

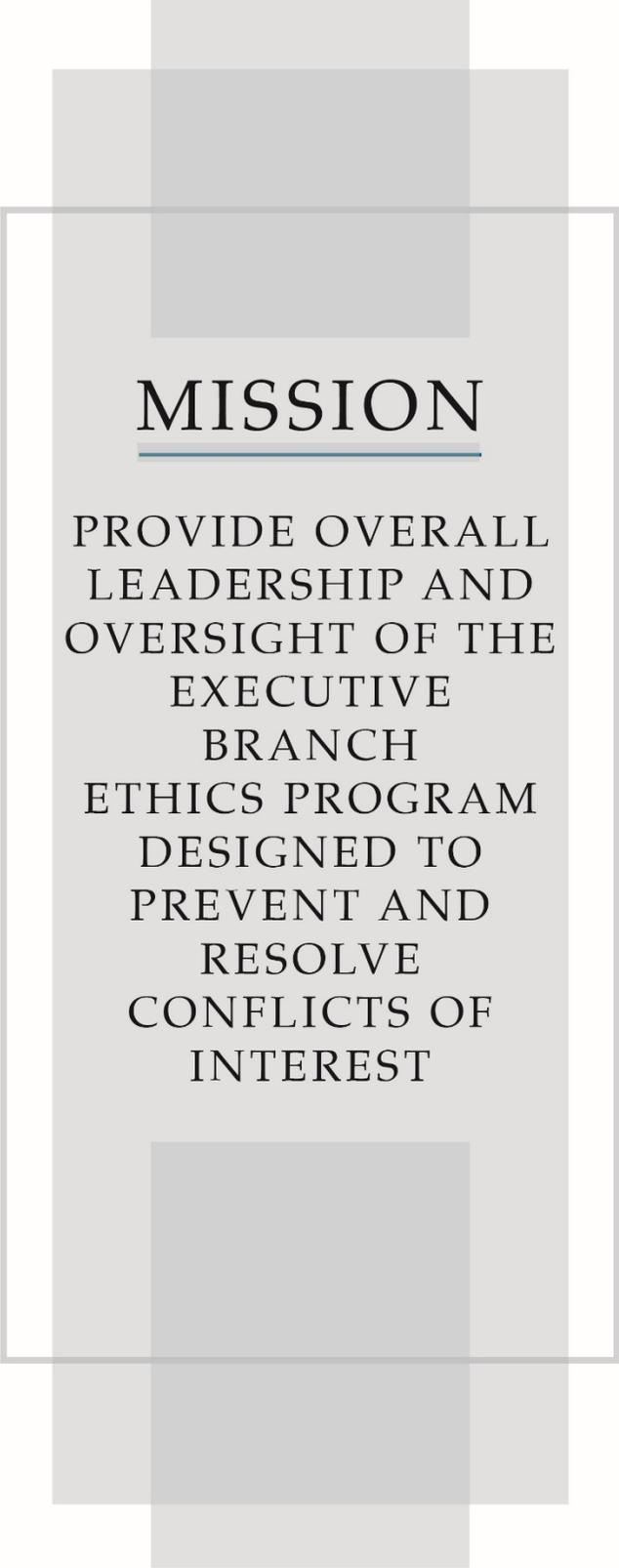
CONGRESSIONAL
BUDGET JUSTIFICATION,
ANNUAL
PERFORMANCE PLAN



FISCAL YEAR
2023

PREPARED FOR THE
COMMITTEES ON
APPROPRIATIONS
MARCH 2022

UNITED STATES
OFFICE OF
GOVERNMENT
ETHICS



MISSION

PROVIDE OVERALL
LEADERSHIP AND
OVERSIGHT OF THE
EXECUTIVE
BRANCH
ETHICS PROGRAM
DESIGNED TO
PREVENT AND
RESOLVE
CONFLICTS OF
INTEREST

The American people expect honest government that works on their behalf, that is transparent, and that responds to the needs of everyday people. With strong leadership and cooperation, the U.S. Office of Government Ethics (OGE) can deliver for the American people, but not without focus and resources.

OGE works tirelessly with agencies across the executive branch to build and retain the public's trust. OGE's mission of providing leadership and oversight to prevent and resolve conflicts of interest in the executive branch is an essential component of the public's confidence in the integrity of executive branch programs and operations. This past year, OGE has taken steps to increase transparency, partner with senior leaders to strengthen ethics across the agencies, and make sure that government leaders have qualified ethics officials to help them navigate their ethical responsibilities.

An investment in ethics, and in OGE, is an investment in government success. This plan is about the essential work OGE will do in the next two years, why that work is crucial to the country's success, and why OGE must be adequately resourced to be able to perform its unique and critical mission.

“THE ISSUE OF ETHICS IN GOVERNMENT IS VIEWED AS A SERIOUS PROBLEM BY ABOUT AS MANY PEOPLE (67%) AS DRUG ADDICTION – THE TOP ISSUE, AT 70%.”

Pew Research Center
*Report on Trust and
Distrust in America,
July 2019*

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Section I – Budget Request Overview

Appropriations Language

OGE proposes the following appropriations language: “For necessary expenses to carry out functions of the Office of Government Ethics pursuant to the Ethics in Government Act of 1978, the Ethics Reform Act of 1989, and the Representative Louise McIntosh Slaughter Stop Trading on Congressional Knowledge Act, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, and not to exceed \$1,500 for official reception and representation expenses, \$22,400,000.”

| BUDGET REQUEST | |
|------------------------------------|---------------------|
| FISCAL YEAR 2023 | |
| FY23 REQUEST | \$22,400,000 |
| (1) Workforce | +\$1,049,000 |
| (a) FTE increase (+3) | \$470,000 |
| (b) Benefits increase | \$150,000 |
| (c) Compensation increase | \$429,000 |
| (2) Systems/Operational | +\$969,000 |
| (a) IT infrastructure/security | \$649,000 |
| (b) Hybrid work environment | \$75,000 |
| (c) <i>Integrity</i> transition | \$171,000 |
| (d) <i>Integrity</i> enhancements | \$74,000 |
| (3) Presidential Priorities | +\$80,000 |
| (a) Advance equity | \$50,000 |
| (b) Law clerk/intern program | \$30,000 |

Budget Request Overview Narrative

OGE is requesting \$22,400,000 for fiscal year 2023 to carry out its critical role in safeguarding the public’s trust in government by preventing conflicts of interest.

Funding at the requested level is necessary for OGE to make mission-critical investments in expert staff, operational stability for Integrity, new IT infrastructure, and advancing the President’s management priorities.

To carry out its vital, mission-critical work, OGE is submitting a budget request of \$22,400,000 for fiscal year 2023. Specifically, OGE’s requested funding level is necessary to support 78 cross-functional, full-time expert staff (+ 3 FTE), ensure stable operation of the *Integrity* electronic filing system, replace OGE’s IT infrastructure, and support Administration priorities, all of which are critical to OGE’s unique role in the Presidential appointments process and supporting leaders, ethics officials, and employees executive branchwide.

With regard to staffing, OGE is requesting funding for three (3) additional full-time equivalents (FTE) (+\$470,000) to meet the steady increase in demand for its services in

nearly every program area, as well as funds to meet mandated pay and benefits increases^a (+\$579,000). OGE is also requesting funds to address other critical Presidential management priorities, including advancing equity opportunities^b (+\$50,000) and implementing a paid intern program (+\$30,000) to support the President's Executive Orders.

With regard to systems, OGE is again requesting the funds needed to replace its unsupported IT infrastructure (+\$649,000), which is creating security risks and operational instability, and to implement needed changes to support a hybrid work environment (+\$75,000). In addition, OGE is requesting funds essential to the operation of *Integrity*: to make necessary enhancements to the system (+\$74,000) and to support the transition of the operations of *Integrity* from OMB MAX to the General Services Administration (GSA) (+\$171,000) during fiscal year 2023.

Continued investment in OGE's expert, cross-functional staff is necessary to maintain a strong executive branch ethics program

OGE's talented cross-functional and multi-disciplinary staff are the agency's most vital resource. OGE needs an additional \$1,049,000 to expand staff to meet increased demands in all program areas, including Presidential appointments work and to support pay and benefits increases. Specifically, funding at the requested level will allow OGE to hire three additional multi-functional ethics professionals^c (+\$470,000), and absorb mandated pay increases (+\$429,000) and benefit increases (+\$150,000).

OGE's budget request directly supports staffing for all of OGE's mission-critical work, all of which is necessary to support a strong, responsive, decentralized executive branch ethics program. For example, OGE has a unique role in assisting the President and the Senate in the Presidential appointments process. OGE's staff and a handful of others are the foremost experts on executive branch nominee financial disclosure – a process necessary to ensure that government leaders are free from financial conflicts of interest and understand their ethical obligations as individuals and as leaders in their agencies.

OGE's staff also performs vital mission work in many other areas, all of which are critical to the success of the executive branch ethics program. These include promulgating, maintaining, and advising on enforceable standards of ethical conduct for more than 2.7 million employees in over 130 executive branch agencies, including the White House; offering education and training to the more than 5,000 ethics officials and staff executive branch-wide; and overseeing a financial disclosure system that reaches more than 26,000 public and nearly 390,000 confidential financial disclosure report filers. In addition, as

^a Including an estimated 4.6% pay raise and 2% increase in agency contributions to employee benefits per OMB guidance.

^b See Executive Order 13985, "Advancing Racial Equity and Support for Underserved Communities Through the Federal Government"; Executive Order 13988, "Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation"; Executive Order 14020, "Establishment of the White House Gender Policy Council"; and Executive Order 14035, "Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce."

^c Including two ethics specialists and an attorney.

evidenced by a surprisingly dramatic rise in interest in OGE’s mission and responsibilities from the public and Congress, OGE staff works to keep the public informed about the systems in place to ensure public integrity and provide access to the ethics information the public needs to hold their government accountable. An investment in OGE’s staff resources ensures that the important ongoing work of the agency — overseeing the executive branch ethics program — continues unabated, and the public’s confidence in that work is preserved.

OGE is requesting funding for three additional full-time equivalents (FTE) to meet the steady increase in demand for its services in nearly every program area. In particular, OGE has been encouraged to expand its staff to have additional cross-functional surge capacity for its Presidential appointments work due to increased complexity in Presidential nominee financial disclosure reports, the demands of the Senate, new priorities of the Administration, and the exponentially increasing visibility and interest in ethics in government. These demands include supporting the Senate in this process and being responsive during times of peak demand after a Presidential election and after the end of each session of Congress. More expert staff are required in light of the new demands being placed on OGE.

Examples of OGE’s Cross-Functional Staff

| | Legislative | Nominee Financial Disclosure Review | Annual Financial Disclosure Review | Int'l Outreach | Domestic Outreach | Training | Legal Policy and Advice | Agency Desk Officer | Program Review and Compliance | Agency Compliance and Internal Operations |
|--------------------------|-------------|-------------------------------------|------------------------------------|----------------|-------------------|----------|-------------------------|---------------------|-------------------------------|-------------------------------------------|
| Program Reviewer | | | | | | | | | | |
| Attorney | | | | | | | | | | |
| Ethics Specialist | | | | | | | | | | |

An investment in OGE’s every four-year IT replacement is critical to mitigate severe operational and security risks to OGE’s operations and mission

In fiscal year 2023, OGE must replace its information technology infrastructure and associated equipment, which reach the end of their service life in fiscal year 2022. Funding was not appropriated as requested in fiscal year 2022 for replacement, creating untenable risks to OGE’s ability to carry out its daily, mission critical work. OGE must upgrade its IT infrastructure to mitigate the risk of potential failure and to adapt to evolving virtual demands and security threats that constantly change and increase in complexity. Beyond just OGE’s vital day-to-day operations, OGE must ensure a safe and secure technical environment that protects the privacy and integrity of the sensitive information provided to OGE by agency ethics officials and the most senior officials of the executive branch. OGE must invest in up-to-date solutions to remain proactive in ensuring that any threats are reduced and mitigated, if not eliminated.

