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Description of document: **US Office of Government Ethics (OGE) list of Ethics Audits, Agency Program Review Evaluation - Master Tracking Report FY 2005 – 2009, copies of the first page only of each Ethics Audit, 2005-2010**

Requested date: 02-July-2010
30-July-2010

Released date: 27-July-2010
16-August-2010

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Date/date range of documents: 24-January-2005 – 08-July-2010

Source of document: OGE FOIA Officer,
Office of Government Ethics, Suite 500
1201 New York Avenue, NW
Washington, DC 20005-3917
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Online form: [FOIA request form](#)
(fill in, print, sign and mail/Fax to OGE)

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United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

July 27, 2010

Tracking No.: OGE FOIA FY 10/56

In an email dated July 2, 2010, you requested "a copy of the final written product for each Ethics Audit conducted by OGE and completed during February and March 2010." You also requested a copy of the "listing or spreadsheet of Ethics Audits conducted by OGE for whatever time period is covered by the listing or spreadsheet."

The Office of Government Ethics (OGE) is enclosing a copy, without charge, of four Ethics Program Reviews responsive to your request. In addition, a spreadsheet listing Ethics Program Reviews is also included.

Sincerely,

A handwritten signature in cursive script that reads "Elaine Newton".

Elaine Newton
OGE FOIA Officer

Enclosure

Agency Program Review Evaluation

Master Tracking Report

FY 10

Tab	Agency	Report Issued	Evaluation Sent	Evaluation Returned	Report Number	Email
1	National Transportation Safety Board	11/12/2009	12/1/2009	12/1509		loveb@ntsb.gov
2	Broadcasting Board of Governors	12/23/2009	2/26/2010			mdiazort@bbg.gov
3	NASA - Marshall Space Flight Center	2/2/2010	5/7/2010	5/25/2010		pam.bourque@nasa.gov
4	Interior - OSM and OST	2/16/2010	5/7/2010	6/8/2010		Melinda.Loftin@sol.doi.gov
5	NASA - Johnson Space Cener	3/8/2010	5/7/2010	6/8/2010		michael.l.pratt@nasa.gov
6	United States Nuclear Regulatory Commission	3/22/2010	6/16/2010			John.Szabo@nrc.gov
7	Consolidated NASA Report JSC LARC MSFC	5/7/2010	NA	NA		No Evaluation Requested
8	United States Postal Service	6/8/2010	7/8/2010			jeannine.h.turenne@usps.gov



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

August 16, 2010

Tracking No.: OGE FOIA FY10/64

In an email dated July 30, 2010, you requested "a copy of the Agency Program Review Evaluation – Master Tracking Report" for fiscal years 2005 through 2009. In addition, you requested a "copy of the first page only of each Ethics Audit" conducted during the same time frame.

This Office of Government Ethics (OGE) has located four documents (totaling 7 pages) responsive to your Freedom of Information Act (FOIA) request for the Master Tracking Report. The documents cover years 2006 through 2009. The year 2006 is the first year in which OGE created and maintained the Master Tracking Report. There is no Master Tracking Report for the year 2005. OGE is enclosing a copy, without charge, of the Master Tracking Reports responsive to your request.

OGE has located and is enclosing a copy, without charge, of 88 pages responsive to your FOIA request for a copy of the first page of each program review during fiscal years 2005 through 2009. Please note that in 2006, OGE changed the format of the program reviews to include an Executive Summary. Thus, as clarified in a phone message and an email response from you dated August 9, 2010, we are including the first substantive page of each program review. Prior to 2006, the first page of each program review is not a copy of an executive summary. It is instead the first page of the review itself.

The OGE official responsible for this FOIA determination is the undersigned. In accordance with the FOIA, as codified at 5 U.S.C. § 552(a)(6)(A), and OGE's FOIA regulations, at 5 C.F.R. § 2604.304, you may administratively appeal this denial of your request. The name and address of the OGE official to whom such an appeal would have to be submitted are: Don W. Fox, General Counsel, Office of Government Ethics, Suite 500, 1201 New York Avenue, NW., Washington, DC 20005-3917. Any such appeal must be in writing and must be sent within 30 days of the date you receive this response letter. If you do appeal, you should include copies of your request and this response, together with a statement of why you believe

this initial determination is in error. Also, if you appeal, you should clearly indicate on the envelope and in the letter that it is a "Freedom of Information Act Appeal."

Sincerely,

A handwritten signature in black ink, appearing to read "Kerri Cox". The signature is fluid and cursive, with the first name "Kerri" and last name "Cox" clearly distinguishable.

Kerri A. Cox
OGE Alternate FOIA Officer

Enclosure

Agency Program Review Evaluation

Master Tracking Report

FY 09

Tab	Agency	Report Issued	Evaluation Sent	Evaluation Returned	Report Number	Email
1	Federal Bureau of Investigation resent to FBI on 12/10/08	10/22/2008	11/5/2008		(08-012)	Michael.Waters@ic.fbi.gov
2	Rural Development (Department of Agriculture)	10/22/2008	11/5/2008	11/26/2008	(08-013)	julia.west@usda.gov
3	National Security Council (EOP) resent to NSC on 12/10/08	10/22/2008	11/5/2008		(08-014)	ahubbard@nsc.eop.gov
4	U.S. Army Materiel Command resent to AMC on 12/10/08	10/28/2008	11/5/2008	12/10/2008	(08-015)	brian.howell3@us.army.mil
5	Defense Commissary Agency	10/22/2008	11/5/2008	12/5/2008	(08-016)	david.england@deca.mil
6	Naval Hospital Pensacola	1/9/2009	4/8/2009		(09-001)	Midori.Young@med.navy.mil
7	Naval Audit Service	1/12/2009	4/8/2009	4/13/2009	(09-002)	annie.wise@navy.mil
8	Barry M. Goldwater Scholarship and Excellence in Education Foundation	1/21/2009	2/5/2009		(09-003)	goldh2o@vacoxmail.com
9	Office of National Drug Control Policy	1/21/2009	2/5/2009		(09-004)	Lpriebe@ondcp.eop.gov
10	Commission of Fine Arts	1/21/2009	4/8/2009		(09-005)	Frederick.Lindsrom@cfa.gov
11	Naval Education and Training Command	1/21/2009	4/8/2009	4/22/2009	(09-006)	Kenneth.Densmore@navy.mil

Agency Program Review Evaluation

Master Tracking Report

FY 09

Tab	Agency	Report Issued	Evaluation Sent	Evaluation Returned	Report Number	Email
12	Department of Commerce (one report)	2/27/2009	4/8/2009	4/15/2009	(09-007)	Awarren@doc.gov
	Office of the Secretary					
	National Institute of Standards and Technology					
13	Naval Air Systems Command	3/30/2009	5/12/2009	5/12/2009	(09-008)	anthony.dowdle@navy.mil
14	Naval Air Warfare Center, Aircraft Division	3/30/2009	5/12/2009	5/22/2009	(09-009)	james.m.carr3@navy.mil
15	HHS Office of the Secretary and Office of the General Counsel - Ethics Division	4/9/2009	4/24/2009		(09-010)	edgar.swindell@hhs.gov
16	HHS Centers for Medicare and Medicaid Services	4/9/2009	5/12/2009		(09-011)	Cbarnett@cms.hhs.gov
17	HHS Health Resources and Services Admin.	4/9/2009	4/24/2009	5/12/2009	(09-012)	Tfoster@hrsa.gov
18	Office of Thrift Supervision	4/22/2009	5/12/2009	5/12/2009	(09-013)	Elizabeth.Helke@ots.treas.gov
19	Postal Regulatory Commission	4/22/2009	5/12/2009		(09-01 4)	malin.moench@prc.gov
20	Bureau of Alcohol, Tobacco, Firearms and Explos.	4/22/2009	5/12/2009	5/12/2009	(09-015)	Ralph.G.Bittelari@usdoj.gov
21	Nuclear Waste Technical Review Board	4/30/2009	5/12/2009	5/12/2009	(09-016)	Dory@nwtrb.gov
22	USDA - Food Safety and Inspection Service	6/25/2009	7/20/2009		(09-017)	ray.sheehan@usda.gov

