UNITED STATES OFFICE OF
GOVERNMENT ETHICS

Ethics Program Review

U.S. Department of Housing and Urban Development

Report No. 26-49
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The United States Office of Government Ethics (OGE) conducted a review of the United States Department of Housing and Urban Development (HUD) Headquarters ethics program between January 2026 and July 2026. The following summarizes the results of that review.

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Objectives, Scope and Methodology

Objectives: OGE provides overall leadership and oversight of the executive branch ethics program designed to prevent and resolve conflicts of interest. The Ethics in Government Act gives OGE the authority to evaluate the effectiveness of executive agency ethics programs.[1] OGE uses this evaluation authority largely to conduct reviews of agency ethics programs. The purpose of a review is to identify and report on the strengths and weaknesses of an ethics program 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.

Scope: OGE examined the HUD Headquarters ethics program. This examination covered Headquarters' public and confidential financial disclosure systems, ethics training and counseling, notices for prospective employees and new supervisors, conflicts of interest, enforcement of ethics-related restrictions, and ethics services for special government employees (SGE).

Methodology: OGE examined a variety of documents provided by HUD ethics officials, including the agency's response to OGE's 2025 Annual Agency Ethics Program Questionnaire, written procedures for administering the ethics program, samples of public and confidential financial disclosure reports filed in 2025, ethics training materials provided to staff in 2025, samples of advice and counseling, samples of ethics notices, and documents related to SGE

[1] *See* 5 U.S.C. § 13122 (formerly 5 U.S.C. app. § 402); 5 C.F.R. § 2638.

financial disclosure and ethics training. In addition, OGE contacted agency ethics officials to clarify the information gathered and to follow up on issues identified during the review.

Agency Background

The Department of Housing and Urban Development Act of 1965 created HUD as a Cabinet-level agency. The agency is headed by a Presidentially appointed Senate confirmed Secretary and is responsible for national policy and programs that address America's housing needs, improve, and develop the Nation's communities, and enforce fair housing laws. HUD accomplishes its mission through component organizations and offices that are organized into ten regions, each with attendant field offices.

Program Administration

HUD's ethics program is managed by the Ethics and Appeals Division (EAD), a component office within HUD's Office of General Counsel. HUD's General Counsel, a presidentially appointed, Senate-confirmed (PAS) official, is the Designated Agency Ethics Official (DAEO) while the Deputy General Counsel for Housing Programs is the current Alternate DAEO (ADAEO).

Assisting the DAEO and ADAEO are EAD's Assistant General Counsel, Deputy Assistant General Counsel, three Attorney Advisors and two Management Analysts who provide administrative support for the financial disclosure and ethics training systems.

EAD's ethics officials administer all aspects of the headquarters ethics program, as well as the agency-wide public financial disclosure system while HUD's Regional Counsels are delegated the authority to administer all ethics functions except public financial disclosure at their particular regions. EAD's oversight activities over the regional ethics offices include holding bi-monthly calls with ethics officials HUD-wide, collaborating on complex and novel issues, tracking the review and certification of regional confidential financial disclosure reports, and updating the regional ethics offices on OGE guidance and training.

During 2025 HUD's ethics program, experienced significant challenges caused by the Deferred Resignation Program (DRP). All six of EAD's staff attorneys resigned under the DRP while three new staff attorneys, without prior ethics experience, joined EAD.

Financial Disclosure

Title I of the Ethics in Government Act requires that agencies administer public and confidential financial disclosure systems. Financial disclosure serves to prevent, identify, and resolve conflicts of interest by providing for a systematic review of the financial interests of officers and employees. The financial disclosure process also offers an opportunity for ethics officials to provide ethics-related counseling to report filers.

To evaluate HUD Headquarters financial disclosure systems, OGE evaluated required materials for administering the systems and sample sets of public and confidential financial disclosure reports that were required to be filed by HUD Headquarters employees.