To support this necessary effort, OGE is requesting \$649,000 in funding for required upgrades to its network infrastructure, laptops, related peripherals, and software. This request does not represent a permanent increase in OGE's baseline budget, but a single year increase that is needed only every four years. OGE's last IT refresh occurred in fiscal year 2018. Funding for the current needed replacement was not appropriated as requested in fiscal year 2022. Given the fast pace of information technology changes, the increasing reliance on technology for agency operations, and need to operate in a fully virtual environment, this cyclical upgrade is vital to mitigate risk and ensure the stability of OGE's mission critical operations.

In addition, to support its future of work plans and Safer Federal Workforce Task Force guidance, OGE requires \$75,000 for new work area configurations, IT equipment (remote, telework, and office spaces), enhanced security software to further secure agency applications against third-party intrusions, increased Internet bandwidth, communication devices (mobile phones), and other expenses to keep OGE's workforce safe and productive (e.g., enhanced cleaning and PPE supplies). It is expected that OGE's future work environment will continue to include significant telework and remote work, with its heavy reliance on technology. Therefore, funding for IT equipment and services is critical to OGE's ability to continue a high level of performance, while continuing to operate in a hybrid environment.

Continued investment in *Integrity*, OGE's congressionally mandated electronic public financial disclosure filing system, is necessary to support the Presidential appointments process and appointment of senior leaders in the executive branch

Fiscal year 2023 presents additional challenges to the continued secure, stable operations of *Integrity*, a system vital to the Presidential appointments process, senior leaders, and the executive branchwide ethics program. In addition to needed baseline funding for hosting services, an independent security review, help desk software, bug fixes, planned updates, and new funding for system enhancements (+\$74,000) to keep *Integrity* operating securely and efficiently, OGE must fund and implement a full transition from OMB's MAX services to GSA in fiscal year 2023. The full cost of this large and complex project is unknown at this time, but GSA has advised affected agencies to plan for a minimum 20% increase in current costs for fiscal year 2023, along with another 5% increase in associated fees and inflationary adjustments for required services and contracts to support the transition (an estimated +\$171,000).

In addition, in fiscal year 2023 the demands on the system will continue to increase as a result of the high number of filers (over 24,000) using the system and the cyclical turnover of leadership positions in the executive branch. OGE must continue to invest in this system that has revolutionized public financial disclosure filing for the highest-level officials in the executive branch by increasing filing accuracy through the use of wizards and creating a seamless, virtual review, routing, and signature process. Consistently receiving over 90% satisfaction rates, *Integrity* is a secure, web-based system that OGE

provides as a quality shared service at no cost to agencies, saving government resources, increasing efficiency, and decreasing duplication and fragmentation across the executive branch.

Integrity Features

| | | Central system for careful coordination of system design & ethics requirements | Reduced administrative burden in report & data management | Improved accuracy through context-dependent instructions & data validations | Improved internal controls over reports | Central authentication service | Program oversight via central data repository for aggregated data reports | Remote access/telework | Concurrent viewing of reports by authorized users | Automated deadline reminder emails to prompt users | Report tracking and review | Data prepopulation | Data import from spreadsheet (transactions) | Filer designee to draft report for filer | Comparison view | Auto-suggest data entry (e.g., ticker symbols) |
|--------------|-------------------------|--------------------------------------------------------------------------------|-----------------------------------------------------------|-----------------------------------------------------------------------------|-----------------------------------------|--------------------------------|---------------------------------------------------------------------------|------------------------|---------------------------------------------------|----------------------------------------------------|----------------------------|--------------------|---------------------------------------------|------------------------------------------|-----------------|------------------------------------------------|
| Agency Users | Filers | | | | | | | | | | | | | | | |
| | Reviewers | | | | | | | | | | | | | | | |
| | Ethics Program Managers | | | | | | | | | | | | | | | |
| OGE Users | PAS Reviewers | | | | | | | | | | | | | | | |
| | Oversight/compliance | | | | | | | | | | | | | | | |

Additional funding is necessary to advance the President’s management priorities

OGE is actively working to implement dozens of Presidential orders and memoranda on a range of important policy topics, but cannot fully carry out these responsibilities without additional resources. In particular, OGE requires additional funding (+\$50,000) to support the President’s goal of Advancing Equity Through the Federal Government. With the requested funds, OGE plans to retain the services of an expert to evaluate OGE’s policies and programs to ensure equal opportunity is fully institutionalized. Using the results of this independent review, OGE will be better able to direct its efforts towards correcting any inherent disparities for those who have been historically underserved, marginalized, and adversely affected by persistent poverty and inequality. In addition, to further the President’s goal of improving diversity, equity, inclusion, and accessibility within each agency, OGE is requesting funds to allow OGE to provide a seasonal paid internship program for two interns (+\$30,000).

More than \$3 million in additional funding above OGE’s request level would be required if OGE were forced to relocate when its lease expires

OGE’s current 10-year lease will expire in February 2024. OGE has begun working with GSA to obtain a new lease at its current location to minimize cost and disruption, but if those efforts are unsuccessful, GSA projects that OGE will require an estimated additional

\$3,116,000 for moving and relocation expenses. GSA indicated that OGE should provide this funding “as soon as possible” so that GSA can enter into the solicitation and award process for a new lease in the DC downtown area prior to the expiration of the current lease in February 2024.

Given the disproportionate magnitude of these estimated relocation expenses and the potential disruption to OGE’s mission work during a relocation, OGE will continue to work with OMB and GSA to find more cost-effective solutions. Notably, OGE is launching a one-year pilot remote work policy, which, if effective, could reduce OGE’s need and costs for leased space (rent) over the next 10-year lease, but would still be unlikely to offset the GSA-projected relocation costs.

Conclusion

Public trust in government remains a significant concern while public interest and overall demand for OGE’s work is very high. It is imperative that the Congress continue to invest in OGE at a funding level that allows the agency to fully carry out its vital mission work: preventing conflicts of interest in the executive branch so that the public can have confidence in government decision-making.

For the reasons set forth more fully above, OGE respectfully requests fiscal year 2023 funding of \$22,400,000 to conduct its core mission work to an effective and efficient operational capacity commensurate with OGE’s vital role in deterring conflicts of interest and supporting ethical behavior by senior leaders in public service.

Budget Request by Object Classification

The object classification table set forth below summarizes OGE's request (in thousands of dollars).

Table: Budget Request by Object Classification (in 000s)

| | <u>Object Class</u> | <u>2021 Enacted</u> | <u>2022 Request</u> | <u>2022 Enacted</u> | <u>2023 Request</u> |
|-------|--------------------------|-------------------------|-------------------------|-------------------------|-------------------------|
| 11.1 | Salaries | \$9,862 | \$10,352 | \$10,210 | \$11,356 ^d |
| 12.1 | Benefits | \$3,177 | \$3,597 | \$3,560 | \$4,000 ^e |
| 21.0 | Travel | \$5 | \$5 | \$1 | \$2 |
| 22.0 | Transportation (Freight) | \$3 | \$1 | \$1 | \$1 |
| 23.1 | Rental Payments to GSA | \$1,434 | \$1,648 | \$1,501 | \$1,664 |
| 23.3 | Comms and Utilities | \$93 | \$77 | \$70 | \$89 |
| 24.0 | Printing/Reproduction | \$86 | \$77 | \$42 | \$32 |
| 25.2 | Other Services | \$3,767 | \$3,838 | \$3,660 | \$4,513 ^f |
| 26.0 | Supplies and Materials | \$69 | \$72 | \$44 | \$54 |
| 31.0 | Equipment | \$104 | \$704 | \$69 | \$689 ^g |
| 99.00 | Subtotal | \$18,600 | \$20,371 | \$19,158 | \$22,400 |
| 99.00 | Reimbursable | <u>\$725</u> | <u>\$725</u> | <u>\$725</u> | <u>\$725</u> |
| 99.0 | Totals | \$19,325 | \$21,096 | \$19,883 | \$23,125 |
| | FTEs | 76 | 75 | 75 | 78 |

^d Includes A-11 mandated 4.6% pay increase

^e Includes A-11 mandated 2% retirement / benefits increase

^f Includes GSA transition costs and enhancements for *Integrity*

^g Includes 4 year cyclic IT replacement not funded in FY22

Section II – About OGE

The U.S. Office of Government Ethics (OGE) was established by the Ethics in Government Act of 1978. The Act vests OGE with responsibility for providing “overall direction of executive branch policies related to preventing conflicts of interest on the part of officers and employees of any executive [branch] agency.”

As this statutory language makes clear, the primary objective of the executive branch ethics program is one of **prevention**. Under OGE’s leadership, thousands of ethics officials are engaged in preventing ethical lapses and protecting the impartiality of government decision-making through the implementation and application of the ethics laws and rules in the more than 130 agencies across the executive branch. OGE uses oversight, rules, advice and counseling, financial disclosure, education, and transparency to enable federal employees at all stages of their service to preserve the public trust. Specifically, the program strives to ensure:

- Incoming Presidential appointees are aware of their ethical obligations and roles in creating an ethical culture in their organizations as they begin government service.
- Public servants at all levels remain free from conflicts of interest, and even the appearance of conflicts of interest, as they carry out the responsibilities the American people have entrusted to them.
- Employees who are seeking to leave the government avoid conflicts of interest and, after they leave government service, do not exercise undue influence over their former agencies on behalf of others.

Above all, the program strives to protect the public’s trust in government. For when efforts at prevention fall short, agencies can be crippled by scandal, important work may be delayed or derailed, leaders may be forced from office, and ultimately the public’s trust in government will be eroded.

Office of Government Ethics: A Small but Agile Agency

OGE is a lean organization, operating at fewer than its 80 authorized full-time equivalents (FTE). OGE’s greatest resource is its multidisciplinary staff of attorneys, ethics and financial experts, as well as other key personnel. OGE is headed by a Director who is appointed to a five-year term by the President. In addition to the Office of the Director, OGE is divided into four divisions, guided by OGE’s Chief of Staff and senior leadership, who work in concert to carry out OGE’s mission.

OGE and Executive Branch Agencies: A Shared Responsibility

Maintaining the trust of the citizens we serve is a shared responsibility between OGE and executive branch agencies. OGE ensures that the ethics program remains an effective prevention mechanism to guard against conflicts of interest and violations of ethical standards. As the supervising ethics office, OGE sets policy for the entire executive branch ethics program.

The head of each executive branch agency is statutorily responsible for leading the ethics program in their agency. This responsibility includes creating an ethical culture by demonstrating a personal commitment to ethics and providing the necessary resources to implement a strong and effective agency ethics program.

The agency head is responsible for selecting a Designated Agency Ethics Official (DAEO). The DAEO, with the support of professional ethics staff, is the employee with primary responsibility for directing the daily activities of an agency's ethics program and coordinating with OGE. Each agency's employees, including supervisors, human resources officials, and the agency's Inspector General, play a significant role in maintaining the integrity of government programs and operations.

OGE, and the ethics officials across the government, are not alone in promoting trust in government. Other executive branch agencies and entities focus on additional areas of government integrity, such as merit system protections in the civil service; full and open competition in procurement; fiscal controls; transparency programs; investigation of waste, fraud, and abuse; and criminal, civil, and administrative enforcement.¹

Long-Term Strategic Goals

The public can have greater confidence in the integrity of executive branch programs and operations when government decisions are made free from conflicts of interest. OGE's four strategic goals for fiscal years 2022 through 2026 reflect the long-term outcomes that OGE strives to achieve in order to prevent and resolve conflicts of interest.