Agency Program Review Evaluation

Master Tracking Report

FY 09

Tab	Agency	Report Issued	Evaluation Sent	Evaluation Returned	Report Number	Email
23	Naval District of Wash-Regional Legal Services Ofc	6/29/2009			(09-018)	
24	Federal Energy Regulatory Commission	9/22/2009	9/30/2009	10/6/2009	(09-019)	Charles.Beamon@ferc.gov
25	Federal Retirement Thrift Investment Board	9/22/2009	9/30/2009	10/5/2009	(09-020)	Thomas.Emswiler@tsp.gov
26	Marine Mammal Commission	9/22/2009	9/30/2009		(09-021)	mgosliner@mmc.gov
27	Surface Transportation Board	9/22/2009	9/30/2009	9/30/2009	(09-022)	Anne.Quinlan@stb.dot.gov
28	Langley Research Center (NASA)	9/23/2009	9/30/2009	10/1/2009	(09-023)	k.h.goetzke@larc.nasa.gov
29	African Development Foundation (USAID)	9/30/2009	10/14/2009		(09-024)	DoMartin@usadf.gov
30	U.S. International Trade Commission	9/30/2009	10/14/2009		(09-025)	Carol.Verratti@usitc.gov

Agency Program Review Evaluation

Master Tracking Report

FY 08

Tab	Agency	Report Issued	Evaluation Sent	Evaluation Returned	Report Number	Email
1	Court Services and Offender Supervision Agency	1/31/2008	3/11/2008	3/11/2008	(08-001)	arthur.elkins@csosa.gov
2	Department of Veteran's Affairs	4/16/2008	5/9/2008		(08-002)	walter.hall@mail.va.gov
3	Federal Reserve Board of Governors	4/16/2008	5/9/2008	6/19/2008	(08-003)	Cary.Williams@frb.gov
4	Department of Labor	5/2/2008	5/9/2008	6/5/2008	(08-004)	Sadler.Robert2@dol.gov
5	Army & Air Force Exchange Service	5/6/2008	5/9/2008	5/13/2008	(08-005)	Lavery@aafes.com
6	U.S. Trade and Development Agency	5/13/2008	5/21/2008	6/5/2008	(08-006)	dhester@ustda.gov
7	Armed Forces Retirement Home	5/15/2008	5/21/2008	5/23/2008	(08-007)	Sheila.Abarr@afrh.gov
8	Department of Agriculture - OSEC	5/21/2008	6/5/2008	8/1/2008	(08-008)	MikeM.Edwards@usda.gov
9	Department of Agriculture - ARS	7/15/2008	7/31/2008	8/5/2008	(08-009)	Sue.Sheridan@DA.USDA.GOV
10	Office of Science and Technology Policy	7/15/2008	7/15/2008		(08-010)	ssokul@ostp.eop.gov
11	Securities and Exchange Commission	7/18/2008	7/31/2008		(08-011)	LoveR@SEC.GOV

Agency Program Review Evaluation

Master Tracking Report

FY 07

Tab	Agency	Report Issued	Evaluation Sent	Evaluation Returned	Report Number	Email
1	National Labor Relations Board	9/19/2006	10/3/2006	10/31/2006	(06-013)	Kym.Heinzmann@nlrb.gov
2	Railroad Retirement Board	10/6/2006	10/26/2006	11/7/2006	(06-014)	Marguerite.Dadabo@rrb.gov
3	U.S. Agency for International Development	10/25/2006	1/17/2007	3/12/2007	(06-15)	Dstoll@usaid.gov
4	Federal Trade Commission	2/16/2007	3/20/2007	3/20/2007	(07-001)	SMINTON@FTC.gov
5	Federal Mediation and Conciliation Service	3/7/2007	3/20/2007	3/25/2007	(07-002)	mfried@fmcs.gov
6	Appalachian Regional Commission	6/12/2007	7/5/2007	7/23/2007	(07-003)	landguy@arc.gov
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Agency Program Review Evaluation

Master Tracking Report

FY 06

Tab	Agency	Report Issued	Evaluation Sent	Evaluation Returned	Report Number	Email
1	Centers for Disease Control	11/23/2005	5/3/2006	6/8/2006	(05-022)	bsg6@cdc.gov
2	Air Combat Command & First Fighter Wing	11/23/2005	5/3/2006	5/16/2006	(05-023)	Michael.Welsh@langley.af.mil
3	Architectural & Trans Barrier Compliance Board	11/23/2005	5/3/2006	5/3/2006	(05-024)	raggio@Access-Board.gov
4	Council of Economic Advisors	12/6/2005	5/3/2006		(05-025)	gblank@cea.eop.gov
5	Comptroller of the Currency	1/11/2006	5/3/2006	6/12/2006	(06-001)	Barrett.Aldemeyer@treas.gov
6	Economic Research Service	2/6/2006	5/3/2006	5/4/2006	(06-002)	smutchler@ars.usda.gov
7	National Mediation Board	2/21/2006	5/3/2006	6/9/2006	(06-003)	johnson@nmb.gov
8	U.S. Postal Service	2/21/2006	5/3/2006	5/18/2006	(06-004)	helen.r.grant@usps.gov
9	Defense Nuclear Facilities Safety Board	3/21/2006	5/3/2006	5/3/2006	(06-005)	RICKS@DNFSB.GOV
10	Department of Housing and Urban Development	3/21/2006	5/3/2006	7/10/2006	(06-006)	paula_a.lincoln@hud.gov
11	National Archives and Records Administration	4/3/2006	5/8/2006	7/3/2006	(06-007)	chris.runkel@nara.gov
12	National Park Service	4/3/2006	5/9/2006	5/10/2006	(06-008)	peggy_moran-gicker@nps.gov
13	U.S. Army Medical Command	7/14/2006	7/31/2006	8/1/2006	(06-010)	kevin.luster@amedd.army.mil

Agency Program Review Evaluation

Master Tracking Report

FY 06[illegible]



United States Office
Of Government Ethics

Report Number 08 - 012

Highlights

Model Practices

- The FBI provides verbal training to all employees.
- The FBI utilizes its own written procedures to administer its ethics program.
- The FBI's Ethics Office holds quarterly meetings with the FBI's two internal investigative organizations to facilitate discussion on items of mutual interest.
- The FBI conducts internal reviews to assist in improving efficiency, accountability, and program effectiveness. Ethics is addressed as part of the internal reviews.

If you have comments or would like to discuss the report, please contact Dale Christopher, Associate Director for Program Reviews, at 202-482-9224 or dachrist@oge.gov.

