



December 18, 2018

Tristan Leavitt
General Counsel and
Designated Agency Ethics Official
Merit Systems Protection Board
1615 M Street, N.W.
Washington, DC 20419

Dear Mr. Leavitt:

As a result of its review of the Merit Systems Protection Board (MSPB) ethics program, the Office of Government Ethics (OGE) issued four recommendations in its May 2017 review report. OGE recently conducted a follow-up review to assess whether MSPB has taken sufficient action to resolve the deficiencies underlying these recommendations. The results of the follow-up review are summarized below.

	Recommendation	Agency Action and OGE Finding	Status
1	Implement corrective action to ensure that non-PAS public financial disclosure reports are certified within 60 days of receipt.	The MSPB has activated the notice functions in Integrity for automatic email notifications to reviewers of a pending report that are re-sent every seven days until the report is certified. Additionally, the MSPB maintains an electronic spreadsheet of financial disclosure report data that tracks the dates due, filed/received, and certified for public and confidential reports. Finally, the MSPB created an electronic ethics calendar for ethics officials with alert notifications, mirroring OGE's Schedule of Important Ethics Dates, that includes general financial disclosure due dates such as the deadline to certify reports. OGE reviewed 15 non-PAS public reports required to be filed in 2018 and found that 13 (87%) were certified within 60 days of receipt.	Closed

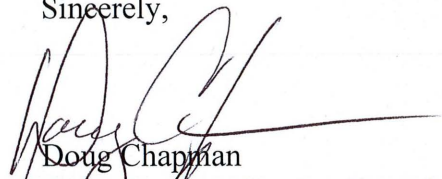


2	Implement corrective action to ensure that confidential financial disclosure reports are certified within 60 days of receipt.	The MSPB maintains a spreadsheet of financial disclosure report data that tracks the dates due, filed/received, and certified for public and confidential reports. Additionally, the MSPB created an electronic ethics calendar for ethics officials with alert notifications, mirroring OGE's Schedule of Important Ethics Dates. The electronic ethics calendar includes general financial disclosure due dates. OGE reviewed all the confidential reports required to be filed in the first six months of 2018. All the confidential reports were certified within 60 days of receipt.	Closed
3	Continue improving the process for ensuring that new employees receive initial ethics orientation within 90 days of beginning work.	MSPB human resources officials notify ethics officials via email of every new hire with relevant information such as the effective date of employment so that the ethics officials can track the onboarding date, deadline to provide initial ethics orientation, and date initial ethics orientation was actually provided for each hire. MSPB ethics officials track this information via electronic calendar, with alert notifications, and an electronic spreadsheet. OGE's review confirmed that all required employees received initial ethics training timely during the first six months of 2018.	Closed

4	Provide ethics training to all covered employees annually.	<p>The MSPB created an electronic ethics calendar for ethics officials with alert notifications, mirroring OGE's Schedule of Important Ethics Dates. The electronic ethics calendar includes the deadline to provide annual ethics training to all covered employees. Information about covered employees' annual ethics training is also tracked in an electronic spreadsheet.</p> <p>OGE reviewed MSPB annual training completion records and found that all required employees received annual ethics training in 2017.</p>	Closed
---	------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------

I appreciate the courtesies extended to the OGE program review staff. If you would like to discuss the report, please contact me at 202-482-9223.

Sincerely,



Doug Chapman
Chief, Program Review Branch