Financial Disclosure Written Procedures

Each executive branch agency must establish written procedures for collecting, reviewing, evaluating, and where applicable, making publicly available financial disclosure reports filed by the agency's officers and employees.[2] Maintaining sufficient written procedures is a critical component of an ethics program. Procedural documents provide guidance to current ethics officials administering an ethics program and ensure continuity of operations when turnover inevitably occurs. OGE reviewed HUD's written procedures and determined that they meet applicable requirements.

Notices to the DAEO

Agency human resources offices play a vital role in ensuring the effective administration of the ethics program. Without necessary information about agency employees, ethics officials cannot successfully carry out their important work. Among other things, the lead human resources official is required to notify the DAEO of all appointments to positions that require incumbents to file public or confidential financial disclosure reports no later than 15 days after the appointment. The lead human resources official must also notify the DAEO of terminations of employees in positions that require incumbents to file public financial disclosure reports no later than 15 days after termination.[3] These notifications help to ensure the timely collection of financial disclosure reports.

HUD's Office of Executive Resources, a component within the Office of the Chief Human Capital Officer, notifies EAD of senior-level staffing changes through weekly email notifications. Additionally, the Office of Inspector General's legal office notifies EAD of its senior-level staffing changes via email as they occur. EAD informs the DAEO and ADAEO of staffing changes via email and weekly ethics update meetings with the ADAEO. OGE determined that this notification system sufficiently met the requirements for notices from human resources to the DAEO.

Public Financial Disclosure

Within 30 days of assuming a covered public filing position, an individual must file a public financial disclosure report.[4] The individual must subsequently file an annual report by May 15 each year and a termination report within 30 days of departing the public filing position.[5] The reports are required to be reviewed for potential conflicts of interest and certified

[2] *See* 5 U.S.C. § 13122(d)(1).
[3] *See* 5 C.F.R. § 2638.105(a)(1) and (2).
[4] *See* 5 C.F.R. § 2634.201(b).
[5] *See* 5 CFR § 2634.201(a) and (e).

within 60 days of receipt by the ethics office, unless additional information is being sought from the filer or remedial action is being taken.[6]

To evaluate the administration of HUD Headquarters' public financial disclosure system, OGE examined a sample of 25 new entrant, 25 annual, and 25 termination reports required to be filed in 2025. Table 1 presents the results of OGE's examination.

Table 1. OGE's Examination of HUD Headquarters' Public Financial Disclosure Reports

	New Entrant	Annual	Termination	Total
Reports Examined	25	25	25	75
Filed Timely	23 (92%)	24 (96%)	16 (64%)	63 (84%)
Certified Timely	25 (100%)	25 (100%)	24 (96%)	74 (99%)

OGE's examination of public financial disclosure reports found that 84% (63 out of 75) of sampled reports were filed timely. These results compare favorably to the results of OGE's 2023 review, indicating a generally well-functioning public financial disclosure system, despite the staffing challenges EAD encountered during 2025. OGE also noted that termination report filing timeliness was impacted by the 2025 federal government shutdown, as well as filers' inaction, for which OGE found that EAD had taken appropriate remedial actions. OGE therefore is not issuing a recommendation on termination report filing timeliness.

Confidential Financial Disclosure Reports

Within 30 days of assuming a covered confidential filing position, an individual must file a confidential financial disclosure report.[7] The individual must also subsequently file an annual report by February 15 each year.[8] The reports are required to be reviewed for potential conflicts of interest and certified within 60 days of receipt by the ethics office, unless additional information is being sought from the filer or remedial action is being taken.[9]

To evaluate the administration of HUD Headquarters' confidential financial disclosure system, OGE examined a sample of 20 new entrant and 30 annual reports that were required to be filed in 2025. Table 2 presents the results of OGE's examination.

[6] *See* 5 CFR § 2634.605.
[7] *See* 5 C.F.R. § 2634.903(b).
[8] *See* 5 C.F.R. § 2634.903(a).
[9] *See* 5 C.F.R. § 2634.605(a).

