

ETHICS PROGRAM INSPECTION REPORT

Agency: Defense Information Systems Agency

Report No.: 16-39I

Date: June 6, 2016

Period Covered by Review: January –December 2015

UNITED STATES OFFICE OF GOVERNMENT ETHICS

Preventing Conflicts of Interest
in the Executive Branch

1.0 AGENCY DATA					
EMPLOYEES (as reported in the most recent Annual Ethics Program Questionnaire)					
1.1	Number of full-time agency employees		5,610		
1.2	Number of agency special Government employees		1		
1.3	Number of Presidentially appointed, Senate-confirmed (PAS) public financial disclosure reports required to be filed		0		
1.4	Number of non-PAS public financial disclosure reports required to be filed		34		
1.5	Number of confidential financial disclosure reports required to be filed		1,588		
ETHICS PROGRAM					
1.6	Title of Designated Agency Ethics Official (DAEO)		General Counsel		
1.7	Grade level of DAEO		SES		
1.8	Title of Alternate DAEO (ADAEO)		Associate General Counsel Administrative Law and Ethics		
1.9	Grade level of ADAEO		GS-15		
1.10	Title of the primary, day-to-day ethics program administrator		Associate General Counsel Administrative Law and Ethics		
1.11	Grade level of the primary, day-to-day ethics program administrator		GS-15		
1.12	Current number of full-time ethics officials		1		
1.13	Current number of part-time ethics officials		20		
1.14	Average full-time equivalent (FTE) value of a part-time ethics official(s) (For example, if part-time ethics officials at the agency generally devote 10 hours per week to ethics work, the average FTE value is 25%.)		10%		
1.15	Number of reporting levels between the DAEO and the agency head		1		
COMMENTS					
(1.3) The Defense Information Systems Agency (DISA) does not have any Presidentially appointed, Senate-confirmed (PAS) Officials.					
2.0 LEADERSHIP					
COMPLIANCE REQUIREMENT			Yes	No	N/A
2.1	OGE has received an up-to-date designation from the agency head naming the DAEO. <i>See</i> 5 C.F.R. § 2638.202(c).		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.2	OGE has received an up-to-date designation from the agency head naming the ADAEO. <i>See</i> 5 C.F.R. § 2638.202(c).		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMENTS					
None					
3.0 ETHICS AGREEMENTS					
COMPLIANCE REQUIREMENT			Yes	No	N/A
3.1	During the period under review, all PAS officials complied with their ethics agreements. <i>See</i> 5 C.F.R. § 2634.804.		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.2	During the period under review, all PAS officials complied with their ethics agreements in a timely fashion. <i>See</i> 5 C.F.R. § 2634.804.		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.3	During the period under review, the agency notified OGE of ethics agreement compliance in a timely fashion. <i>See</i> DO-09-015.		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ETHICS PROGRAM INSPECTION REPORT

Agency: Defense Information Systems Agency

Report No.: 16-39I

Date: June 6, 2016

Period Covered by Review: January –December 2015

UNITED STATES OFFICE OF
GOVERNMENT ETHICS


 Preventing Conflicts of Interest
 in the Executive Branch

3.4	For all officials currently in PAS positions, the agency maintains documentation of actions taken to comply with ethics agreements. <i>See</i> 5 C.F.R. § 2634.804.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.5	For all officials currently in PAS positions, ethics agreements are maintained with their financial disclosure reports. <i>See</i> 5 C.F.R. § 2634.805.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

COMMENTS				
<u>Comment:</u> (3.1-3.5) DISA does not have PAS officials.				

