions for contacting the agency's ethics officials. <i>See</i> 5 C.F.R. § 2638.304(e)(2). | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | | |

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| 8.3 | The agency's annual ethics training complies with the formatting requirements for public filers, confidential filers, and certain other employees. <i>See</i> 5 C.F.R. §§ 2638.307(d) and 2638.308(e). | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 8.4 | The agency's program for annual ethics training complies with the tracking requirements for public filers, confidential filers, and certain other employees. <i>See</i> 5 C.F.R. §§ 2638.307(f) and 2638.308(g). | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 8.5 | The agency can demonstrate it has an effective process for ensuring covered public filers, other than those whose pay is set at Level I or Level II of the Executive Schedule, complete live annual ethics training at least once every two years. <i>See</i> 5 C.F.R. § 2638.308(e)(2). | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| DATA ANALYSIS | | Training Format | | |
| | | Live | Interactive | |
| Percentage of public filers who completed annual ethics training before the end of the calendar year. <i>See</i> 5 C.F.R. § 2638.308(a). | | | | |
| 8.6 | <ul style="list-style-type: none"> • Executive Schedule Level I and Level II. <i>See</i> 5 C.F.R. § 2638.308(e)(1). | N/A | N/A | |
| 8.7 | <ul style="list-style-type: none"> • Other PAS and Equivalent. <i>See</i> 5 C.F.R. § 2638.308(e)(2). | 100% | N/A | |
| 8.8 | <ul style="list-style-type: none"> • SES and Equivalent. <i>See</i> 5 C.F.R. § 2638.308(e)(3). | 100% | 0% | |
| Percentage of confidential filers and certain other employees who completed annual ethics training before the end of the calendar year. <i>See</i> 5 C.F.R. § 2638.307(a)(d). | | | | |
| 8.9 | <ul style="list-style-type: none"> • Employees required to file an annual confidential financial disclosure report. <i>See</i> 5 C.F.R. § 2638.307(a)(1). | 0% | 99% | |
| 8.10 | <ul style="list-style-type: none"> • Employees appointed by the President. <i>See</i> 5 C.F.R. § 2638.307(a)(2). | N/A | N/A | |
| 8.11 | <ul style="list-style-type: none"> • Employees of the Executive Office of the President. <i>See</i> 5 C.F.R. § 2638.307(a)(2). | N/A | N/A | |
| 8.12 | <ul style="list-style-type: none"> • Contracting officers described in 41 U.S.C. § 2101. <i>See</i> 5 C.F.R. § 2638.307(a)(3). | N/A | N/A | |
| 8.13 | <ul style="list-style-type: none"> • Other employees designated by the head of the agency. <i>See</i> 5 C.F.R. § 2638.307(a)(4). | N/A | N/A | |
| COMMENTS | | | | |
| 8.2: FRTIB did not provide the four Board Members with the required documents outlined in this section in their annual ethics training, although other covered employees did receive the required documents during annual ethics training. 8.6, 8.7, 8.10-8.13: FRTIB does not have any employees in these categories. | | | | |

| | | | | |
|-------------------------------|--|-------------------------------------|--------------------------|--------------------------|
| 9.0 | ETHICS ADVICE AND COUNSELING | | | |
| COMPLIANCE REQUIREMENT | | Yes | No | N/A |
| 9.1 | Based on a sample collected by OGE, guidance provided by agency ethics officials to employees appears to be consistent with applicable laws and regulations. <i>See</i> 5 C.F.R. § 2638.104(c)(4). | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| COMMENTS | | | | |
| None. | | | | |

| | | | | |
|--|---|----------|--|--|
| 10.0 | Special Government Employees (SGE) Serving on Advisory Committees and Boards | | | |
| Confidential Financial Disclosure | | | | |
| 10.1 | Number of SGEs serving on Advisory Committees and Boards. | 0 | | |
| DATA ANALYSIS | | % | | |
| 10.2 | Percentage of sampled confidential new entrant reports filed timely. <i>See</i> 5 C.F.R. § 2634.903(b). | N/A | | |
| 10.3 | Percentage of sampled reports reviewed within 60 days of receipt but not later than the SGE's first meeting. <i>See</i> 5 C.F.R. § 2634.605(a). | N/A | | |