Ethics Program Review

Federal Bureau of Investigation

October 2008 Report

Executive Summary

The Office of Government Ethics (OGE) has completed its review of the ethics program at the Federal Bureau of Investigation (FBI). The purpose of a review is to identify and report on the strengths and weaknesses of a program by evaluating: (1) agency compliance with ethics requirements found in relevant laws, regulations, and policies and (2) ethics-related systems, processes, and procedures for administering the program.

OGE's review identified several model practices implemented by the FBI. These model practices include exceeding OGE's minimum training requirements found at subpart G of 5 CFR part 2638, utilizing individualized written procedures to administer aspects of the ethics program, working closely with the agency's two internal investigative organizations to facilitate discussion on items of mutual interest, and conducting internal ethics reviews to help ensure that ethics is an important part of the FBI's overall management improvement efforts.

In addition, in connection with this review, OGE's leadership met with FBI's leadership to share some of the modifications in OGE's review process and to discuss the importance of agency leadership in implementing an effective ethics program, in accordance with 5 CFR § 2638.202(a). OGE was pleased to learn of the direct involvement the FBI leadership has in support of the FBI ethics program.

This report has been sent to the Department of Justice's Designated Agency Ethics Official, to the FBI's Director, and to the FBI's two internal investigative organizations: the Inspection Division and the Office of Professional Responsibility.



United States Office
Of Government Ethics

Report Number 08-013

Highlights

OGE Recommends

- That RD take steps to improve the filing timeliness of new entrant confidential financial disclosure reports.
- That RD include additional information in the initial ethics orientation packet.

OGE Suggests

- That RD evaluate whether State Ethics Advisors require training on how to review and certify confidential financial disclosure reports and if so, provide the required training.
- That RD create a written procedure for administering the process for obtaining prior approval to engage in outside employment.

If you have comments or would like to discuss this report, please contact Dale Christopher, Associate Director for Program Reviews, at 202-482-9224 or dachrist@oge.gov.

Ethics Program Review U.S. Department of Agriculture Rural Development

October 2008 Report

Executive Summary

The Office of Government Ethics (OGE) has completed its review of the ethics program at the U.S. Department of Agriculture's (USDA) Rural Development (RD). The purpose of a review is to identify and report on the strengths and weaknesses of a program by evaluating: (1) agency compliance with ethics requirements found in relevant laws, regulations, and policies and (2) ethics-related systems, processes, and procedures for administering the program.

OGE identified two deficiencies that require action to enhance RD's ethics program. The first deficiency relates to new entrant confidential financial disclosure report filing. Specifically, 11 new entrant reports were filed late or had no date of appointment. This number represents 100 percent of new entrant confidential financial disclosure reports examined by OGE. OGE recommends that RD take steps to improve the filing timeliness of new entrant confidential financial disclosures reports.

The second deficiency relates to compliance with the initial ethics orientation requirements. Specifically, RD's initial ethics orientation packet lacked the Supplemental Standards of Ethical Conduct for Employees of the Department of Agriculture at 5 CFR part 8301; the name, title, and office address and telephone number of the Designated Agency Ethics Official (DAEO); and the office address of the Mission Area Ethics Advisor. OGE recommends that RD include this information in its initial ethics orientation packet.

In addition to the two deficiencies mentioned, OGE identified two areas of risk. The first relates to training for State Ethics Advisors and the second relates to written procedures. OGE suggests that RD take action in these areas.

This report has been sent to USDA's DAEO and USDA's Inspector General. USDA's DAEO is to advise OGE within 60 days of the specific actions OE has taken or plans to take to address OGE's recommendations. OGE stands ready to assist USDA in implementing the recommendations as well as other program initiatives that USDA may choose to undertake. OGE will follow-up with USDA's DAEO within six months from the date of this report's issuance on the status of OGE's recommendations.



United States Office
Of Government Ethics

Report Number 08-014

Highlights

Model Practices

- NSC exhibits substantial leadership involvement in the ethics program.
- NSC uses a guide that it created when reviewing confidential financial disclosure reports.
- NSC provides one-on-one initial ethics orientation to all new employees and detailees.

OGE Recommends

- That NSC collect late fees from filers of the three public financial disclosure reports that were filed late, unless a filing extension is warranted.
- That NSC continue its efforts to review and certify the financial disclosure reports that OGE identified as not being reviewed or certified at the time of the onsite fieldwork.

Ethics Program Review National Security Council

October 2008 Report

Executive Summary

The Office of Government Ethics (OGE) has completed its review of the ethics program at the National Security Council (NSC), Executive Office of the President. The purpose of a review is to identify and report on the strengths and weaknesses of a program by evaluating: (1) agency compliance with ethics requirements found in relevant laws, regulations, and policies and (2) ethics-related systems, processes, and procedures for administering the program.

OGE's review identified three model practices at NSC that relate to leadership involvement in the ethics program, confidential financial disclosure, and initial ethics orientation.

OGE's review identified two issues that require action by NSC in the area of financial disclosure. Since the completion of OGE's onsite fieldwork, NSC has taken steps to address the issues. OGE recommends that NSC continue its efforts to address the issues to enhance the overall effectiveness of its financial disclosure systems.

This report has been sent to NSC's Designated Agency Ethics Official. OGE will follow-up with NSC within six months.

If you have comments or would like to discuss the report, please contact Dale Christopher, Associate Director for Program Reviews, at 202-482-9224.



United States Office
Of Government Ethics

Report Number 08 - 015

Highlights

Model Practices

- AMC leadership provides significant support for the ethics program.
- AMC implements an education and training program that exceeds the minimum requirements at subpart G of 5 CFR 2638.
- AMC keeps employees aware of ethics-related issues through a variety of methods.
- AMC utilizes its own written training plan to help focus its training efforts.

OGE Suggests

- AMC continually monitor the steps that were taken to ensure compliance with the new entrant confidential filing requirements of 5 CFR § 2634.903(b).

If you have comments or would like to discuss this report, please contact Dale Christopher, Associate Director for Program Reviews, at 202-482-9224 or dachrist@oge.gov.

Ethics Program Review

U.S. Army Materiel Command

October 2008 Report

Executive Summary

The Office of Government Ethics (OGE) has completed its review of the ethics program at the U.S. Army Materiel Command's (AMC). The purpose of a review is to identify and report on the strengths and weaknesses of a program by evaluating: (1) agency compliance with ethics requirements found in relevant laws, regulations, and policies and (2) ethics-related systems, processes, and procedures for administering the program. OGE determined that there is reasonable assurance that the performance and management of AMC's ethics program is effective.

OGE's review also identified several model practices that AMC has implemented. The model practices include significant agency leadership support for the ethics program, an education and training program that exceeds the minimal training requirements found at subpart G of 5 CFR part 2638, the routine use of various methods to keep employees aware of ethics-related issues, and the utilization of an agency-specific training plan to help focus training efforts.

OGE's review found that timely new entrant confidential financial disclosure report filing has remained challenging since OGE's last review of AMC's ethics program in March 1998. As one of the most common findings of OGE's reviews of agencies with large, decentralized confidential systems, OGE recognizes the challenges AMC faces in addressing the issue of timely new entrant filing. The steps that were taken prior to and during OGE's current review should help to ensure that employees entering covered positions will file new entrant confidential financial disclosure reports in a timely manner, in accordance with 5 CFR § 2634.903(b).