¹ See, e.g., [28 U.S.C. §§ 501-599](#) (DOJ); [5 U.S.C. app. §§ 1-13](#) (IG Act); [5 U.S.C. §§ 1101-1105](#) (OPM); [5 U.S.C. §§ 1201-1206](#) (MSPB); [5 U.S.C. §§ 1211-1219](#) (OSC); [5 U.S.C. § 3110](#) (Employment of relatives); [41 U.S.C. § 3301](#) (Full and open competition); [5 U.S.C. § 552](#) (Public information); [31 U.S.C. § 1341](#) (Appropriations).

Section III – Fiscal Years 2022 and 2023 Performance Plan

OGE’s planned work reflects the agency’s commitment to fulfilling its vital mission of preventing conflicts of interest in the federal executive branch. Through this work, OGE strives to ensure the integrity of government programs and operations and to increase public confidence in the impartiality of government decision-making. OGE translates its important mission into strategic goals and objectives. OGE then assesses its success in achieving these goals and objectives by measuring progress on its performance goals.

Organized by strategic goal and objective, this section describes OGE’s planned work for fiscal years 2022 and 2023. Information on how OGE will measure progress toward achieving its strategic goals can be found in Section V.

Priority Work

OGE’s budget request directly supports OGE’s mission-critical work, including providing direct support and training to ethics officials, refining and issuing guidance, conducting program reviews, reviewing public financial disclosures, and providing the public with access to a wide array of ethics documents. Beyond its crucial ongoing work, OGE has identified the following planned work as priorities in fiscal years 2022 and 2023:

- Ongoing Financial Disclosure Responsibilities – see pages 29 and 34
- Leadership initiative – see page 34
- Regulatory Work – see page 22
- Data, Evidence, and Transparency Initiatives – see page 37
- Refresh of Education Materials – see page 20
- Advancing Diversity, Equity, Inclusion and Accessibility – see page 41

Significant External Factors

These external factors could cause OGE to incur costs, impede our mission, or necessitate reallocating staffing resources.

- Nominee Workload: Based on previous experience, prior to and for two years after the election of a new President, OGE experiences more than a doubling of its workload for reviewing financial disclosure reports of nominees requiring Senate confirmation. The rate of confirmations by the Senate may also increase OGE’s workload, if nominations are returned and must be re-reviewed, certified, and transmitted to the Senate because they have remained unconfirmed for an extended period.
 - Changes in this workload are significant, since OGE works with agency ethics officials to identify and resolve any conflicts of interest that incoming nominees may have. OGE identifies and resolves potential conflicts of interest of nominees by establishing written ethics agreements with all

nominees prior to their confirmations. OGE staff analyze and resolve the potential conflicts of interest of incoming executive branch leaders.

- IT Threats: With a dispersed, virtual workforce, the availability of OGE's virtual network is more critical than ever and any unscheduled downtime has an even greater impact on operations. As potential security threats against automated systems grow and become more complex, OGE must remain proactive to ensure that any threats are reduced and mitigated, if not eliminated.
 - OGE has taken a number of steps to secure its IT systems, including: undergoing independent, third party assessments; complying with key government-wide directives; and leveraging both internal and external expertise and resources. OGE will continue to address IT security threats and to commit significant resources to secure its important IT systems and network. OGE will also seek, despite its small staff and limited resources, to remain responsive and compliant to new cybersecurity directives.
- Potential disruption and cost of relocation under a new lease: GSA's current lease for OGE's space ends February 2024. OGE is working with GSA to review its current space needs and will work with them on the negotiation of a new lease. Depending on the outcome of the lease negotiations, OGE could incur millions in additional costs and its work could be disrupted by being forced to relocate its staff.
 - As part of this effort, OGE is actively re-evaluating the use of our current space given the impact of COVID-19 and expanded workplace flexibilities. OGE is regularly surveying its staff to determine workplace preferences in order to inform future workspace needs for this lease negotiation.
- Move to GSA for Integrity: In addition to continuing to resource *Integrity* on behalf of the entire executive branch ethics program, OGE must move the system to GSA in fiscal year 2023 because OMB MAX will no longer operate. This transition will require careful planning and resourcing, as *Integrity* is provided to agencies free of charge. The transition will require as yet unknown total costs, and it is unclear that GSA will offer or provide the same services as MAX, leaving the system vulnerable to disruption during the lead up to a Presidential election year. It is incumbent upon OGE to continue to secure, operate, enhance, and update the system with a very small contingent of staff and a small agency budget.
- Potential Legislative Reform: OGE is the subject of significant and intense congressional and stakeholder interest. OGE is currently tracking more than 100 bills that would make significant statutory revisions to the Ethics in Government Act or the criminal conflict of interest statutes, or create entirely new ethics-related statutes. Passage of major ethics reform would present significant challenges for OGE.

- Legislation has been introduced to reform and expand OGE’s operations, including HR 1, which passed the House earlier in the 117th Congress. Additional bills have been introduced, such as the Executive Branch Comprehensive Ethics Enforcement Act, to reform and expand OGE’s operations, including by authorizing OGE to investigate and adjudicate ethics violations in the executive branch. The Congressional Budget Office analyzed this legislation, and estimated that implementing the bill would cost \$140 million over a five-year period.
- **Future of Work:** OGE continues to prioritize employee health and safety, evaluate its personnel policies and work environments, and pilot new operating approaches and workplace innovations, while carefully considering trends related to the federal workplace. Based on both strong performance and data on preferences of its employees, OGE has expanded telework and created a pilot remote work policy to move OGE toward the “future of work.”
 - While significant progress has been made to slowly return the workforce back to the office once safety criteria have been met, there continue to be operational challenges as OGE navigates this unprecedented time.
- **Workload and Unfunded Mandates:** OGE produces a remarkable amount with a small staff by carefully managing the cyclical nature of the agency’s work and leveraging its highly cross-functional professional employees. Although agile, significant unanticipated changes in workload have impacts across programs. For example, a dramatic increase in public, press, congressional, and FOIA requests in 2017 strained staff resources, stretched cross-functional abilities, and required additional cross-training to keep pace with unprecedented demands.
 - There are also ongoing and growing compliance requirements that must be addressed with no lead time or new resources to support them, such as unanticipated human resources, privacy, and data-focused executive orders, OMB directives, laws, and regulations.

Strategic Goal 1: Advance a Strong, Consistent Executive Branch Ethics Program

OGE was created to prevent conflicts of interest on the part of executive branch employees. The absence of a strong, consistent executive branch ethics program with clear rules, guidance, support, training, and financial disclosure could lead to ethical lapses, improper use of taxpayer funds, and a loss of public confidence in government.

To achieve its strategic goal of advancing a strong, consistent executive branch ethics program, OGE developed four strategic objectives. These objectives are:

- (1.1) Provide expert guidance and support to ethics officials and other stakeholders;
- (1.2) Strengthen the expertise of officials who are integral to the executive branch ethics program;
- (1.3) Continuously refine ethics policy and issue interpretive guidance; and
- (1.4) Lead the financial disclosure program and provide the executive branch e-filing system, *Integrity*.

Strategic Objective 1.1: Provide expert guidance and support to ethics officials and other stakeholders

OGE provides expert guidance and support to ethics officials and other stakeholders to promote consistent interpretation and application of ethics laws and regulations across the executive branch. In fiscal years 2022 and 2023, OGE will continue to provide quality Desk Officer services and effective assistance to a wide variety of key stakeholders, including Congress and Inspectors General. OGE will also continue to disseminate relevant information and create opportunities for ethics practitioners to engage with OGE and each other. Key highlights of OGE's planned work are described below.

Consequences of Underresourced Ethics:

- OGE is unable to respond to questions timely, leaving agency employees and leaders without protection from ethics risks.
- OGE is unable to consult with Inspectors General, delaying investigations while ethics violators remain in positions of public trust.

Supply ethics officials with access to on-demand ethics expertise to respond to real-time questions from their agency's leaders and employees

OGE will continue to provide extensive support to agency ethics officials so they can provide consistent and effective ethics guidance to the more than 2.7 million federal employees in the executive branch who serve the American people. This support includes providing timely, expert advice on applying the ethics laws and regulations, as well as furnishing other resources ethics practitioners need to do their jobs effectively. On average, OGE Desk Officers respond to 1,200 calls for assistance per year (see page 21). Desk

Officers help ethics officials navigate difficult policy and programmatic issues and proactively provide those officials with resources and services to assist them.

Communicate helpful, written guidance that is disseminated widely

OGE will continue to provide ethics officials with up-to-date ethics information so that they can carry out effective programs for the employees they serve. OGE publishes advisories and other guidance in a searchable



format on its website, and provides notices of new guidance via the OGE listserv, which reaches approximately 3,500 ethics officials and ethics support staff. OGE also continues to host quarterly meetings with senior agency ethics officials to inform them of new guidance, resources, requirements, and trends, as well as to provide them with an opportunity to engage with each other.

Respond to requests for expert advice from critical stakeholders

OGE continues to provide ethics expertise in response to requests from a variety of external stakeholders, such as Congress, government watchdogs, professional associations, non-governmental organizations, academia, state and local governments, and employee groups. OGE's assistance builds a better, consistent understanding of the executive branch ethics program.

Support the vital work of the ethics enforcement communities



OGE continues to support the vital work of the ethics enforcement communities, including Inspectors General, the Department of Justice, and executive branch employee relations personnel, who are responsible for holding agency employees accountable for abiding by the ethics laws and rules. OGE responds to extensive requests for expert consultations, as well as participates actively as a member of the Council of Inspectors General on Integrity and Efficiency ([CIGIE](#)). Additional information on the training OGE provides to the enforcement communities is on page 21.

Participate actively in U.S. government anti-corruption efforts

At the request of U.S. foreign policy agencies, OGE continues to provide its expertise through participation in international programs designed to support and enhance U.S. foreign policy initiatives in the areas of anti-corruption and good governance. OGE also continues to assist foreign delegations sponsored by the State Department, providing information about U.S. implementation of ethics and good governance programs. The

recently issued National Security Study Memorandum on the Fight Against Corruption established combatting corruption as a core U.S. national security interest. As a leading authority on the prevention aspect of anti-corruption work, OGE will continue to provide support and its expertise in furtherance of this national security priority.

Strategic Objective 1.2: Strengthen the expertise of officials who are integral to the executive branch ethics program

OGE seeks to strengthen the expertise of all officials who are integral to carrying out an effective executive branch ethics program, including ethics officials, agency leaders, Inspectors General, and human resources professionals. Without competent ethics officials, engaged leaders, informed investigators, and collaborative HR officials, the ethics program cannot succeed in implementing a consistent program that helps executive branch agencies mitigate risk. In fiscal years 2022 and 2023, OGE will continue to provide professional development opportunities, promote ethical leadership, and provide training to support an ethical workforce. Key highlights of OGE's planned work are described below.

Consequences of Underresourced Ethics:

- OGE is unable to train new ethics officials, leaving agencies without competent counsel.
- OGE is unable to deliver orientations for newly designated agency ethics officials, leaving senior ethics officials without guidance needed to successfully lead their programs, placing the ethics program at risk.

Develop senior ethics officials (DAEOs & ADAEOs) so that they have the skills and knowledge to lead effective ethics programs

To promote consistent implementation of agency ethics programs, OGE will continue to provide intensive training for new agency ethics leaders (DAEOs and ADAEOs), as well as comprehensive education resources for ethics officials at all experience levels, including seasonal, on-demand training prior to critical deadlines.

Prepare ethics officials at all levels to train, advise, and support their employees and further their agencies' missions

OGE will continue to support the development of ethics officials through its [Institute for Ethics in Government Education Library](#). OGE's virtual library is publicly available and includes more than 100 education resources designed for use by ethics officials, including recordings of training presentations, slide decks, and job aids, which can be searched and sorted by topic, type, and complexity.