Table 2. OGE's Examination of HUD Headquarters' Confidential Financial Disclosure Reports

	New Entrant		Annual		Total	
Reports Examined	20		30		50	
Filed Timely	17	(85%)	27	(90%)	44	(88%)
Certified Timely	20	(100%)	30	(100%)	50	(100%)

OGE's examination of confidential financial disclosure reports found that 88% (44 out of 50) of sampled reports were filed timely while 100% (50 out of 50) of sampled reports were reviewed and certified timely. As with the sampled public reports, OGE's review of the confidential samples indicate a generally well-functioning confidential financial disclosure system, despite the staffing challenges encountered during 2025.

Education and Training

Each executive branch agency must carry out a government ethics education program to teach employees how to identify government ethics issues and obtain assistance in complying with government ethics laws and regulations. The training program is to include: briefings for certain PAS employees; notices for prospective employees and newly appointed supervisors regarding their ethics-related obligations; initial ethics training for new employees; and annual ethics training for public and confidential financial disclosure report filers and certain other employees.[10] An ethics education program is essential to raising awareness among employees about the ethics laws and rules that apply to them and the availability of agency ethics officials to provide ethics counseling.

Ethics Briefing for Certain Agency Leaders

Certain PAS officials must complete an ethics briefing to discuss their immediate ethics obligations no later than 15 days after their appointment, unless the DAEO grants an extension. Any extension of more than 15 days requires the DAEO to make a written determination that extraordinary circumstances make it necessary to provide the briefing at a later date.[11]

EAD provides one-on-one briefings for PAS officials and OGE confirmed that all PAS officials appointed during 2025 received the briefings within 15 days of appointment.

Initial Ethics Training

Each new employee subject to the Standards of Conduct must complete initial ethics training within three months of appointment, unless excluded by the DAEO. The training must be interactive and focus on government ethics laws and regulations that the DAEO deems appropriate. The training must address financial conflicts of interest, impartiality, misuse of position, and gifts. In addition to the training presentation, the agency must provide the employee

[10] *See* 5 C.F.R. Part 2638 Subpart C.
[11] *See* 5 C.F.R. § 2638.305.

with either written copies of or written instructions for accessing: the summary of the Standards of Conduct distributed by OGE or an equivalent summary prepared by the agency; provisions of the agency's supplemental regulations or a summary thereof, as determined appropriate by the DAEO; and, instructions for contacting the agency's ethics office.[12]

New employees receive initial ethics training conducted by an EAD attorney on the first Monday of every pay period as part of the employee's orientation. OGE reviewed the materials HUD used to provide IET in 2025 and found that they met applicable content requirements. OGE also confirmed that all new employees (154 out of 154) received IET within the required 90 days.

Written Procedures for Initial Ethics Training

Agencies are required to establish written procedures for, among other things, initial ethics training, which the DAEO must review each year.[13] OGE's review confirmed that EAD has established written procedures for initial ethics training and the procedures are reviewed annually.

Annual Ethics Training

To meet the annual ethics training (AET) requirements, covered employees must receive annual training consisting of a review of: (1) the Principles of Ethical Conduct; (2) the Standards of Conduct; (3) any agency supplemental standards of conduct; (4) the criminal conflict of interest statutes; and (5) ethics official contact information. Training length and delivery method requirements vary based on an employee's financial disclosure filing status.[14]

OGE reviewed HUD's annual ethics training materials and found that they met all applicable content requirements. While there were no PAS officials requiring annual ethics training in 2025, HUD reported that only 56 out of 85 (66%) required public filers and 1440 out of 2193 (66%) required confidential filers received annual training.

EAD's 2025 annual ethics training preparations were adversely affected by the departures of six ethics attorneys and the unprecedented numbers of requests for outside and post-government employment advice from Deferred Resignation Program participants and reinstated probationary employees. Additionally, the scheduling of annual ethics training was delayed by the 2025 U.S federal government shutdown in October and November.

OGE acknowledges the extraordinary confluence of factors impacting the provision of AET to the required HUD employees and is therefore not issuing a recommendation on the matter. OGE will conduct a follow up review to determine the rate of training provision in 2026 for public and confidential filing employees to better assess the provision of training under circumstances that are more representative of a given year.