This report has been forwarded to the Department of the Army's Designated Agency Ethics Official, AMC's Commanding General, and AMC's Inspector General.



United States Office
Of Government Ethics

Report Number 08-016

Highlights

Model Practices

- DeCA's ethics officials routinely provide ethics training to all employees throughout the year via a variety of media.

For more information, please contact
Dale Christopher, Associate Director for Program
Reviews at 202-482-9224

Defense Commissary Agency

October 2008 Report

Executive Summary

The Office of Government Ethics (OGE) has completed its review of the ethics program at the Defense Commissary Agency (DeCA). The purpose of a review is to identify and report on the strengths and weaknesses of a program by evaluating: (1) agency compliance with ethics requirements found in relevant laws, regulations, and policies, and (2) ethics-related systems, processes, and procedures in place for administering the program.

At the time of OGE's onsite fieldwork, DeCA's agency head had not appointed an individual to serve as the Alternate Designated Agency Ethics Official (Alternate DAEO). Subsequent to the completion of OGE's onsite fieldwork, DeCA's agency head formally appointed the Deputy DAEO as the Alternate DAEO, in accordance with 5 CFR § 2638.202(b).

OGE's review identified a model practice that DeCA has implemented: DeCA's ethics officials routinely provide ethics training to all employees throughout the year via a variety of media. The enclosed report describes in detail DeCA's training efforts.

A copy of this report has been sent to DeCA's DAEO and DeCA's Inspector General.



United States Office
Of Government Ethics

Report Number 09 - 001

Highlights

OGE Suggests

- The NH Pensacola Ethics Office continually monitor the confidential financial disclosure system to ensure compliance with the new entrant confidential filing requirements of 5 CFR § 2634.903(b).

If you have comments or would like to discuss this report, please contact Dale Christopher, Associate Director for Program Reviews, at 202-482-9224.

Ethics Program Review Naval Hospital Pensacola Department of the Navy

January 2009 Report

Executive Summary

The United States Office of Government Ethics (OGE) has completed its review of the ethics program at the Naval Hospital Pensacola (NH Pensacola), Department of the Navy (Navy). The purpose of a review is to identify and report on the strengths and weaknesses of a program by evaluating: (1) agency compliance with ethics requirements found in relevant laws, regulations, and policies and (2) ethics-related systems, processes, and procedures for administering the program.

OGE identified the timely filing of new entrant confidential financial disclosure reports as a challenge for NH Pensacola. OGE noted that steps were taken by the NH Pensacola Ethics Office prior to and during OGE's review to ensure that new entrant confidential reports are filed timely.

OGE suggests that the NH Pensacola Ethics Office continually monitor the confidential financial disclosure system to ensure compliance with the new entrant confidential filing requirements of 5 CFR § 2634.903(b).

This report has been sent to the Department of the Navy's Designated Agency Ethics Official, the NH Pensacola Commanding Officer, and the NH Pensacola Command Evaluation Officer.



United States Office
Of Government Ethics

Report Number 09 - 002

Highlights

Model Practices

- NAVAUDSVC leadership demonstrates significant support for the ethics program.
- NAVAUDSVC provides verbal training to all new employees.
- NAVAUDSVC utilizes its own written procedures, the NAVAUDSVC Management Handbook, to administer its ethics program.
- NAVAUDSVC plans to address ethics as part of each internal NAVAUDSVC audit.

If you have comments or would like to discuss this report, please contact Dale Christopher, Associate Director for Program Reviews, at 202-482-9224.

Ethics Program Review Naval Audit Service Department of the Navy

January 2009 Report

Executive Summary

The United States Office of Government Ethics (OGE) has completed its review of the ethics program at the Naval Audit Service (NAVAUDSVC), Department of the Navy (Navy). The purpose of a review is to identify and report on the strengths and weaknesses of a program by evaluating: (1) agency compliance with ethics requirements found in relevant laws, regulations, and policies and (2) ethics-related systems, processes, and procedures for administering the program.

OGE's review identified several model practices implemented by NAVAUDSVC. These model practices include demonstrating significant agency leadership support for the ethics program, administering an ethics training program that exceeds the minimum training requirements for new employees, utilizing individualized written procedures to administer aspects of the ethics program, and expanding NAVAUDSVC's audit scope and objectives to help measure ethics program effectiveness at Navy entities audited by NAVAUDSVC.

This report has been sent to the Department of the Navy's Designated Agency Ethics Official, the NAVAUDSVC Auditor General, and the NAVAUDSVC Inspector General.



United States Office
Of Government Ethics

Report Number 09-003

Highlights

OGE Recommends

- The Foundation provide annual ethics training to all SGEs in accordance with 5 CFR § 2638.705(a).
- The Foundation make a formal written determination as to the status of the scholarship review panel readers based on the provisions of 18 U.S.C. §202(a)
- The Foundation create written procedures for the public financial disclosure system pursuant to section 402 (d)(1) of the Ethics in Government Act.
- The Foundation create an annual training plan in accordance with 5 CFR § 2638.706.

OGE Suggests

- The Foundation increases awareness among employees of the DAEO's availability to provide ethics advice.

If you have any comments or would like to discuss this report, please contact Dale Christopher, Associate Director for Program Reviews, at 202-482-9224 or dachrist@oge.gov

Ethics Program Review Barry M. Goldwater Scholarship and Excellence in Education Foundation

January 2009 Report

Executive Summary

The Office of Government Ethics (OGE) has completed its review of the ethics program at the Barry M. Goldwater Scholarship and Excellence in Education Foundation (Foundation). The purpose of a review is to identify and report on the strengths and weaknesses of a program by evaluating: (1) agency compliance with ethics requirements found in relevant laws, regulations, and policies, and (2) ethics-related systems, processes, and procedures in place for administering the program.

To enhance the Foundation's ethics program, OGE makes four recommendations. The recommendations relate to the Foundation's ethics training program, public financial disclosure system, and scholarship review panel.

OGE also suggests that the Foundation increase awareness among employees of the Designated Agency Ethics Official's (DAEO) availability to provide ethics advice.

This report has been sent to the Foundation's DAEO. OGE will follow-up with the Foundation within six months from the date of this report's issuance.



United States Office
Of Government Ethics

Report Number 09-004

Highlights

Model Practices

- Ethics duties are included in the Designated Agency Ethics Official's (DAEO) and Alternate DAEO's position descriptions and performance evaluations.
- A self-assessment instrument was used to evaluate the ethics advice provided by ONDCP ethics officials.

OGE Suggests

- ONDCP take more timely, aggressive steps to obtain necessary information from financial disclosure report filers to ensure timely certification of the reports.

If you have comments or would like to discuss this report, please contact
Dale Christopher, Associate Director, Program
Review Division, at 202-482-9224

Ethics Program Review Office of National Drug Control Policy Executive Office of the President

January 2009 Report

Executive Summary

The United States Office of Government Ethics (OGE) has completed its review of the ethics program at the Office of National Drug Control Policy (ONDCP), Executive Office of the President. The purpose of a review is to identify and report on the strengths and weaknesses of a program by evaluating: (1) agency compliance with ethics requirements found in relevant laws, regulations, and policies, and (2) ethics-related systems, processes, and procedures in place for administering the program.