As part of OGE's efforts to advancing equity, OGE will assess potential inequities in access to entry and advancement within the ethics workforce in the executive branch. Specifically, in fiscal year 2022, OGE will seek to increase its understanding of these barriers and will, for example, conduct a data call to understand the demographics of the ethics community in order to better direct its efforts. In fiscal years 2022 and 2023, OGE

plans to establish a Certification Program to provide introductory-level knowledge and skills-based trainings that give any interested employees entry into the profession and a foundation upon which to develop more advanced skills; develop a mentoring program to pair experienced ethics professionals with those new to the profession; and establish new CORE (Central Operational Roles in Ethics) certificate programs to allow ethics officials at all career levels to further build expertise in financial disclosure, advice and counsel, communication, education, and training, and program management.

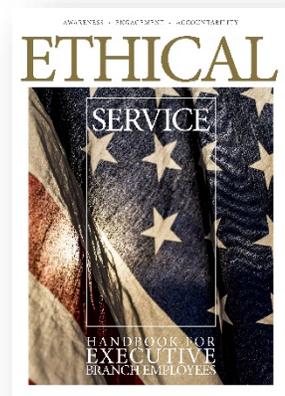
Improve the delivery and content of ethics education at agencies, including a focus on equity

OGE recognizes that maintaining strong ethical standards across the executive branch is the shared responsibility of every employee who takes the oath of office. To support the ethical service of all executive branch employees, in fiscal year 2022 and 2023, OGE will review and refresh its collection of training resources for new and current federal employees, creating samples for ethics officials to use when communicating about ethics within organizations. OGE will specifically focus on materials for supervisors (see page 41 for more information). As part of OGE's Diversity, Equity, Inclusion, and Access (DEIA) efforts, OGE will conduct a review of OGE's collection of resources for delivering ethics education to new and current federal employees and update, as needed, so that these resources reflect the principles of diversity, equity, inclusion, and accessibility; share resources, through presentations and/or written guidance, with ethics officials on how to incorporate DEIA principles into the delivery of ethics education to their agencies' federal employees; and hold interactive workshops for ethics officials so that they can implement the principles they have learned into the training they will deliver to employees and receive feedback from their peer OGE will evaluate its training materials for barriers to equity and any necessary inclusivity improvements such as making them gender neutral.

In fiscal year 2022 and 2023, OGE will continue to hold one-on-one consultations with agency ethics officials to provide direct support with regard to their ethics education programs. Lastly, OGE will also continue to identify and leverage opportunities to directly discuss ethical standards with groups of federal employees.

Create opportunities for knowledge exchange and collaboration between ethics officials across executive branch agencies

OGE will continue to create opportunities for knowledge exchange and collaboration between ethics officials across executive branch agencies. For example, OGE holds workshops for ethics officials to discuss practices for implementing different aspects of their program. By creating subsequent training resources such as job aids and videos that are shared executive branchwide, the knowledge shared during the workshops expands beyond the small group and enables the broader community to learn and potentially implement practices to improve their own ethics programs.





Educate other officials who are integral to the executive branch ethics program

In support of OGE's goal of a strong, consistent ethics program, OGE will continue to train and collaborate with members of the ethics enforcement and human capital communities. Without knowledgeable enforcement communities the ethics laws may not be effectively enforced. Therefore, OGE will continue to provide training as part of the Inspector General Criminal Investigator Academy's Public Corruption Investigations Training Program and present at meetings of the Council of Counsels to the Inspectors General. OGE will also conduct outreach with the Office of Personnel Management to find opportunities to strengthen the relationship between ethics officials and human capital officials. Human capital officials play a role in both enforcing the ethics laws as well as directly supporting ethics officials in the implementation of the ethics program. Therefore, it is critical that they are aware of their roles and responsibilities with regard to the ethics program.

Strategic Objective 1.3: Continuously refine ethics policy and issue interpretive guidance

OGE is responsible for interpreting the statutes and rules that form the building blocks of the executive branch ethics program, including the criminal conflict of interest laws and Standards of Ethical Conduct for Employees of the Executive Branch, and must act to keep pace with evolving challenges to the consistency and strength of the program. In fiscal years 2022 and 2023, OGE will continue to review, refine, and issue interpretive guidance on the ethics rules to ensure their continued relevance, consistency, and effectiveness. Key highlights of OGE's planned work are described below.

Consequences of Underresourced Ethics:

- OGE is unable to issue guidance, particularly on new and evolving ethics issues, resulting in inconsistency and confusion across the executive branch on ethics policies.
- OGE is unable to timely update ethics regulations, leaving outdated and less effective rules in place and delaying reforms that would improve ethics policies.

Provide timely ethics guidance

In fiscal years 2022 and 2023, OGE plans to issue advisories that provide additional interpretive guidance on Executive Order 13989: Ethics Commitments by Executive Branch Personnel, as well as on topics including social media, financial disclosure reporting requirements, and post-employment. In developing these advisories, OGE will continue to seek feedback from agency ethics officials prior to issuance, to ensure the usefulness and clarity of the guidance, and use an evidence-based approach to determine topics. OGE will use its listserv, website, Desk Officer services, and training broadcasts to ensure its guidance is widely disseminated.

Publish proposed and final ethics rules

OGE expects to modernize the Standards of Ethical Conduct for Employees of the Executive Branch (the [Standards](#)) by publishing a proposed regulation in fiscal year 2022 and publish a final rule in in fiscal year 2023. The proposed amendments seek to update the Standards based on OGE’s experience gained from application of the regulation since its inception as well as the principles contained in the Executive Order 14035 to advance equity. The proposed amendments also will incorporate past interpretive guidance, add and update regulatory examples to make them more inclusive, improve clarity, update citations, and make technical corrections. In fiscal year 2022, OGE also expects to publish a proposed regulation further modifying the Standards to address the conditions under which an executive branch employee may accept a gift of legal expenses. In fiscal year 2023, OGE plans to publish a final legal expense fund regulation.

In fiscal year 2022 and fiscal year 2023, OGE will continue its in-depth review of the existing regulations governing financial disclosure conflict of interest exemptions. In fiscal year 2023, OGE plans to publish a proposed rule amending the regulatory exemptions at 5 CFR part 2640. The planned amendments will provide more clearly delineated exemptions with more efficient implementation. In addition, the exemptions will be targeted to better address potentially conflicting financial interests.

Lastly, in fiscal years 2022 and 2023, OGE will continue to consult with agencies that request to publish agency-specific supplemental ethics regulations. Supplemental ethics regulations enable agencies to tailor their ethics program requirements to meet specific agency needs. OGE will also publish regulations in response to agencies’ request to establish separate agency component designations applicable to the post-employment statutes.

Strategic Objective 1.4: Lead the financial disclosure program and provide the executive branch e-filing system, *Integrity*

OGE leads the executive branchwide disclosure systems, public and confidential, that serve to prevent conflicts of interest through a systematic review of the financial interests of both current and prospective employees. Without OGE’s leadership of this program there would be inconsistent implementation of the confidential and public financial disclosure systems. In fiscal years 2022 and 2023, OGE will operate *Integrity*, renew financial disclosure forms, review key financial disclosure regulations, and update related resources. Key highlights of OGE’s planned work are described below.

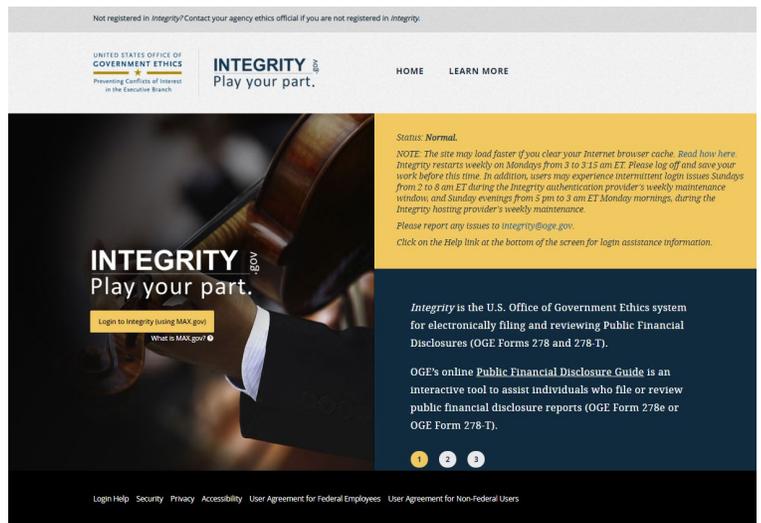
Consequences of Underresourced Ethics:

- OGE is unable to maintain its electronic financial disclosure filing system, resulting in more than 25,000 senior officials reverting to less efficient and less accurate paper filing of financial disclosure reports, significant delays in review and certification, and unresolved conflicts of interest left unidentified and unaddressed.

Operate Integrity, the executive branch e-filing system for more than 90% of public filers

OGE continues to provide high-quality support to agencies using [Integrity](#), OGE’s executive branch-wide electronic public financial disclosure filing system. In fiscal year 2022, OGE will work to ensure that *Integrity* efficiently manages the increased number and complexity of filings of the new nominees using the system during the post-election period and will continue to produce high-quality financial disclosures by helping nominees more accurately report required information. OGE will also work to ensure that [Integrity](#) continues to run reliably for current filers and that the web-based system maintains secure and stable operations. More specifically, in fiscal year 2022, OGE expects to complete a major technical refresh of the platform on which the system is built. This upgrade was necessitated due to the end-of-life of the current version of the existing platform.

OGE will continue providing high-quality support for users and agencies. In addition, OGE will continue to convene regular *Integrity* Advisory Council meetings to provide a forum for agencies to discuss and prioritize upgrades to the system. To support the system’s more than 37,000 users (filers, administrators, and reviewers), OGE will also continue to make available training resources and tutorials, and provide regular training opportunities for both new and experienced users. OGE plans to update these online resources to provide shorter, more targeted instructional videos and written instructions for commonly recurring questions. Lastly, OGE will continue to provide centralized real-time help desk services and on-demand user resources.



Maintain and update uniform public and confidential disclosure forms

OGE is responsible for maintaining uniform public and confidential forms for use across the executive branch. In fiscal year 2022, OGE will review both the public and confidential financial disclosure form and seek approval for their renewal from OMB. In fiscal year 2023, OGE will review OGE Form 201 (release of ethics documents) and the Qualified Trust documents. Renewal activities require a review of the physical form and a determination as

to whether any significant changes are necessary. As part of the process, OGE will seek stakeholder feedback prior to the expiration of the forms.

Provide guidance on confidential and public financial disclosure program and reporting requirements

In fiscal year 2023, OGE will update two of its key financial disclosure resources: the Public Financial Disclosure Guide and the Confidential Financial Disclosure Guide. The Public Financial Disclosure Guide is an interactive tool to assist individuals who file or review public financial disclosure reports (OGE Form 278e or OGE Form 278-T). The Confidential Financial Disclosure Guide is an interactive tool to assist individuals who file or review confidential financial disclosure reports (OGE Form 450). OGE will also maintain and update, as needed, a comprehensive training curricula for all individuals with a role in the public and confidential financial disclosure systems.

Evaluate and respond to requests from agencies to use alternative financial disclosure forms

In fiscal years 2022 and 2023, OGE will continue to evaluate and respond to requests from agencies to use alternative financial disclosure forms. Because of special or unique agency circumstances, the alternative procedure approval process is intended to provide an agency with the most effective tools possible for preventing and detecting conflicts of interest. For example, an agency may have separate authority to collect information under OGE-approved supplemental ethics regulations or specific statutory authority.