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[12] *See* 5 C.F.R. § 2638.304(e)(2).
[13] *See* 5 C.F.R. § 2638.304(f).
[14] *See* 5 CF.R. § 2638.307 and 308.

Ethics Notices

Notices to Prospective Employees

Written offers of employment for positions covered by the Standards of Conduct must include: a statement regarding the agency's commitment to government ethics; notice that the individual will be subject to the Standards of Conduct and the criminal conflict of interest statutes; information on how to obtain additional information on applicable ethics requirements; and, where applicable, notice of the time frame for completing initial ethics training and information regarding the filing of new entrant financial disclosure reports. Agencies must also establish written procedures for issuing notices to prospective employees, which the DAEO annually reviews. [15]

OGE's review of a sample of notices sent to prospective employees in 2025 found that notices sent to financial disclosure filing employees did not include a statement affirming the agency's commitment to government ethics. Notices sent to non-filing employees included the required statement. EAD officials stated that they are currently working with HUD's human resources personnel to include the statement in all future notices. OGE also found that EAD had established written procedures for notices to prospective employees that were reviewed annually.

Notices to New Supervisors

An agency must provide each employee upon initial appointment to a supervisory position with certain written materials within one year of appointment. The written materials must include contact information for the agency's ethics office and the text of 5 CFR § 2638.103; a copy of, a hyperlink to, or the address of a web site containing the Principles of Ethical Conduct; and such other information as the DAEO deems necessary for new supervisors. Agencies must also establish written procedures for issuing notices to new supervisors that the DAEO reviews annually. [16]

OGE's review of a sample of notices sent to new supervisors in 2025 found that the notices contained the required information. OGE also found that EAD had established written procedures for new supervisors that were reviewed annually.

Ethics Counseling

The DAEO is required to ensure that a counseling program for agency employees concerning ethics and Standards of Conduct matters, including post-employment matters, is developed and conducted.[17] The DAEO may delegate to one or more deputy ethics officials the responsibility for developing and conducting the counseling program.[18]

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[15] *See 5 C.F.R. § 2638.303.*
[16] *See* 5 C.F.R. § 2638.306.
[17] *See id.* § 2638.104(c).
[18] *See id*. § 2638.104(e).

OGE reviewed 292 written samples of counseling and advice that ethics officials provided to HUD Headquarters employees in 2025. These samples addressed financial conflicts of interest, post-government employment, misuse of position, impartiality, and gifts. OGE found the counseling to be consistent with applicable statutes and regulations.

Agency-Specific Ethics Rules

An agency may modify or supplement the Standards of Conduct, with the concurrence of OGE, to meet the particular needs of that agency.[19] A supplemental standards of conduct regulation is issued jointly by the agency and OGE and is published in title 5 of the Code of Federal Regulations.

HUD's supplemental standards of conduct regulation prohibits HUD employees from holding interests in certain HUD-affiliated financial instruments, properties, and benefits. The supplemental regulation also prohibits HUD employees from engaging in certain outside employment and requires prior approval for other certain activities. OGE's review of a sample of financial disclosure reports did not identify any prohibited holdings or outside positions. OGE also found that positions requiring prior approvals were properly authorized.

Conflict Remedies

The criminal conflict of interest law prohibits an employee from participating in an official capacity in a particular matter in which he or she has a financial interest.[20] Congress included two provisions that permit an agency to issue a waiver of this prohibition in individual cases. Agencies must consult with OGE, where practicable, prior to issuing such a waiver.[21] Based on OGE's review, no waivers were issued to Headquarters employees in 2025.

Additionally, the Ethics in Government Act expressly recognizes the need for PAS nominees to address actual or apparent conflicts of interest by requiring written notice of the specific actions to be taken in order to alleviate the conflict of interest,[22] commonly known as an "ethics agreement." Once confirmed, PAS appointees must fulfill all of their written ethics commitments. OGE's review found that the nine PAS officials confirmed in 2025 certified timely that they had complied with the terms of their ethics agreements.