OGE's review identified two model practices that ONDCP has implemented. First, the ethics duties of ONDCP's Designated Agency Ethics Official (DAEO) and Alternate DAEO (ADAEO) are included in their position descriptions and performance evaluations. Second, ONDCP used a self-assessment instrument to evaluate agency employees' level of satisfaction with the ethics advice provided by the ethics officials. The results of the self-assessment revealed ONDCP employees have a high level of satisfaction concerning the timeliness and accuracy of the advice and the courtesy of the ethics officials who provided the advice to them.

Although there was no written annual training plan in place for 2007, the ADAEO created one for calendar year 2008. Written annual training plans are required to be developed each year in accordance with 5 CFR § 2638.706.

In addition, there were no written procedures for the financial disclosure systems in place at the time of the OGE's review. The ADAEO subsequently created written procedures pursuant to Section 402 (d)(1) of the Ethics in Government Act of 1978, as amended.

OGE suggests that ONDCP take more timely, aggressive steps to obtain necessary information from financial disclosure report filers to ensure timely certification of the reports.

This report has been sent to ONDCP's DAEO.



United States Office
Of Government Ethics

Report Number 09-005

Highlights

OGE Recommends

- The Commission draft annual ethics training plans in accordance with 5 CFR § 2638.706.

Ethics Program Review Commission of Fine Arts

January 2009 Report

Executive Summary

The United States Office of Government Ethics (OGE) has completed its review of the ethics program at the Commission of Fine Arts (Commission). The purpose of a review is to identify and report on the strengths and weaknesses of a program by evaluating: (1) agency compliance with ethics requirements found in relevant laws, regulations, and policies and (2) ethics-related systems, processes, and procedures for administering the program.

At the time of OGE's on-site fieldwork, the Commission had no written procedures to administer its financial disclosure systems. OGE recommended that the Commission draft written procedures to administer its financial disclosure systems in accordance with 5 U.S.C. § 402 d(1). During the course of the review, OGE provided the Commission's ethics officials with sample written procedures. The Commission has since developed written procedures to administer its financial disclosure systems.

The Commission has not developed annual ethics training plans. OGE recommends that the Commission draft annual ethics training plans in accordance with 5 CFR § 2638.706.

This report has been sent to the Commission's Designated Agency Ethics Official (DAEO). OGE will follow up on the recommendation with the Commission's DAEO within six months from the date of this report's issuance.

If you have comments or would like to discuss this report, please contact Dale Christopher, Associate Director, Program Review Division, at 202-482-9224.



United States Office
Of Government Ethics

Report Number 09 - 006

Highlights

Model Practices

- NETC leadership provides support for the NETC ethics program.
- NETC provides verbal ethics training to all new employees and to non-filers.
- NETC uses discretionary training to reinforce the importance of ethics.

OGE Suggests

- NETC continually monitor the confidential financial disclosure filing process to ensure that all new entrant confidential reports are filed timely in light of the role financial disclosure plays in preventing employees from committing ethics violations.

If you have comments or would like to discuss this report, please contact Dale Christopher, Associate Director, Program Review Division, at 202-482-9224.

Ethics Program Review Naval Education and Training Command Department of the Navy

January 2009 Report

Executive Summary

The United States Office of Government Ethics (OGE) has completed its review of the ethics program at the Naval Education and Training Command (NETC). The purpose of a review is to identify and report on the strengths and weaknesses of a program by evaluating: (1) agency compliance with ethics requirements found in relevant laws, regulations, and policies and (2) ethics-related systems, processes, and procedures for administering the program.

OGE's review identified several model practices implemented by NETC. These model practices include agency leadership support for the ethics program, an ethics training program that exceeds the minimum training requirements, and discretionary training that reinforces the importance of ethics as it relates to Government contractors in the Federal workplace.

In light of the role financial disclosure plays in preventing employees from committing ethics violations, OGE suggests that NETC continually monitor the confidential financial disclosure filing process to ensure that all new entrant confidential reports are filed timely.

This report has been sent to the Department of the Navy's Designated Agency Ethics Official, the NETC Commander, and the NETC Inspector General.



United States Office
Of Government Ethics

Report Number 09-007

Highlights

Model Practices

- Commerce provides tailored, relevant ethics training to targeted audiences.
- Commerce requires ethics training for non-covered employees.
- Commerce leadership demonstrates substantial support for ethics department-wide.
- Commerce creates added visibility for the ethics program beyond the department through additional outreach.

If you have comments or would like to discuss this report, please contact Dale Christopher, Associate Director, Program Review Division, at 202-482-9224.

Ethics Program Review Office of the Secretary and National Institute of Standards and Technology

Department of Commerce

February 2009 Report

Executive Summary

The United States Office of Government Ethics (OGE) has completed its review of the ethics programs at the Office of the Secretary and National Institute of Standards and Technology, Department of Commerce (Commerce). The purpose of a review is to identify and report on the strengths and weaknesses of a program by evaluating: (1) agency compliance with ethics requirements found in relevant laws, regulations, and policies and (2) ethics-related systems, processes, and procedures for administering the program.

OGE's identified several model practices that Commerce has implemented. First, Commerce offers a variety of targeted ethics training that is specifically tailored to various groups within the department.

Second, in addition to providing ethics training for covered employees, a Secretarial decision requires all GS-11 and above employees to receive ethics training.

Third, leadership involvement in the ethics program at Commerce is evident. The Secretary of Commerce's first communication to the department was an e-mail addressing ethical conduct.

Finally, additional outreach increases the visibility of the ethics program at Commerce. For example, the Ethics Division has developed a comprehensive Web site that is available to employees as well as the public. Also, the Ethics Division periodically provides briefings to officials of foreign governments and international organizations on the Commerce ethics program and the organization of its ethics operations.

This report has been sent to the Commerce's Designated Agency Ethics Official and Inspector General.



United States Office
Of Government Ethics

Report Number 09 - 08

Highlights

Model Practices

- NAVAIR leadership provides significant support for the ethics program.
- NAVAIR uses individualized written procedures to administer its financial disclosure systems.
- NAVAIR uses an electronic database to help track confidential financial disclosure filing information and ethics training dates.
- NAVAIR shares its electronic database with the Naval Air Warfare Center, Aircraft Division, Office of Counsel.
- NAVAIR provides verbal training to all new employees and encourages non-covered employees to take annual ethics training.
- NAVAIR has an organized process for rendering ethics counseling to employees.

If you have comments or would like to discuss this report, please contact
Dale Christopher, Associate Director,
Program Review Division,
at 202-482-9224.

Ethics Program Review Naval Air Systems Command Department of the Navy

March 2009 Report

Executive Summary

The United States Office of Government Ethics (OGE) has completed its review of the ethics program at the Naval Air Systems Command (NAVAIR), Department of the Navy. The purpose of a review is to identify and report on the strengths and weaknesses of a program by evaluating: (1) agency compliance with ethics requirements found in relevant laws, regulations, and policies and (2) ethics-related systems, processes, and procedures for administering the program.

OGE's review identified several model practices implemented by NAVAIR. These model practices include demonstrating agency leadership support for the ethics program, using individualized written procedures to administer the financial disclosure systems, using an electronic database to help track confidential financial disclosure filing information and ethics training dates, administering an ethics training program that exceeds the minimum training requirements, and having an organized process for rendering ethics counseling to employees.

This report has been sent to the Department of the Navy's Designated Agency Ethics Official, the NAVAIR Commander, and the NAVAIR Inspector General.