Strategic Goal 2: Hold the Executive Branch Accountable for Carrying Out an Effective Ethics Program

As the supervising ethics office of the executive branch, OGE is responsible for conducting oversight to ensure that each of the more than 130 executive agencies has a compliant ethics program and that senior leaders comply with their ethical commitments. OGE's work in this area is vital because when an ethics program fails or a senior leader fails to meet their ethical commitments, the executive branch is less able to deliver for the American people.

To achieve its strategic goal of holding the executive branch accountable for carrying out an effective ethics program, OGE has developed three strategic objectives. These objectives are:

- (2.1) Monitor agency compliance with executive branch ethics program requirements;
- (2.2) Monitor senior leaders' compliance with individual ethics responsibilities and commitments; and
- (2.3) Use OGE's authorities to address known or potential ethics risks.

Strategic Objective 2.1: Monitor agency compliance with executive branch ethics program requirements

The executive branch ethics program is decentralized and its success relies on each agency implementing the ethics program requirements established by OGE. OGE regularly conducts oversight of agency compliance with these requirements in order to mitigate ethics program vulnerabilities at each agency and to identify executive branchwide trends. Without this oversight, systemic problems may multiply and result in ethics program failures. In fiscal years 2022 and 2023, OGE will continue to conduct reviews of agency ethics programs and collect data about each agency's program and the overall executive branch ethics program. OGE also will continue to request ethics program data from agencies to address in real time issues that require oversight. Key highlights of OGE's planned work are described below.

Consequences of Underresourced Ethics:

- OGE is unable to ensure that agencies are maintaining compliant ethics programs, leaving systemic problems unaddressed and agency programs vulnerable to ethical lapses and scandal.

Identify program weaknesses (non-compliance) with ethics program requirements on an accelerated review cycle

OGE conducts agency ethics program reviews as a key part of its strategy to maintain high standards of accountability and compliance with applicable ethics requirements throughout the executive branch. In fiscal years 2022 and 2023, OGE will accelerate its review cycle, moving from a 4/5 year review cycle to a 3/4 year risk-based review cycle. OGE's risk-based approach to conducting reviews, uses data and stakeholder feedback to assist in identifying agencies and specific issues to review.

| ETHICS PROGRAM INSPECTION REPORT | | |
|----------------------------------|-------|--|
| Agency: | | |
| Report No.: | Date: | |
| Period Covered by Review: | | |



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. | (From Engagement. Quest.) |
| 1.2 | Number of Presidentially appointed, Senate-confirmed (PAS) public financial disclosure reports required to be filed. | (From Annual Quest.) |
| 1.3 | Number of non-PAS public financial disclosure reports required to be filed. | (From Annual Quest.) |
| 1.4 | Number of confidential financial disclosure reports required to be filed. | (From Annual Quest.) |
| | ETHICS PROGRAM | |
| 1.5 | Title of Designated Agency Ethics Official (DAEO). | (From Engagement. Quest.) |

OGE reviews agency programs to identify and report on the strengths and

weaknesses of the programs 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. Cabinet agencies and other agencies determined to be at high risk, based on OGE’s risk assessment, will now be reviewed every three years. Other agencies will be reviewed at least once every four years. If needed, OGE will also conduct real-time consultations and other compliance-based interventions.

OGE examines all elements of an agency ethics program, including: program administration; financial disclosure; education and training; ethics counseling; agency-specific ethics rules on outside employment; conflict remedies; enforcement; and special government employees. OGE conducts appropriate follow-up reviews to evaluate agencies’ progress in implementing any recommendations made in OGE’s program review reports. To enhance transparency and accountability, OGE continues to publish all program reviews and follow-up program reviews on its website.

Collect, evaluate, publish, and take action based on ethics program data

As part of OGE’s oversight role, agencies are statutorily required to submit annual reports to OGE. OGE collects this data through its Annual Agency Ethics Program Questionnaire. In fiscal years 2022 and 2023, OGE will continue to seek 100 percent agency compliance with this requirement and rigorously review agency responses. OGE will continue to build capacity to analyze trend data to identify areas of concern at individual agencies and across the executive branch. In fiscal years 2022 and 2023, OGE will also continue its practice of publishing a report of the aggregate data and posting individual agency responses on its website to increase transparency and oversight. Lastly, OGE will continue to use the data to provide training on the results, to encourage agencies to use the questionnaire both as a self-assessment tool and to benchmark their own agency against similarly situated agencies.

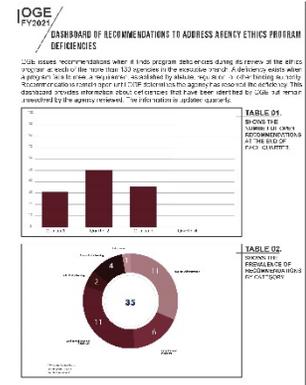


In addition, in fiscal year 2022, OGE will hold its next triennial data call for agency practices. The results of this data call will provide OGE with insight into each agency’s implementation of a key element of their ethics program. OGE uses the results to tailor the support it provides to agencies. OGE also shares the results with executive branch ethics officials so they can learn from other practitioners. OGE will also make the results of the data call available to the public in a summary report that will be posted on its website.

OGE also continues to serve as the repository for biannual reports (1353 Travel Reports) that document payments of travel accepted from non-federal sources. Although OGE has no role in providing guidance on the travel regulations, OGE makes these reports available as required by statute.

Collect, analyze, and publish information on potential ethics violations by executive branch employees

Agencies are required to concurrently notify OGE’s Director when referring any matter to the Department of Justice involving a potential violation of a criminal conflict of interest law by an executive branch employee. OGE tracks and follows up on these referrals to ensure that agencies are considering disciplinary or other corrective action in the event prosecution is declined. While OGE primarily works to give the public reasons to trust their government, OGE also acknowledges when officials violate that trust. For example, OGE annually publishes a survey of ethics-related prosecutions, which shows the consequences for failing to abide by the ethics laws and regulations. In fiscal years 2022 and 2023, OGE will continue to post quarterly dashboards displaying information regarding referrals to the Department of Justice involving potential violations of the criminal conflict of interest statutes.



Strategic Objective 2.2: Monitor senior leaders’ compliance with individual ethics commitments

OGE monitors senior leaders’ compliance with their individual ethics commitments to confirm that they keep the promises they made when entering government and continue to serve impartially throughout their service as government employees. If OGE does not monitor senior leaders’ compliance with their individual ethics commitments, the public

Consequences of Underresourced Ethics:

- OGE is unable to ensure that senior leaders have timely complied with their ethics commitments, decreasing public confidence that their decision making is in the best interest of the government and is not being driven by their personal financial interests.
- OGE is unable to timely review and certify public financial disclosure reports, leaving potential conflicts of interest unaddressed and leaders vulnerable to inadvertent criminal violations.

cannot be certain that government leaders are acting in their interest. In fiscal years 2022 and 2023, OGE will continue to monitor agency leaders’ compliance with their ethics agreements and provide a second-level review of the most senior officials’ financial disclosure reports. Key highlights of OGE’s planned work are described below.

Collect and publish documentation of senior agency leaders' compliance with their individual ethics commitments

| CERTIFICATION OF ETHICS AGREEMENT COMPLIANCE Senate Confirmed Presidential Appointees | | |
|------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|
| 1. Appointee's Information | a. Appointee's Name | to be completed by OGE |
| | b. Position Title | to be completed by OGE |
| | c. Agency | to be completed by OGE |
| | d. Date Ethics Agreement Signed | to be completed by OGE |
| | e. Date Confirmed | to be completed by OGE |
| | f. Due Date for Certification of Ethics Agreement Compliance | to be completed by OGE |
| 2. Resignations | I completed all of the requirements indicated in my ethics agreement before I assumed the duties of my current government position. | <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A |
| 3. Divestitures | a. I have completed all of the divestitures indicated in my ethics agreement. I also understand that I may not repurchase these assets during my appointment without OGE's prior approval. | <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A |
| | b. I have filed a periodic transaction report, or periodic transaction reports, (OGE Form 278-T) to disclose the completion of these agreed upon divestitures. | <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A Filing Date(s) of OGE Form 278-T Report(s): |
| 4. Managed Accounts | If I have a managed account or use the services of an investment professional, I have notified the manager or professional of the limitations indicated in my ethics agreement. In addition, I am continuing to monitor purchases. | <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A |
| 5. Interim Recitals | I complied with my interim moral obligations pending the disclosures required by my ethics agreement. | <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A |

OGE continues its efforts to ensure that executive branch leaders appointed by the President and confirmed by the Senate (PAS) remain free of conflicts of interest after taking office by monitoring compliance with the commitments in their ethics agreements. OGE will continue to collect a Certification of Ethics Agreement Compliance from each appointee, which requires a personal attestation of compliance with the terms of their ethics agreement. In support of transparency and accountability, OGE continues to post these certifications, as well as notices of late compliance and extensions, on its website. In the event a PAS official is more than 30 days late in submitting their

Certification or submits a Certification that indicates a substantive deficiency in complying with the terms of their ethics agreement, OGE will, as appropriate, notify the Senate committee of jurisdiction.

Conduct expert, second-level reviews of senior agency leaders' periodic and annual financial disclosure reports

OGE will continue to collect and review the annual, termination, and periodic transaction reports of PAS filers to ensure that agencies timely review these disclosures for conflicts of interest and that filers continue to comply with their ethics agreements. In fiscal year 2021, OGE closed 1,807 reports. Lastly, OGE will continue to provide the public with timely access to these disclosures on its website, as described on page 38.

Analyze, respond to requests for Certificates of Divestiture and make available to the public those approved/issued by OGE

Executive branch agencies or OGE can direct an executive branch employee to sell, or otherwise divest, an asset in order to comply with a federal conflict of interest statute, regulation, rule, or executive order. If selling the asset will result in a capital gain, certain individuals may be eligible for a Certificate of Divestiture (CD). A CD allows an eligible person to defer paying capital gains taxes on property that is sold to comply with conflict of interest requirements. OGE continues to review requests for CDs and make them available electronically through the OGE Form 201 request process. In fiscal year 2022, this number is expected to remain high due to ongoing appointments of individuals to senior positions in the executive branch.

Consult with agencies on waivers to the primary criminal conflict of interest law, 18 U.S.C. § 208, for their employees

The primary criminal conflict of interest law, 18 U.S.C. § 208, prohibits employees from participating in certain government matters affecting their own financial interests or the interests of certain persons with whom they have ties outside the government. In some cases, a waiver to these restrictions may be appropriate if the financial interest is “not so substantial as to be deemed likely to affect the integrity of the services which the government may expect from such officer or employee.” OGE will continue to consult with agencies prior to the issuance of such waivers and collect copies of final waivers.

Strategic Objective 2.3: Use OGE’s authorities to address known or potential ethics risks

Although limited by statute,¹ OGE uses its authorities and oversight role to address known or potential ethics risks that come to its attention. Without OGE’s inquiry and intervention, ethics vulnerabilities may go unaddressed, undermining public confidence and impairing the operations of the executive branch.

Inquire and potentially intervene if an agency ethics program appears to OGE to be out of compliance with ethics requirements

Consequences of Underresourced Ethics:

- OGE is unable to address systemic or individual issues that result in the public losing trust in government operations.

In fiscal year 2022 or 2023, OGE will continue to conduct real-time inquiries and reviews in response to data, news, or external sources that may indicate that an agency ethics program is out of compliance. OGE will also formalize its written procedures to determine when OGE conducts such inquiries and reviews.

¹ The responsibility for investigating alleged wrongdoing and taking disciplinary or other action against an executive branch employee rest with the management of the employing agency, the relevant inspector general’s office, or in the case of alleged crimes, the Justice Department. *See* 5 U.S.C. app. § 402. OGE cannot issue subpoenas, question witnesses, compel the production of documents, or take action against individuals who refuse to cooperate. When questions arise as to an appointee’s compliance with ethics requirements, the law authorizes OGE only to make a recommendation that the employing agency look into the matter and consider taking appropriate action. If an agency were to decline the recommendation, OGE’s only recourse would be to notify the President. *See* 5 U.S.C. app. § 402(f)(2)(A).