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| 10.4 | Percentage of sampled reports certified within 60 days of receipt. <i>See 5 C.F.R. § 2634.605(a).</i> | N/A |
| Ethics Training | | |
| COMPLIANCE REQUIREMENTS | | Yes No N/A |
| | Required ethics training must be provided to each SGE. <i>See 5 C.F.R. §§ 2638.304 and 2638.307.</i> | |
| 10.5 | The training presentation(s) addressed concepts related to conflicts of interest, impartiality, misuse of position and gifts. <i>See 5 C.F.R. § 2638.304(e)(1).</i> | <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> |
| 10.6 | The agency provided employees with either the following written materials or written instruction for accessing them: The summary of the Standards of Conduct distributed by the Office of Government Ethics or an equivalent summary prepared by the agency; provisions of any supplemental agency regulation that the DAEO determines to be relevant or a summary of those provisions; such other written materials as the DAEO determines should be included; instructions for contacting the agency's ethics officials. <i>See 5 C.F.R. § 2638.304(e)(2).</i> | <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> |
| DATA ANALYSIS | | % |
| 10.7 | Percentage of SGEs who received initial ethics training. <i>See 5 C.F.R. § 2638.304.</i> | N/A |
| 10.8 | Percentage of SGEs who received initial ethics training timely. <i>See 5 C.F.R. § 2638.304(b)(2).</i> | N/A |
| 10.9 | Percentage of SGEs who received annual ethics training. <i>See 5 C.F.R. § 2638.307(d)(2).</i> | N/A |
| COMMENTS | | |
| | None. | |

ISSUES IDENTIFIED AND RESOLVED DURING THE INSPECTION

| Element | ISSUE |
|---------|---|
| 5.6 | <p><u>ISSUE:</u> FRTIB did not have written procedures for providing the required notices to prospective employees.</p> <p><u>AGENCY Action:</u> The agency drafted written procedures for providing the required notices to prospective employees during the course of the Inspection. The written procedures met applicable requirements.</p> |

RECOMMENDATIONS

| # | Element | RECOMMENDATION | Compliance Due |
|---|---------------|--|-----------------|
| 1 | 4.7 | <p><u>RECOMMENDATION:</u> Ensure that confidential new entrant reports are filed timely.</p> <p><u>AGENCY RESPONSE:</u> The untimely confidential new entrant reports in 2020 resulted from another office's occasional failure to notify OGC when an employee was designated as a new Contracting Officer's Representative (COR) on a contract. OGC did not learn of these COR designations until we requested a list of all CORs to verify our annual filers list prior to the 2020 filing season. The process for this notification is one we have continuously worked to improve, and we are happy to report that when we requested the list of all CORs prior to the 2021 annual filing season, we found no instances of failure to notify.</p> | January 1, 2022 |
| 2 | 5.7, 6.6, 7.4 | <p><u>RECOMMENDATION:</u> Ensure that the DAEO annually reviews the policies for notices to prospective employees, notices to new supervisors, and initial ethics training</p> <p><u>AGENCY RESPONSE:</u> This recommendation results from an oversight by the Agency's ethics program, and we will ensure that we comply with this recommendation going forward.</p> | January 1, 2022 |

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in the Executive Branch

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| 3 | 10.6 | <p><u>RECOMMENDATION:</u> As part of initial and annual ethics training, ensure that all employees are given a link to the following written materials or written instruction for accessing them: The summary of the Standards of Conduct distributed by the Office of Government Ethics or an equivalent summary prepared by the agency; provisions of any supplemental agency regulation that the DAEO determines to be relevant or a summary of those provisions; such other written materials as the DAEO determines should be included; instructions for contacting the agency's ethics officials.</p> <p><u>AGENCY RESPONSE:</u> This recommendation results from an oversight by the Agency's ethics program, and we will ensure that we comply with this recommendation going forward.</p> | January 1, 2022 |
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