United States Office
Of Government Ethics

Report Number 09 - 09

Highlights

Model Practices

- NAWCAD leadership provides significant support for the ethics program.
- NAWCAD uses individualized written procedures to administer its financial disclosure systems.
- NAWCAD uses an electronic database to help track confidential financial disclosure filing information and ethics training dates.
- NAWCAD provides verbal training to all new employees and encourages non-covered employees to take annual ethics training.
- NAWCAD uses discretionary training to reinforce the importance of ethics.
- NAWCAD has an organized process for rendering ethics counseling to employees.

If you have comments or would like to discuss this report, please contact
Dale Christopher, Associate Director,
Program Review Division,
at 202-482-9224.

Ethics Program Review Naval Air Warfare Center, Aircraft Division Department of the Navy

March 2009 Report

Executive Summary

The United States Office of Government Ethics (OGE) has completed its review of the ethics program at the Naval Air Warfare Center, Aircraft Division (NAWCAD), Department of the Navy. The purpose of a review is to identify and report on the strengths and weaknesses of a program by evaluating: (1) agency compliance with ethics requirements found in relevant laws, regulations, and policies and (2) ethics-related systems, processes, and procedures for administering the program.

OGE's review identified several model practices implemented by NAWCAD. The model practices include demonstrating agency leadership support for the ethics program, using individualized written procedures to administer its financial disclosure systems, using an electronic database to help track confidential financial disclosure filing information and ethics training dates, administering an ethics training program that exceeds the minimum training requirements found at subpart G of 5 CFR part 2638, using discretionary training to help keep employees aware of ethics-related issues, and having an organized process for rendering ethics counseling to employees.

This report has been sent to the Department of the Navy's Designated Agency Ethics Official, the NAWCAD Commander, and the Naval Criminal Investigative Service Investigator.



United States Office
Of Government Ethics

Report Number 09-010

Highlights

Model Practices

- Expanding oversight and monitoring of the financial disclosure systems and the ethics training program HHS-wide.
- Revising the HHS supplemental standards of conduct regulation.
- Modifying the performance plans or contracts of all HHS DEC's to include an evaluation element of their ethics duties and responsibilities.
- Performing self-assessments through internal ethics program reviews conducted by the OGC-Ethics Division.
- Providing instructor-led initial ethics orientation to HHS employees.
- Providing instructor-led annual ethics training to political appointees.
- Providing verbal annual ethics training to confidential financial disclosure filers.
- Establishing written procedures for various aspects of the ethics program.

If you have comments or would like to discuss this report, please contact Dale Christopher, Associate Director for Program Reviews, at 202-482-9224 or dachrist@oge.gov

Ethics Program Review

Department of Health and Human Services

Office of the Secretary

Office of the General Counsel – Ethics Division

April 2009 Report

Executive Summary

The United States Office of Government Ethics (OGE) has completed its review of the ethics programs at the following components within the Department of Health and Human Services (HHS): the Office of the Secretary (OS), the Health Resources and Services Administration (HRSA), and the Centers for Medicare and Medicaid Services (CMS). OGE's review also focused on the administration of the ethics program HHS-wide by the Office of the General Counsel's Ethics Division (OGC-Ethics Division). This report details OGE's review of OS and the OGC-Ethics Division. (Reports detailing OGE's review of CMS and HRSA will be issued separately.)

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 found in relevant laws, regulations, and policies and (2) ethics-related systems, processes, and procedures in place for administering the program.

During its ethics program reviews, OGE identifies model practices that agencies have implemented to enhance the ethics program. The model practices that OGE identified at OS and the OGC-Ethics Division are highlighted in the box to the left.

This report has been sent to HHS' Designated Agency Ethics Official and Inspector General.



United States Office
Of Government Ethics

Report Number 09-011

Highlights

Model Practices

- CMS leadership demonstrates a high level of support for the ethics program.
- CMS exceeds the minimum annual ethics training requirements.
- CMS informs departing employees of post-employment restrictions.

OGE Suggests

- CMS remain vigilant in ensuring that the confidential financial disclosure system is administered in an effective and efficient manner.

If you have comments or would like to discuss this report, please contact Dale Christopher, Associate Director for Program Reviews, at 202-482-9224 or dachrist@oge.gov

Ethics Program Review

The Department of Health and Human Services Centers for Medicare and Medicaid Services

April 2009 Report

Executive Summary

The United States Office of Government Ethics (OGE) has completed its review of the ethics programs at the following components within the Department of Health and Human Services (HHS): the Office of the Secretary (OS), the Health Resources and Services Administration (HRSA), and the Centers for Medicare and Medicaid Services (CMS). OGE's review also focused on the administration of the ethics program HHS-wide by the Office of the General Counsel's Ethics Division (OGC-Ethics Division). This report details OGE's review of CMS's ethics program. (Reports detailing OGE's review of OS and the OGC-Ethics Division and HRSA will be issued separately.)

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 found in relevant laws, regulations, and policies and (2) ethics-related systems, processes, and procedures in place for administering the program.

OGE identified several model practices that have been implemented by CMS. These practices relate to leadership support for the ethics program and ethics training initiatives that exceed requirements.

OGE's review of CMS identified one area that requires improvement: CMS had a large backlog of uncertified confidential reports. Since the completion of OGE's onsite fieldwork, CMS eliminated all backlogged reports. OGE suggests that CMS continue to monitor the confidential financial disclosure system to ensure compliance with the requirements of subpart I of 5 CFR part 2634.

This report has been sent to HHS' Designated Agency Ethics Official and Inspector General.



United States Office
Of Government Ethics

Report Number 09-012

Highlights

Model Practice

- HRSA provides face-to-face initial ethics orientation to incoming Scholars and special Government employee advisory committee members.

OGE Suggests

- HRSA continually monitor the steps it has taken to ensure compliance with the new entrant confidential filing requirements of 5 CFR § 2634.903(b).

If you have comments or would like to discuss this report, please contact Dale Christopher, Associate Director for Program Reviews, at 202-482-9224 or dachrist@oge.gov

Ethics Program Review

Department of Health and Human Services

Health Resources and Services Administration

April 2009 Report

Executive Summary

The United States Office of Government Ethics (OGE) has completed its review of the ethics programs at the following components within the Department of Health and Human Services (HHS): the Office of the Secretary (OS), the Health Resources and Services Administration (HRSA), and the Centers for Medicare and Medicaid Services (CMS). OGE's review also focused on the administration of the ethics program HHS-wide by the Office of the General Counsel's Ethics Division (OGC-Ethics Division). This report details OGE's review of HRSA's ethics program. (Reports detailing OGE's review of OS and the OGC-Ethics Division and CMS will be issued separately.)

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 found in relevant laws, regulations, and policies and (2) ethics-related systems, processes, and procedures in place for administering the program.

During its ethics program reviews, OGE identifies model practices that agencies have implemented to enhance the ethics program. OGE's review of HRSA identified one model practice that HRSA has implemented: HRSA conducts face-to-face initial ethics orientation for incoming Scholars and special Government employee advisory committee members.

OGE's review of HRSA identified one area that required improvement; the timely filing of new entrant confidential financial disclosure reports. Since the completion of OGE's onsite fieldwork, HRSA has taken steps to improve the filing timeliness of new entrant reports. OGE suggests that HRSA continually monitor the steps it has taken to ensure compliance with the new entrant report filing requirements of 5 CFR § 2634.903(b).