Inquire and potentially hold the employing agency accountable for action when one of its employees appears to OGE to be out of compliance with ethics requirements

Although OGE's primary mission is prevention, when OGE is made aware that an employee appears to be out compliance with ethics requirements OGE may take one of the following steps: make inquiries to the employee's agency; determine whether the agency is taking sufficient remedial actions; recommend that the agency investigate or take corrective or disciplinary action; and determine whether further investigation is required. If further investigation is required, then OGE may recommend that the agency refer the matter to the agency's Inspector General. After an investigation by the agency and/or an Inspector General, OGE will consider whether any further action is required. If OGE determines the noncompliance was the result of a systemic problem with the management of the agency ethics program, then OGE may evaluate the program through an unscheduled program review.

In rare cases, OGE may directly refer a case to the Inspector General for investigation when OGE is in the best position to know the facts, such as when directly involved in reviewing a nominee's or employee's public financial disclosure report. OGE can also use its authority to decline to certify a public financial disclosure report that comes to OGE for review. While OGE can make referrals and decline to certify reports, OGE is statutorily prohibited from making determinations that a past action constitutes a violation of a criminal ethics law.

In fiscal year 2022, OGE plans to develop formal written procedures to document the process described above.

Use transparency to hold agency leaders and ethics programs accountable

OGE uses transparency to hold agency leaders and ethics programs accountable. In fiscal years 2022 and 2023, OGE will continue to publish individual ethics documents and programmatic ethics documents. This includes oversight correspondence, program review reports, Annual Questionnaire responses, 1353 travel reports, as well as public financial disclosures, ethics agreements, related compliance documents, Pledge Waivers, and Certificates of Divestiture. Without this transparency, the public could not as meaningfully oversee the integrity of its government. See page 38 for more information.

Strategic Goal 3: Help Top Executive Branch Officials Resolve Conflicts of Interest and Demonstrate Ethical Leadership

OGE has a vital role in supporting the President's constitutional duty to nominate and appoint officers to the executive branch. OGE helps top executive branch officials resolve conflicts and demonstrate ethical leadership. Ethical culture begins with demonstrated ethical leadership throughout an organization.

To achieve its strategic goal of helping top executive branch officials resolve conflicts of interest and demonstrate ethical leadership, OGE has developed three strategic objectives. These strategic objectives are:

- (3.1) Carry out OGE's statutory role in preparing for and supporting Presidential transitions;
- (3.2) Assist the President and the Senate in the Presidential appointments process; and
- (3.3) Foster ethical leadership in senior officials.

Strategic Objective 3.1: Carry out OGE’s statutory role in preparing for and supporting Presidential transitions

OGE has a unique and important statutory role in supporting Presidential transitions. Therefore, OGE actively prepares the agency and the executive branchwide program in advance of each Presidential election to be ready to carry out its important Presidential appointments work.

Consequences of Underresourced Ethics:

- OGE is unable to prepare for Presidential transitions, resulting in delayed nominations and agencies without leadership.

Failure to effectively prepare to assist the President and the Senate in the Presidential appointments process can result in critical senior leadership positions remaining vacant for extended periods, putting the safety and security of the nation at risk. Key highlights of OGE’s planned work are described below.

Develop comprehensive training plans

To be able to effectively carry out its unique role in the Presidential transition, in fiscal year 2022 OGE will solicit input from ethics officials about the training resources OGE provided leading up to the last Presidential election and needed changes to those resources. Based on the feedback, in fiscal year 2023, OGE will develop comprehensive training plans for both ethics officials and OGE staff, including building internal capacity to handle the surge in volume of nominee financial disclosure reports associated with a transition.

Support and hold accountable agency ethics officials in preparing for a potential Presidential transition

OGE will provide significant support to agency ethics officials to ensure that they are prepared for their enhanced responsibilities and the increased workload associated with the Presidential transition. OGE will support agency ethics officials’ ability to successfully manage the surge in financial disclosure filings related to a high volume of incoming nominees; provide each new agency employee with an initial ethics orientation; and educate a high-volume of officials leaving government about the ethics rules that apply to seeking employment and post-government employment.

Engage and actively participate on government-wide transition councils

As part of its statutory role under the Presidential Transitions Act, as amended, OGE will participate in the Agency Transition Directors Council, which is responsible for coordinating transition activities among the Executive Office of the President, agencies and departments, the campaigns of eligible candidates, and the transition team of the President-elect. OGE will also participate in events hosted by governmental organizations,

such as the Partnership for Public Service’s Presidential Transition Service Providers’ Council.

Strategic Objective 3.2: Assist the President and the Senate in the Presidential appointments process

Following a Presidential election and throughout an administration, OGE continuously assists the President and the Senate in the Presidential appointment process. In fiscal years 2022 and 2023, OGE will continue to collect and thoroughly review the financial disclosure reports of individuals being considered for the highest-level positions in the executive branch: Presidentially appointed, Senate-confirmed (PAS) nominees. The reports

Consequences of Underresourced Ethics:

- OGE is unable to review nominee reports and craft ethics agreements, leaving the President unable to timely appoint agency leaders.
- OGE is unable to timely transmit nominee financial disclosure reports to the Senate, delaying hearings and leaving agencies without leaders.
- Potential conflicts of interest may be undetected or inadequately remedied, resulting in loss of public trust and disruption to the government.

for these positions are the most complex financial disclosure reports in the government. In connection with the review of these reports, OGE reviewers work with officials at various federal agencies and the White House to resolve potential conflicts of interest through written ethics agreements. Key highlights of OGE’s planned work are described below.

Conduct expert, second-level reviews of financial disclosure reports of nominees to the highest-level executive branch positions

In fiscal years 2022 and 2023, OGE will continue to work with agency ethics officials to identify and resolve any conflicts of interest that incoming PAS leaders may have. OGE identifies and resolves potential conflicts of interest of nominees by establishing written ethics agreements with all nominees prior to their confirmations. OGE staff analyze and resolve the potential conflicts of interest of incoming executive branch leaders and leverage the process to provide these leaders with an introduction to their new ethical responsibilities as public servants. Based on experience prior to and for two years after the election of a new President, OGE experiences more than a doubling of its workload for reviewing financial disclosure reports of nominees requiring Senate confirmation. The rate of confirmations by the Senate also affects OGE’s workload.

Strategic Objective 3.3: Foster ethical leadership in senior officials

Ethical leadership and building an ethical culture are necessary components of the executive branch ethics program because organizational culture is one of the strongest drivers of employees’ behavior. Therefore, OGE continually seeks opportunities to engage

senior leaders on the importance of ethics and to sensitize federal managers to their ethics responsibilities.

Communicate directly with agency heads regarding their unique responsibilities under the ethics regulations

The agency head is responsible for, and must exercise personal leadership in, establishing and maintaining an effective agency ethics program and fostering an ethical culture in the agency. OGE will continue its practice of engaging with senior leadership directly and indirectly through one-on-one meetings with OGE’s Director and delivering written welcome letters on the importance of ethical leadership. OGE will also continue, providing targeted communications and resources, and leveraging the nominee financial disclosure reports and ethics agreement process to increase understanding of the ethical role and responsibilities of the agency head, as both a leader and as an individual.

Encourage senior leaders’ support of the ethics program

OGE will continue its practice of engaging with senior leadership directly and indirectly through external communications, and involvement in nominee financial disclosure reports and ethics agreements, as well as through publications and educational offerings. For example, OGE will continue to provide briefings to new Senior Executive Service members about the importance of ethics and their vital role in maintaining the public’s trust. Through these training opportunities, OGE and agencies convey the importance of and techniques for leading ethical organizations. Finally, through ongoing research and partnerships with others, OGE will share tools and tactics for senior leaders to use to effectively communicate the ethical expectations for their organizations.

Maintain specific regulatory ethics standards for senior leaders and managers

OGE will maintain specific regulatory ethics standards for senior leaders and managers. Ethical leadership and building an ethical culture are key components of the executive branch ethics program. Culture is one of the strongest drivers of behavior. Ethics officials can take concrete steps to help build ethical culture and assist leaders in supporting it.

Educate senior leaders and managers on their personal and programmatic ethics obligations

OGE will create and share trainings and tools targeted to senior leaders and managers on their personal and programmatic ethics obligations. Supervisors are responsible for working with agency ethics officials to help resolve conflicts of interest and enforce government ethics laws and regulations, including those requiring certain employees to file financial disclosure

“One of our most important responsibilities as leaders is to ensure that the public servants we lead understand and are fully committed to our singular duty: to serve the public.”

- Welcome Letter to new PAS officials from OGE’s Director

reports. In addition, supervisors are responsible, when requested, for assisting agency ethics officials in evaluating potential conflicts of interest and identifying positions subject to financial disclosure requirements.

Strategic Goal 4: Use Transparency to Further the Oversight of the Executive Branch

Transparency plays an essential role in strengthening trust in government. OGE works hard to fulfill this responsibility by making ethics documents available and helping to make the American people aware that there are systems in place and mechanisms available to hold their government accountable. Without this transparency, the public could not meaningfully oversee the integrity of its government.

To achieve its strategic goal of using transparency to further oversight of the executive branch, OGE has developed two strategic objectives:

- (4.1) Make ethics information publicly available; and
- (4.2) Reach a broader array of stakeholders.

Strategic Objective 4.1: Make ethics information publicly available

In fiscal years 2022 and 2023, OGE will continue to make ethics documents publicly available. Key highlights of OGE's planned work are described below.

Provide timely access to ethics information and make ethics information easy to locate and understandable

Consequences of Underresourced Ethics:

- OGE is unable to timely publish ethics documents, leaving the public unable to verify that leaders are free from conflicts of interest and to hold OGE accountable.

To ensure that ethics information is publicly available and to promote overall transparency in governmental decision-making, in fiscal years 2022 and 2023, OGE will continue to timely post a variety of critical ethics documents on its website. OGE launched its redesigned website in fiscal year 2020 with increased search functionality to improve public access to ethics documents and ethics officials' access to key resources needed to perform their jobs. Available documents include agency program review reports, policy guidance, information about each agency's ethics program, documentation of senior leaders' compliance with ethics commitments, and financial disclosure reports of high-level officials.

In fiscal year 2022, OGE will also implement strategies to remove barriers related to accessing ethics documents identified from the equity assessment conducted in fiscal year 2021. More specifically, OGE plans to make the online form for requesting financial disclosures compliant with the Individuals with Disabilities Education Act (IDEA), refine content that explains how to access financial disclosure forms, and look into options for translating the form.

Lastly, OGE will continue to remind agencies of their obligation to make ethics documents available promptly. In addition, in fiscal year 2022 or 2023, OGE will take steps to help ethics officials embrace transparency as an element of the executive branch ethics program. For example, OGE may issue guidance, conduct training, or create targeted communications on this topic.

Maintain a responsive Freedom of Information Act program

OGE will maintain its strong FOIA program. In recent years, OGE's volume of FOIA requests has remained higher than its historical average, driven in part by the public's ongoing interest in government ethics issues. To increase transparency and respond to burgeoning public interest, OGE will continue its practice of proactively posting on its website documents released in response to FOIA requests that are of particular interest to the public.

Strategic Objective 4.2: Reach a broader array of stakeholders

OGE seeks to reach a broader array of stakeholders to raise awareness of the systems and processes in place to detect and resolve conflicts of interest. Without accurate information the public cannot make informed judgments about the integrity of their government. When the public feel that information is being withheld, they may become suspicious, and their confidence in the executive branch may erode.