4.0	PUBLIC FINANCIAL DISCLOSURE (OGE Form 278, OGE Form 278-T)			
------------	---	--	--	--

COMPLIANCE REQUIREMENT		Yes	No	N/A
4.1	The agency has written policies and procedures in place governing: <i>See</i> 5 U.S.C. app. IV, § 402(d)(1).			
4.1.1	• Collection of public financial disclosure reports	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.1.2	• Review/evaluation of public financial disclosure reports	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.1.3	• Public availability of public financial disclosure reports	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.2	The agency can demonstrate that late filing fees are collected or, where appropriate, waivers are issued when public filers do not timely file financial disclosure reports.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.3	Public financial disclosure reports are securely maintained. <i>See</i> OGE/GOVT-1.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.4	Public financial disclosure reports are retained in accordance with the retention requirements. <i>See</i> 5 C.F.R. § 2634.603(g)(1).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATA ANALYSIS		%
4.5	Percentage of sampled non-PAS new entrant reports filed timely. <i>See</i> 5 C.F.R. § 2634.201(b).	100%
4.6	Percentage of sampled non-PAS annual reports filed timely. <i>See</i> 5 C.F.R. § 2634.201(a).	100%
4.7	Percentage of sampled non-PAS termination reports filed timely. <i>See</i> 5 C.F.R. § 2634.201(e).	86%
4.8	Percentage of sampled non-PAS public financial disclosure reports certified timely (within 60 days of receipt or later when additional information was being sought or remedial action was being taken). <i>See</i> PA-11-04.	31%
4.9	Percentage of sampled PAS annual reports filed timely. <i>See</i> 5 C.F.R. § 2634.201(a).	N/A
4.10	Percentage of sampled PAS termination reports filed timely. <i>See</i> 5 C.F.R. § 2634.201(e).	N/A
4.11	Percentage of sampled PAS annual and termination reports certified timely (within 60 days of receipt or later when additional information was being sought or remedial action was being taken). <i>See</i> 5 C.F.R. § 2634.605(a).	N/A

COMMENTS				
<u>Comment:</u> (4.9-4.11) DISA does not have PAS officials.				
<u>Concern:</u> (4.8) To evaluate timeliness of certification, OGE examined 35 non-PAS public financial disclosure reports that were filed in 2015. The certification of 24 (69%) of these reports occurred more than 60 days after receipt, including 19 that were certified at least 100 days after receipt. Certification of a report more than 60 days after the date of filing may still be considered timely if ethics officials requested and were waiting for additional information from the filer after conducting an initial review of the report. However, OGE’s examination of the reports that were certified late did not find evidence that ethics officials had been waiting for filers to provide additional information before certifying the reports.				
To determine whether the timeliness of review and certification of reports had improved, OGE selected 25 additional non-PAS public reports required to be filed in 2016. OGE found that 96% of these reports were certified timely. Because of the significant improvement in the timeliness of certification, OGE is not issuing a recommendation for corrective action.				