This report has been sent to HHS' Designated Agency Ethics Official and its Inspector General.



United States Office
Of Government Ethics

Report Number 09-013

Highlights

Model Practices

- OTS encourages all employees to attend annual ethics training.
- OTS tailors education and training to provide relevant training to targeted audiences.

OGE Recommends

- OGE recommends that OTS ethics officials ensure that OTS Form 1569 complies with the criteria set forth in DAEOgrams DO-07-014 and DO-09-004, including the requirement to obtain CIO approval for a digital signature process.

If you have comments or would like to discuss this report, please contact Dale Christopher, Associate Director, Program Review Division, at 202-482-9224.

Ethics Program Review Office of Thrift Supervision Department of the Treasury

April 2009 Report

Executive Summary

The United States Office of Government Ethics (OGE) has completed its review of the ethics program at the Office of Thrift Supervision (OTS), Department of the Treasury (Treasury). The purpose of a review is to identify and report on the strengths and weaknesses of a program by evaluating: (1) agency compliance with ethics requirements found in relevant laws, regulations, and policies and (2) ethics-related systems, processes, and procedures for administering the program.

OGE's review identified two model practices that the OTS ethics office has implemented to administer the ethics program. First, the OTS ethics office encourages all employees to attend annual ethics training. Second, the OTS ethics office tailors education and training to provide relevant training to targeted audiences.

OGE found that OTS's confidential financial disclosure system is in need of improvement. In particular, almost half of the confidential financial disclosure reports filed in 2007 were not reviewed and certified in a timely manner. Additionally, OGE found that OTS accepts the electronic submission of confidential financial disclosure reports. However, it does not appear that OTS is strictly adhering to the criteria for submission of confidential financial disclosure reports outlined in DAEOgrams DO-07-014 and DO-09-004. OGE recommends that OTS ethics officials ensure that OTS Form 1569 complies with the criteria set forth in DAEOgrams DO-07-014 and DO-09-004, including the requirement to obtain Chief Information Officer (CIO) approval for a digital signature process.

OTS is to advise OGE within 60 days of the specific actions OTS has taken on OGE's recommendation. OGE stands ready to assist OTS in implementing this recommendation as well as other initiatives that OTS may choose to undertake. OGE will follow up with OTS in six months. This report has been sent to Treasury's Designated Agency Ethics Official and Treasury's Inspector General.



United States Office
Of Government Ethics

Report Number 09-014

Highlights

Model Practices

- Ethics duties are included in the Alternate DAEO's position description and performance evaluations.
- Ethics officials created a comprehensive succession plan to ensure the continuity of the ethics program in the event of turnover in the ethics staff.
- Ethics officials provide annual ethics training to all PRC employees.
- Ethics officials conducted a self-assessment of the process by which Human Resources notifies the ethics office of new or departing employees.

OGE Suggests

- PRC develop procedures to ensure that OGE is notified of any referrals to the Department of Justice and of the disposition of any such referrals.

OGE Recommends

- PRC comply with the supplemental ethical standards requiring written approval for all outside employment of PRC employees in accordance with 5 CFR § 5601.104(b).

If you have any comments or would like to discuss this report, please contact Dale Christopher, Associate Director, Program Review Division, at 202-482-9224

Ethics Program Review Postal Regulatory Commission

April 2009 Report

Executive Summary

The United States Office of Government Ethics (OGE) has completed its review of the ethics program at the Postal Regulatory Commission (PRC). The purpose of a review is to identify and report on the strengths and weaknesses of a program by evaluating: (1) agency compliance with ethics requirements found in relevant laws, regulations, and policies, and (2) ethics-related systems, processes, and procedures in place for administering the program.

During its ethics program reviews, OGE identifies model practices that agencies have implemented to enhance their ethics programs. OGE's review of PRC identified several model practices that PRC has implemented.

To enhance PRC's ethics program, OGE makes one recommendation related to PRC's outside employment approval procedures. OGE also makes one suggestion pertaining to PRC's enforcement of the conflict of interest statutes.

This report has been sent to PRC's Designated Agency Ethics Official (DAEO) and its Inspector General (IG). OGE will follow-up with PRC within six months from the date of this report's issuance.



United States Office
Of Government Ethics

Report Number 09-015

Highlights

Model Practices

- Underscoring the importance of ATF's ethics program by having ATF's Senior Leadership Team meet with OGE's Director.
- Developing a self-assessment survey to assess the effectiveness of ATF's ethics program.
- Creating a review checklist to help ensure a consistent confidential financial disclosure review.
- Using web-based technology to ensure that all employees receive initial ethics orientation.
- Requiring all employees, not just financial disclosure filers, to receive ethics training at least once every three years.

OGE Recommends

- OGE recommends that ATF continue to monitor the results of its actions regarding the identification of new filers to ensure the actions are effective.

If you have comments or would like to discuss this report, please contact Dale Christopher, Associate Director, Program Review Division, at 202-482-9224.

Ethics Program Review Bureau of Alcohol, Tobacco, Firearms and Explosives Department of Justice

April 2009 Report

Executive Summary

The United States Office of Government Ethics (OGE) has completed its review of the ethics program at the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Department of Justice (DOJ). The purpose of a review is to identify and report on the strengths and weaknesses of a program by evaluating: (1) agency compliance with ethics requirements found in relevant laws, regulations, and policies and (2) ethics-related systems, processes, and procedures for administering the program.

OGE identified several model practices that ATF has implemented. First, senior leadership underscored the importance of ATF's ethics program by meeting with OGE's Director. Second, ATF ethics officials developed a self-assessment survey to assess the effectiveness of ATF's ethics program. Third, ATF ethics officials created a review checklist to help ensure a consistent confidential financial disclosure review. Fourth, ATF ethics officials use web-based technology to ensure that all employees receive initial ethics orientation. Finally, ATF requires all employees, not just financial disclosure filers, to receive ethics training at least once every three years.

At the time of its review, the OGE review team noted that the Administration and Ethics Division was not capturing new entrant financial disclosure report filers in a timely manner. The Administration and Ethics Division is in discussions with ATF's Human Resources Division regarding developing a monthly report listing new employees and employees that have received a salary action.

OGE recommends that ATF continue to monitor the results of its actions regarding the identification of new filers to ensure the actions are effective. OGE stands ready to assist ATF in implementing this recommendation as well as other initiatives that ATF may choose to undertake. OGE will follow up with ATF in six months.

This report has been sent to DOJ's Designated Agency Ethics Official and Inspector General.



United States Office
Of Government Ethics

Report Number 09-016

Highlights

Model Practices

- Exhibiting leadership involvement in NWTRB'S ethics program
- Creating a guide for reviewing confidential financial disclosure reports

If you have comments or would like to discuss this report, please contact
Dale Christopher, Associate
Director, Program Review Division,
at 202-482-9224.

Ethics Program Review Nuclear Waste Technical Review Board

April 2009 Report

Executive Summary

The United States Office of Government Ethics (OGE) has completed its review of the ethics program at the Nuclear Waste Technical Review Board (NWTRB). The purpose of a review is to identify and report on the strengths and weaknesses of a program by evaluating: (1) agency compliance with ethics requirements found in relevant laws, regulations, and policies and (2) ethics-related systems, processes, and procedures for administering the program.