Consequences of Underresourced Ethics:

- OGE is unable to help the public and the media understand ethics requirements, resulting in less accurate news coverage and unwarranted criticism of government leaders.
- OGE is unable to maintain its website, resulting in less timely and accurate ethics information, confused government officials, and less informed Americans.

In fiscal years 2022 and 2023, OGE will continue its external communications efforts to increase understanding of the executive branch ethics program. Key highlights of OGE's planned work are described below.

Create communications that are accurate, compelling, relevant, and tailored to each target audience

To promote public confidence, OGE has a responsibility to communicate effectively about the executive branch ethics program. OGE communicates with the public directly through publications, its website, and social media. OGE also communicates with Americans through the media and government watchdog groups. In fiscal years 2022 and 2023, OGE will continue to ensure that its communications are accurate, compelling, relevant, and tailored to each targeted audience, as well as delivered through effective communication channels.

OGE will implement new strategies to reach a broader array of stakeholders. These strategies include developing wholly new materials targeted to new audiences, such as developing content for civics courses about government ethics. In addition, OGE will use different tools and approaches, such as increasing the use of video content and infographics to visually describe its work and access each a broader array of stakeholders. When appropriate, OGE will also seek input from the public on ways the agency can improve its communications efforts. OGE will also implement strategies identified from the equity assessments conducted in fiscal year 2021 to both remove barriers from its existing communications and to improve its stakeholder outreach efforts.

Respond timely to external requests for information and assistance

Outside interest in the executive branch ethics program has grown significantly in recent years. Inquiries from the public, the press, Congress, and associations require OGE's

timely attention and response. When these stakeholders do not receive information timely, they may publish inaccurate stories, take hasty action, or simply lose confidence in the integrity of the executive branch.

To ensure that these stakeholders have the information they need, when they need it, OGE will timely respond to the expected 1,000 external requests for information and assistance received each year from the public, the press, Congress, and various associations. Through these interactions, OGE aims to increase awareness and understanding of the executive branch ethics laws and regulations, and to disseminate accurate information about the executive branch ethics program. In particular, OGE will further its relationship and information sharing with regional media outlets, industry focused media, and organizations that represent underserved communities by creating a media kit that describes how and why the media may want to review ethics documents. In addition, OGE will continue to timely respond to inquiries and publish helpful information on its website.

Participate and collaborate with ethics practitioners across various segments of society

Ethics in government is a shared concern across all segments of society. To succeed, OGE must learn from experts in diverse fields. Therefore, OGE continues to participate as a member of private sector, state, and local ethics organizations such as the Council on Governmental Ethics Laws ([COGEL](#)), in addition to federal interagency groups, such as the [Small Agency Council](#). Through meetings, presentations, and online forums, OGE continues to engage and share information with non-governmental organizations, such as good governance groups, watchdog organizations, the academic community, and professional associations. OGE also conducts outreach and participates with organizations that share common interests related to OGE's mission, such as the [Partnership for Public Service](#). In addition, OGE will continue to collaborate with the most senior ethics practitioners from all three branches of government to discuss issues of common interest and to build valuable relationships among the three branches.

Crosscutting Objective

Crosscutting Objective 5.1: Advance equity in OGE’s programs and improve diversity, equity, inclusion, and accessibility in OGE’s operations

OGE strives to advance equity for all, including people of color and others who have been historically underserved, marginalized, and adversely affected by persistent poverty and inequality. Affirmatively advancing equity, civil rights, racial justice, and equal opportunity is the responsibility of the whole of our government. By advancing equity within its programs and operations, OGE can create opportunities to better serve those who have been historically underserved.

Access to Entry and Advancement within the Ethics Workforce – see page 38

Delivery of Ethics Education – see page 20

Access to Key Ethics Records – see page 38

Procurement – see page 45

Internal Hiring and Training– see page 43

OGE has determined that it can most effectively advance equity and remove barriers for underserved communities in three key program areas: (1) ethics education, (2) release of ethics records, and (3) procurement. As described throughout this document, 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.

Improve diversity, equity, inclusion, and accessibility in OGE’s operations

In fiscal year 2022, OGE will draft and begin to implement its DEIA Strategic Plan. This will include a review and revision, if necessary, OGE’s employment practices, as well as expanded internal training opportunities. See page 44 for more information. This will also include a government wide initiative related to the professional development/advancement of ethics officials. See page 19.

Stewardship Objectives

To effectively lead in ethics, OGE must be a strong, well-run agency in order to carry out its critical mission of preventing conflicts of interests in the executive branch. Therefore, OGE endeavors to be a model agency with regard to its workforce, technology, and compliance. The agency invests in the development, diversity, and retention of its most valuable asset: its staff. OGE invests in its employees who work tirelessly to carry out the day-to-day work to accomplish the agency's vital mission. The agency leverages technology to amplify its impact by increasing the reach of its limited resources. OGE also strives to maximize every taxpayer dollar entrusted to the agency and to remain compliant with the wide array of requirements applicable to federal agencies.

In support of its mission and strategic goals, OGE has developed three stewardship objectives:

- (6.1) Sustain a high-performing, cross-functional staff;
- (6.2) Leverage technology to increase efficiency and effectiveness; and
- (6.3) Safeguard the government resources entrusted to OGE.

Stewardship Objective 6.1: Sustain a high-performing, cross-functional staff

OGE is able to successfully meet its mission because of its high-performing, cross-functional staff. OGE’s continued attention to the development and retention of staff is of critical importance to the agency’s operations and successful performance of its mission activities.

Accountability and Performance: OGE will continue to track its progress toward annual performance goals by holding quarterly all-hands meetings; conducting a mid-year strategic objective review; holding regular executive and senior staff meetings to discuss agency goals, priorities, and the status of significant program activities; and reviewing the Employee Viewpoint Survey results, and holding supervisors accountable for ensuring ongoing communication regarding OGE goals and priorities with all staff.

Employee Recognition: OGE will continue to recognize employees through its awards program, which includes spot awards and year-end performance bonuses. In fiscal year 2020, OGE updated its spot award program to ensure more awards are granted throughout the year and that they are based on a set of criteria. In addition, OGE will continue its staff-run Employee Recognition Group, which provides management with new, non-monetary ways to recognize staff based on employee input. OGE also will continue to hold its annual employee recognition event.

Workforce Development: OGE is committed to meeting its employees’ professional development needs by providing significant education and training opportunities, and providing employees with dedicated time and resources to pursue development. OGE will continue to incorporate the requirements of the Employee Development Plan (EDP) into employees’ performance standards. In this way, OGE confirms its commitment to continuous learning and employee professional development. OGE also will continue to identify agency knowledge and skills gaps, and will use the EDP to train employees to fill those gaps. In addition, OGE will continue to provide internal and external training and development opportunities to its employees at all levels, as resources permit.

OGE also will continue to hold regular training sessions for new employees as well as other meetings for employees within the agency, to share information and to develop and improve their knowledge and skills. These actions, collectively, will ensure the ability of OGE and its employees to offer the highest quality products and services to its stakeholders.

| OGE EMPLOYEE DEVELOPMENT PLAN | | | |
|----------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|------|
| Employee's Last Name | First Name, MI | | |
| Division and Branch | Title | | |
| Period Covered | Phone | Signature | Date |
| Employee's Commitment | I agree to carry out the planned activities and participate in the measurement of progress toward the objective(s), which will inform the continuous learning requirements of my performance standards. | | |
| Other Employee Information or Comments | | | |
| Supervisor Name | Phone | Signature | Date |
| Supervisor's Commitment | I have agreed to these learning objectives and will support and assist the employee in attaining them. | | |
| A. Learning Objective(s) | | | |
| B. Reference to Agency Objectives | Strategic Objective 1.1- Provide expert guidance and support to stakeholders | | |
| Identify the strategic objective(s) advanced by the planned activities. | Strategic Objective 1.2- Strengthen the expertise of officials who are integral to the executive branch ethics program | | |
| | Strategic Objective 1.3- Continuously refine ethics policy and issue interpretive guidance | | |
| | Strategic Objective 2.1- Monitor agency compliance with executive branch ethics program requirements | | |
| | Strategic Objective 2.2- Monitor senior leaders' compliance with individual ethics commitments | | |
| | Strategic Objective 3.1- Prepare for a Presidential transition | | |
| | Strategic Objective 3.2- Provide assistance to the President and Senate in the Presidential appointment process | | |
| Identify the division or branch objective(s) advanced by the planned activities. | Strategic Objective 4.1- Inform the public about OGE and the executive branch ethics program | | |
| | Strategic Objective 4.2- Make ethics information publicly available | | |
| | Management Objective 5.1- Sustain a strong culture of performance management | | |
| | Management Objective 5.2 - Strengthen organizational compliance and fiscal stewardship | Management Objective 5.3 - Continuously enhance OGE's information systems and processes | |
| Division or Branch Objective(s) Targeted | | | |

Diversity, Equity, Inclusion, and Accessibility: OGE strives to be a model for diversity, equity, inclusion, and accessibility, so that all employees are treated with dignity and respect. In fiscal years 2022 and 2023, OGE will take steps to implement the Executive Order on Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce. As part of this process, OGE will strengthen its ability to recruit, hire, develop, promote, and retain talent and remove barriers to equal opportunity. With regard to hiring, OGE will assess areas in need of improvement and take necessary actions to strengthen and advance diversity, equity, inclusion, and accessibility. For example, OGE will review its hiring practices and procedures against evidenced-based “best practices to identify and then implement improvements. (See page 41 for more information on OGE’s efforts toward advancing equity). With regard to training, OGE will re-direct some of its training resources to these topics.

Stewardship Objective 6.2: Leverage technology to increase efficiency and effectiveness

OGE leverages technology to increase its efficiency and effectiveness in all aspects of its work. Without strong, secure information systems and processes, the agency cannot carry out its executive branchwide mandates, operate effectively, or efficiently perform its mission-critical activities.

Implement a comprehensive IT replacement

In fiscal year 2022, OGE reaches the end of the four-year life-cycle for many of its IT infrastructure systems and associated equipment. In fiscal year 2023, OGE will implement a comprehensive replacement of its IT infrastructure systems and associated equipment. OGE will replace routers, switches, and firewalls; thin clients, laptops, monitors, servers, and infrastructure; tape backup hardware; data center backup power system; and, keyboards, mice, and printers to meet the technological demands of OGE’s mission work using virtual desktop infrastructure in a hybrid work environment.

Enhance the functionality of information technology tools, resources, and systems

OGE has developed numerous applications that have improved agency and program efficiency, increased data access, enhanced management practices, and strengthened compliance activities. In fiscal years 2022 and 2023, OGE will continue to devote resources to applications that support major mission programs, such as the Desk Officer Program, the Annual Questionnaire, the records program, and financial disclosure tracking, as well as those applications that support internal operations such as requisition processing, budget formulation, and equipment tracking. OGE will also develop and launch a redesigned agency intranet, in conformance with the IDEA Act, for sharing information, collaboration tools, workflow tools, operational systems, and other computing services to enhance productivity among OGE staff.

Maintain and refine OGE's website

OGE will continue to maintain and refine its website, which is OGE's main communication tool and the most valuable resource for OGE's stakeholders, including agency officials, the media, and the general public. OGE launched its redesigned website in fiscal year 2020, in conformance with the IDEA Act, to improve public access to ethics documents, ethics officials' access to key resources needed to perform their jobs, and to strengthen IT security. OGE will collect targeted feedback on its website from ethics officials by early fiscal year 2022 and take specific actions to improve the site based on that stakeholder input.

Stewardship Objective 6.3: Safeguard the government resources entrusted to OGE

In addition to its mission work, OGE brings to life the principle that "public service is a public trust" in the ways that it conducts its agency operations. OGE is a compliance organization that takes seriously its compliance with government-wide directives and their important policy objectives. Therefore, OGE carefully safeguards the governments resources entrusted to the agency.