Enforcement

Executive branch offices are required to concurrently notify OGE when they refer a potential violation of a conflict-of-interest law to the Department of Justice (DOJ).[23] OGE uses

[19] *See* Exec. Order No. 12,674, § 102, 54 Fed. Reg. 15,159 (Apr. 14, 1989), as modified by Exec. Order No. 12,731, 55 Fed. Reg. 42,547 (Oct. 19, 1990); 5 C.F.R. § 2635.105.
[20] *See* 18 U.S.C. § 208.
[21] *See* Exec. Order No. 12,674, § 102, 54 Fed. Reg. 15,159 (Apr. 14, 1989), as modified by Exec. Order No. 12,731, 55 Fed. Reg. 42,547 (Oct. 19, 1990); 5 C.F.R. § 2635.105.
[22] *See* 5 U.S.C. § 13111.
[23] *See* 5 C.F.R. § 2638.206.

the OGE Form 202 (Notification of Conflict-of-Interest Referral) to collect these notifications and information regarding the disposition of the matter.

HUD's Office of the Inspector General (OIG) is responsible for referring potential violations of the criminal conflict of interest statutes to DOJ and concurrently notifying OGE of these referrals. HUD did not make any referrals to DOJ in 2025 while one disciplinary action was taken HUD-wide based wholly or in part upon violations of HUD's supplemental standards of conduct regulation. During OGE's review, it was apparent that a working relationship exists between ELD and HUD's OIG. OGE determined that both offices regularly communicate and coordinate with one another on matters of mutual interest, including ethics-related matters.

Special Government Employees

A special government employee (SGE) is an officer or employee of the executive or legislative branch retained, designated, appointed, or employed to perform official duties, full-time or intermittently, for not more than 130 days in any 365-day period. SGEs are required to file financial disclosure reports and receive ethics training.[24]

During 2025 HUD administered three advisory committees governed by the Federal Advisory Committee Act, with a total of 24 SGEs. However, only one of the three committees met in 2025, the Housing Counseling Federal Advisory Committee (HCFAC). HUD also employed 10 SGEs not serving on committees or boards during 2025.

Financial Disclosure

OGE evaluated HUD's financial disclosure system for SGEs by examining the filing and review timeliness of the 2025 confidential financial disclosure reports required to be filed by the HCFAC SGEs and the SGEs not serving on committees or boards. During 2025 only five HCFAC SGEs were required to file financial disclosure reports and all 10 non-committee SGEs were required to file. Table 3 presents the results of OGE's examination of the reports.

Table 3. Examination of SGE Confidential Financial Disclosure Reports

Confidential Reports Examined	15	
Filed Timely	11	(73%)
Reviewed and certified within 60 Days of Receipt	10	(67%)

[24] *See* 18 U.S.C. § 202(a).

While Table 3 shows a filing timeliness rate of 73% and review timeliness rate of 67%, OGE found that all five HCFAC SGE reports were filed and certified timely ahead of the first committee meeting.

Of the 10 non-committee SGEs, two reports were not filed despite attempts by EAD officials to collect the reports prior to the employees' departures from the agency. While disciplinary actions were considered by EAD officials, the two employees had departed the agency prior to implementation of disciplinary actions.

One non-committee SGE had difficulty with HUD's filing system and was subsequently hired as a full time political appointee and eventually filed a public financial disclosure report. Lastly, one non-committee SGE submitted a late filing despite reminders sent by EAD.

Review and certification of timeliness for non-committee SGE reports was impacted by the three reports that were not filed as well as by the 2025 federal government shutdown and staffing challenges caused by the DRP.

Ethics Training

OGE reviewed EAD's SGE training materials and determined that they met applicable content requirements. OGE also confirmed that both FACA and non-FACA HUD SGEs received the required ethics training in 2025.

Agency Comments

- The Ethics and Appeals Division worked with human resources personnel so that HUD's notices to financial disclosure filing employees now include a statement affirming the agency's commitment to government ethics.