ETHICS PROGRAM INSPECTION REPORT

Agency: Defense Information Systems Agency

Report No.: 16-39I

Date: June 6, 2016

Period Covered by Review: January –December 2015

UNITED STATES OFFICE OF
GOVERNMENT ETHICS

Preventing Conflicts of Interest
in the Executive Branch

5.0 CONFIDENTIAL FINANCIAL DISCLOSURE						
COMPLIANCE REQUIREMENT			Yes	No	N/A	
5.1	The agency has written policies and procedures in place governing: <i>See</i> 5 U.S.C app. IV, § 402(d)(1).					
5.1.1	• Collection of confidential financial disclosure reports			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.1.2	• Review/evaluation of confidential financial disclosure reports			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.2	Confidential financial disclosure reports are securely maintained. <i>See</i> OGE/GOVT-2.			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.3	The agency's OGE-approved alternative confidential financial disclosure system complies with plans approved by OGE. <i>See</i> 5 C.F.R. § 2634.905(a).			<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5.4	Confidential financial disclosure reports are retained in accordance with the retention requirements. <i>See</i> 5 C.F.R. § 2634.604.			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DATA ANALYSIS			%			
5.5	Percentage of sampled confidential new entrant reports filed timely. <i>See</i> 5 C.F.R. § 2634.903(b).			85%		
5.6	Percentage of sampled confidential annual reports filed timely. <i>See</i> 5 C.F.R. § 2634.903(a).			90%		
5.7	Percentage of sampled confidential financial disclosure reports certified timely (within 60 days of receipt or later when additional information was being sought or remedial action was being taken). <i>See</i> 5 C.F.R. §§ 2634.605(a), 2634.909(a).			73%		
COMMENTS						
<p><u>Comment:</u> (5.3) DISA does not have an alternative confidential financial disclosure system.</p> <p><u>Concern:</u> (5.7) To evaluate timeliness of certification, OGE examined 40 confidential financial disclosure reports that were filed in 2015. The certification of 11 (28%) of these reports occurred more than 60 days after receipt. To evaluate whether the timeliness in review and certification of confidential reports had improved, OGE selected 40 additional confidential reports required to be filed in 2016. OGE found that 93% of these reports were certified timely. Consequently, OGE is not issuing a recommendation for corrective action.</p>						
6.0 INITIAL ETHICS ORIENTATION						
COMPLIANCE REQUIREMENT			Yes	No	N/A	
6.1	All initial ethics orientation material contains: <i>See</i> 5 C.F.R. § 2638.703(a) and (b).					
6.1.1	• Current contact information of relevant ethics official(s)			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.1.2	• Copy of the Standards of Ethical Conduct and any agency supplemental standards to keep or review; or • Summaries of the Standards, any agency supplemental standards, and 14 Principles for employees to keep			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.2	The agency can demonstrate that it has an effective process to ensure that new employees receive initial ethics orientations. <i>See</i> 5 C.F.R. § 2638.703(c).			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DATA ANALYSIS			%			
6.3	Percentage of new agency employees who received initial ethics orientation within 90 days. <i>See</i> 5 C.F.R. § 2638.703.			100%		
COMMENTS						
None						
7.0 ANNUAL ETHICS TRAINING						
COMPLIANCE REQUIREMENT			Yes	No	N/A	
7.1	All annual ethics training material contains: <i>See</i> 5 C.F.R. § 2638.704(b).					
7.1.1	• Current contact information of relevant ethics official(s)			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ETHICS PROGRAM INSPECTION REPORT

Agency: Defense Information Systems Agency

Report No.: 16-39I

Date: June 6, 2016

Period Covered by Review: January –December 2015

UNITED STATES OFFICE OF
GOVERNMENT ETHICS

Preventing Conflicts of Interest
in the Executive Branch

7.1.2	<ul style="list-style-type: none"> Review of the criminal conflict of interest statutes 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.1.3	<ul style="list-style-type: none"> Review of the Standards of Ethical Conduct 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.1.4	<ul style="list-style-type: none"> Review of the 14 Principles 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.1.5	<ul style="list-style-type: none"> Review of any agency supplemental standards 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.2	The agency can demonstrate that it has an effective process to ensure that covered employees receive annual ethics training. <i>See</i> 5 C.F.R. § 2638.704(c) and 705(c).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DATA ANALYSIS		%		
7.3	Public financial disclosure filers who completed annual ethics training. <i>See</i> 5 C.F.R. § 2638.704(a).	100%		
7.4	Confidential financial disclosure filers who completed annual ethics training. <i>See</i> 5 C.F.R. § 2638.705(a)(3).	98%		
COMMENTS				
<p><u>Model Practices:</u> (7.2) DISA made annual ethics training mandatory for all employees. (7.2) In 2016 the Director issued a memorandum to all DISA employees emphasizing the importance of ethics and values-based decision making. The memorandum contained the contact information for DISA's Associate General Counsel, Administrative Law and Ethics, the primary ethics program administrator.</p>				
8.0 ETHICS ADVICE AND COUNSELING				
COMPLIANCE REQUIREMENT		Yes	No	N/A
8.1	Based on a sample collected by OGE, guidance provided by agency ethics officials to employees appears to be consistent with applicable laws and regulations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMENTS				
<p><u>Model Practice:</u> (8.1) Ethics officials publish monthly ethics-related articles on the DISA intranet.</p>				