Fiscal stewardship: OGE will remain a good steward of taxpayer dollars, as reflected by its existing track record of strong financial management. In fiscal years 2022 and 2023, OGE will continue to pursue efficiencies, such as the economies of scale received from using shared service centers for a significant number of support services. In addition to shared services, OGE has completed numerous cost-cutting initiatives, and continues to assess cost-cutting opportunities as a regular business practice. For example, OGE has used in-house information technology specialists to design, develop, and create internal applications, significantly increasing staff efficiency and reducing contracting costs. In addition, OGE recently leveraged its existing phone contract with a low-cost public provider, to get rapid access to necessary virtual collaboration and meeting tools to meet the demands of an all-virtual workforce during the pandemic. OGE also leveraged expertise and increased compliance by exchanging key written policies with its sister agencies, reducing duplication of effort across the executive branch.

Internal controls: OGE will continue to maintain effective internal controls over financial reporting, including the design, implementation, and maintenance of internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatements. OGE will continue to monitor and evaluate implemented internal controls, constantly seeking improved methods and accountability to guard against potential fraudulent practices.

Tracking purchases, inventory, and procurement: Using a dedicated application on its internal network, OGE will continue to maintain its effective process for approving requisitions, which builds in additional internal controls and tracking to ensure that OGE remains fiscally responsible. OGE also will continue to carefully track its inventory of IT equipment and furniture. With regard to procurement, OGE will refine some of its procurement practices and procedures to ensure a great percentage of its purchases are

made from disadvantaged businesses to increase equity among the historically underserved.

Independent audit: OGE will continue to undergo independent audits of its financial statements to ensure that they are presented fairly in all material respects, and in accordance with generally accepted accounting principles. OGE will continue to ensure that there are no material weaknesses in internal controls over financial reporting and that OGE continues to comply with applicable laws, regulations, contracts, and grant agreements.

Facilities Management: GSA's current lease for OGE's space ends February 2024. Therefore, OGE is working with GSA to review its current space needs and will work with them on the negotiation of a new lease. Depending on the outcome of the lease negotiations, OGE could incur significant costs and its work could be disrupted by being forced to relocate its staff. As part of this effort, OGE is actively re-evaluating the use of our current space given the impact of COVID-19 and expanded workplace flexibilities. OGE is regularly surveying its staff to determine workplace preferences in order to inform future workspace needs for this lease negotiation.

Cybersecurity: Cybersecurity: In accordance with the Federal Information Security Modernization Act (FISMA) of 2014, OGE's security program will continue to provide mandatory annual cybersecurity awareness training; review weekly network perimeter scans performed by the Department of Homeland Security; conduct and review monthly scans of the internal OGE network; procure and participate in annual security assessment reviews conducted by accredited independent auditors using FISMA CIO and FISMA IG metrics; and prepare for Integrity's annual security assessment. OGE will also take steps to comply with the Executive Order on Improving the Nation's Cybersecurity and subsequent guidance. This work is critical to protect the confidentiality, integrity, and availability of OGE's information and information systems against unauthorized access and use.

Compliance: OGE will continue to strive to remain compliant with the wide array of requirements applicable to federal agencies. Key highlights of OGE's planned work are described below.

Data: OGE will continue to ensure the agency's compliance with the Foundations for Evidence-Based Policymaking Act. OGE will expand its data governance activities by building its data governance around key systems, identifying staff in need of data skills training, and in creating a data inventory. OGE will continue to actively participate in the Chief Data Officers Council. Lastly, OGE will also continue to prioritize the use of data in its decision making. For example, OGE plans to make more data-driven decisions in determining which ethics issues would benefit from a written legal advisory.

Privacy: OGE will continue to ensure the agency's compliance with the Privacy Act, as well as privacy requirements established by OMB. In fiscal years 2022 and 2023, OGE will continue to protect privacy by reviewing proposed IT systems and projects

that collect and manage privacy protected information (for example, any related to planned legal expense fund regulations), and by recertifying existing IT systems and projects, reviewing Privacy Threshold Analyses, and preparing and updating privacy-related documents, such as Systems of Records Notices and Privacy Impact Assessments. OGE also will continue to review and update privacy controls that are required as part of the annual security reviews for OGE's network and *Integrity*. In addition, OGE will continue to actively participate in government-wide Privacy councils to provide annual privacy training to OGE staff and contractors.

Records: OGE will maintain a robust records program in fiscal years 2022 and 2023 and plans to complete NARA review and approval of several updated OGE disposition schedules. OGE will also continue to work toward digitizing all agency records as required by NARA guidance. In addition to focusing on employee training, OGE also will continue to update its processes and create standard operating procedures that facilitate good records management practices.

Section IV – Conclusion

The important work OGE does is critical to the public’s confidence in executive branch officials and operations. OGE simply cannot carry out its crucial work without the necessary resources.

OGE requires its full requested funding of \$22,400,000 in fiscal year 2023 to undertake its important mission of providing leadership and oversight to prevent and resolve conflicts of interest in the executive branch. An underresourced OGE creates significant risk, undermines the integrity of government operations, and further strains public confidence. Funding at the requested level will allow OGE to make mission-critical investments in expert staff, operational stability for *Integrity*, and advancing the President’s management priorities. These investments are critical to OGE’s ability to continue to successfully undertake its vital work. Cutting or underfunding OGE’s budget would increase risk to the executive branch ethics program operations.

For all of the vital reasons outlined here and in its justification, OGE urges the approval of its request for \$22,400,000 to fund the agency in fiscal year 2023.

Section V – Fiscal Years 2022 and 2023 Performance Goals

| Strategic Goal I: Advance a Strong, <u>Consistent</u> Executive Branch Ethics Program | | | |
|---------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|
| Strategic Objectives | Performance Goals | Fiscal Year 2022 Target | Fiscal Year 2023 Target |
| 1.1: Provide expert guidance and support to ethics officials and other stakeholders | OGE timely communicates ethics-related information. | 85% | 85% |
| | OGE Desk Officer assistance helps officials perform their ethics job duties. | 85% | 85% |
| 1.2: Strengthen the expertise of officials who are integral to the executive branch ethics program | After using a learning tool provided by OGE, officials believe they can more effectively perform their ethics job functions. | 85% | 85% |
| 1.3: Continuously refine ethics policy and issue interpretive guidance | Legal and Program Advisories help officials perform their ethics job duties. | 80% | 80% |
| | | Milestones: OGE will take steps necessary to publish proposed rule (SOC Modernization) | Milestones: OGE will take steps necessary to Publish final rule (SOC Modernization) Complete an in-depth review of 5 CFR 2640 |
| 1.4: Lead the financial disclosure program and provide the executive branch e-filing system, <i>Integrity</i> | Agency administrators are satisfied with the support provided by OGE on <i>Integrity</i> , its electronic public financial disclosure filing system. | 80% | 80% |
| | Continuously update and renew materials | Milestones: OGE Form 278e Renewed OGE Form 450 Renewed Address all security review findings | Milestones: Update OGE Form 450 and OGE Form 278e guides Address all security review findings |

| 1.4: Lead the financial disclosure program and provide the executive branch e-filing system, <i>Integrity</i> | Financial disclosure resources provided by OGE (e.g., Confidential Financial Disclosure Guide, Financial Disclosure Playlist, etc.) assist reviewers in the review of financial disclosure reports | <i>Baseline Established</i> | |
|---------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|---------------------------------------------------------|
| Strategic Goal II: Hold the Executive Branch Accountable for Carrying Out an Effective Ethics Program | | | |
| Strategic Objectives | Performance Goals | Fiscal Year 2022 Target | Fiscal Year 2023 Target |
| 2.1: Monitor agency compliance with executive branch ethics program requirements | Agency ethics programs are reviewed within established time frames. | 3 Year cycle – 29 agencies 4 Year cycle: 13 agencies | 3 Year cycle – 29 agencies 4 Year cycle: 13 agencies |
| 2.1: Monitor agency compliance with executive branch ethics program requirements | In cases in which OGE identifies a program weakness, OGE’s program review results in improvements in the agency’s ethics program. | 75% | 75% |
| 2.2: Monitor senior leaders’ compliance with individual ethics responsibilities and commitments | Public financial disclosure reports (new entrant, annual, termination, and transaction) required to be submitted to OGE for second-level review are closed within established time frames. | 90% | 90% |
| 2.3: Use OGE’s authorities to address known or potential ethics risks | | Milestone: Formal Written Procedures Drafted. | |

| Strategic Goal III: Help Top Executive Branch Officials Resolve Conflicts of Interest and Demonstrate Ethical Leadership | | | |
|---------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|
| Strategic Objectives | Performance Goals | Fiscal Year 2022 Target | Fiscal Year 2023 Target |
| 3.1: Carry out OGE's statutory role in preparing for and supporting Presidential transitions | | Milestone: Begin development of OGE staffing plan | Milestones: Complete an OGE staffing plan in Q1 Develop a training plan for OGE staff and ethics officials |
| 3.2: Assist the President and the Senate in the presidential appointment process | Initial comments on draft financial disclosure reports of presidential nominees for Senate-confirmed appointments are provided to the agency within established time frames. | 85% | 85% |
| | Final financial disclosure reports of presidential nominees for Senate-confirmed appointments are certified by OGE within established time frames. | 90% | 90% |
| 3.3: Foster ethical leadership in senior officials | In lieu of performance goals, OGE tracks a variety of indicators. | Indicators: - Number of meetings held with Senior Leaders - Number of trainings conducted - Number of messages sent | Indicators: - Number of meetings held with Senior Leaders - Number of trainings conducted - Number of messages sent |

| Strategic Goal IV: Use Transparency to Further Oversight of the Executive Branch | | | |
|-----------------------------------------------------------------------------------------|-------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|
| Strategic Objectives | Performance Goals | Fiscal Year 2022 Target | Fiscal Year 2023 Target |
| 4.1: Make ethics information publicly available | In lieu of performance goals, OGE tracks a variety of indicators. | Indicators: # of ethics documents requested Implement CX improvements | Indicators: # of ethics documents requested Stakeholder Feedback Milestone: Review additional documents to post |
| 4.2: Reach a broader array of stakeholders | In lieu of performance goals, OGE tracks a variety of indicators | Indicators: Number of website page views # of Public Inquiries # of Outreach Activities Twitter engagement rate | Indicators: Number of website pageviews # of Public Inquiries # of Outreach Activities Twitter engagement rate |
| Crosscutting Objective | | | |
| Cross-cutting Objective | Performance Goal | Fiscal Year 2022 Target | Fiscal Year 2023 Target |
| 5.1: Advance equity in OGE's programs and operations | | <i>Milestones:</i> Implement Equity Action Plan Implement DEIA Strategic Plan | <i>Milestones:</i> Implement Equity Action Plan Implement DEIA Strategic Plan |
| Stewardship Objectives | | | |
| Stewardship Objectives | Performance Goals | Fiscal Year 2022 Target | Fiscal Year 2023 Target |
| 6.1: Sustain a high-performing, cross-functional staff | OGE's Employee Engagement Index score on the Employee Viewpoint Survey. | 80% | 80% |

| | | | |
|-------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|------------------------------------------|-------------------------------------------------------------------|
| 5.2: Leverage technology to increase efficiency and effectiveness | | - | <i>Milestone: Complete procurement of cyclical IT replacement</i> |
| 6.3: Safeguard the government resources entrusted to OGE | Results of annual financial audit. | Results of annual financial audit | Results of annual financial audit |
| | Results of Cybersecurity Risk Management Assessment. | Managing risk for majority of categories | Managing risk for majority of categories |
| | Percentage of OGE employees that take required training (i.e., records, security, privacy, ethics). | 90% | 90% |