During its ethics program reviews, OGE identifies model practices that agencies have implemented to enhance their programs. OGE's review of NWTRB's ethics program identified two model practices. The model practices include:

- exhibiting leadership involvement in the ethics program, and
- creating a guide for reviewing confidential financial disclosure reports.

This report has been sent to NWTRB's Designated Agency Ethics Official.



United States Office
Of Government Ethics

Report Number 09-017

Highlights

Model Practices

- FSIS has comprehensive written standard operating procedures.
- FSIS provides timely ethics information to employees via a newsletter.

OGE Recommends

- That FSIS ensure that new entrant OGE Forms 450 are filed timely.
- That FSIS cease the use of the FSIS Form 4735-2.
- That FSIS include the name, title, office address, and phone number of USDA's DAEO in initial ethics orientation and annual ethics training materials.
- That FSIS ensure that prior approvals for outside employment comply with USDA's supplemental regulation.

If you have comments or would like to discuss this report, please contact Dale Christopher, Associate Director, Program Review Division, at 202-482-9224.

Ethics Program Review U.S. Department of Agriculture Food Safety and Inspection Service

June 2009 Report

Executive Summary

The United States Office of Government Ethics (OGE) has completed its review of the ethics program at the U.S. Department of Agriculture's (USDA) Food Safety and Inspection Service (FSIS). The purpose of a review is to identify and report on the strengths and weaknesses of a program by evaluating: (1) agency compliance with ethics requirements found in relevant laws, regulations, and policies and (2) ethics-related systems, processes, and procedures for administering the program.

OGE identified two model practices in the areas of written standard operating procedures and ethics training. OGE also identified four deficiencies that require action to enhance FSIS' ethics program. These deficiencies are in the areas of financial disclosure, training, and outside employment.

This report has been sent to USDA's Designated Agency Ethics Official (DAEO) and USDA's Inspector General. USDA's DAEO is to advise OGE within 60 days of the specific actions FSIS has taken or plans to take to address OGE's recommendations.

OGE stands ready to assist FSIS in implementing the recommendations as well as other program initiatives that FSIS may choose to undertake. OGE will follow-up within six months from the date of this report's issuance on the status of OGE's recommendations.



United States Office
Of Government Ethics

Report Number 09 - 018

Highlights

Model Practices

- NDW leadership provides support for the RLSO NDW ethics program.
- RLSO NDW provides verbal ethics training to all new employees.
- RLSO NDW uses discretionary training to reinforce the importance of ethics.
- RLSO NDW has an organized process for rendering ethics counseling to employees.

OGE Suggests

- RLSO NDW continually monitor the confidential financial disclosure filing process to ensure that all new entrant confidential reports are filed timely.

If you have comments or would like to discuss this report, please contact
Dale Christopher, Associate Director,
Program Review Division,
at 202-482-9224.

Ethics Program Review Regional Legal Services Office Naval District of Washington Department of the Navy

June 2009 Report

Executive Summary

The United States Office of Government Ethics (OGE) has completed its review of the ethics program at the Regional Legal Services Office, Naval District of Washington (RLSO NDW). The purpose of a review is to identify and report on the strengths and weaknesses of a program by evaluating: (1) agency compliance with ethics requirements found in relevant laws, regulations, and policies and (2) ethics-related systems, processes, and procedures for administering the program.

OGE's review identified several model practices implemented by RLSO NDW. These model practices include agency leadership support for the ethics program, an ethics training program that exceeds the minimum training requirements found at subpart G of 5 CER part 2638, discretionary training that reinforces the importance of ethics, and an organized process for rendering ethics counseling to employees.

In light of the role financial disclosure plays in preventing employees from committing ethics violations, OGE suggests that RLSO NDW continually monitor the confidential financial disclosure filing process to ensure that all new entrant confidential reports are filed timely.

This report has been sent to the Department of the Navy's Designated Agency Ethics Official, the Commandant, NDW, and the NDW Inspector General.



United States Office
Of Government Ethics

Report Number 09-019

Highlights

Model Practices

- Including ethics duties in the position descriptions of the DAEO, ADAEO, Support Specialist, paralegals, and attorneys.
- Developing standard operating procedures for the administration of the ethics program to ensure the continuity of the program in the event of turnover in the ethics staff.
- Administering and ethics program self-assessment.
- Using standard review sheets to ensure consistency in the review of financial disclosure reports and appropriate communication among reviewers.
- Using tracking systems in the management of the financial disclosure systems.
- Using a tracking system for recusals executed by employees.
- Providing in-person training to new employees.
- Providing ethics training to contractors.
- Maintaining a database to track initial ethics orientation information for new employees.
- Providing annual ethics training to all Commission employees.
- Using a system to record and track the ethics counseling provided to employees.

If you have any comments or would like to discuss this report, please contact Dale Christopher, Associate Director, Program Review Division, at 202-482-9224 or dachrist@oge.gov

Ethics Program Review Federal Energy Regulatory Commission

September 2009 Report

Executive Summary

The United States Office of Government Ethics (OGE) has completed its review of the ethics program at the Federal Energy Regulatory Commission (the Commission). The purpose of a review is to identify and report on the strengths and weaknesses of a 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.

OGE identified several model practices that the Commission has implemented related to program administration, financial disclosure, and ethics training and counseling.

This report has been sent to the Commission's DAEO and the Department of Energy Inspector General.



United States Office
Of Government Ethics

Report Number 09-020

Highlights

Model Practices

- FRTIB requires annual ethics training for all agency employees.
- FRTIB provides ethics training to contractors.

OGE Suggests

- FRTIB revise its outdated written procedures to reflect current changes in dates and procedures.
- FRTIB destroy any financial disclosure reports of more than six years old as required by 5 CFR § 2634.603(g)(1).
- FRTIB partake in OGE training courses to learn about reviewing financial disclosure reports as well as administering an agency ethics program.

Ethics Program Review Federal Retirement Thrift Investment Board

September 2009 Report

Executive Summary

The United States Office of Government Ethics (OGE) has completed its review of the ethics program at the Federal Retirement Thrift Investment Board (FRTIB). The purpose of a review is to identify and report on the strengths and weaknesses of a 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.

OGE's review identified two model practices that FRTIB has implemented. The model practices include:

- requiring annual ethics training for all employees and
- providing ethics training for contractors.

While no formal recommendations were made, OGE made several suggestions during the on-site fieldwork. OGE suggested that FRTIB:

- revise its outdated written procedures to reflect current changes in dates and procedures,
- destroy any financial disclosure reports of more than six years old as required by 5 CFR § 2634.603(g)(1), and
- partake in OGE training courses to learn about reviewing financial disclosure reports as well as administering an agency ethics program.

This report has been forwarded to the FRTIB Designated Agency Ethics Official.

If you have comments or would like to discuss the report, please contact Dale Christopher, Associate Director, Program Review Division, at 202-482-9224.



United States Office
Of Government Ethics

Report Number 09-021

Highlights

Model Practices

- Ethics duties are included in the Designated Agency Ethics Official's (DAEO) position description.
- Ethics officials created a comprehensive succession plan to ensure the continuity of the ethics program in the event of turnover in the ethics staff.
- Ethics officials provide annual ethics training to all MMC employees.

OGE Recommends

- MMC collect follow-on new entrant OGE Forms 450 from special Government employees 30 days prior to MMC's Committee of Scientific Advisors on Marine Mammals annual meeting each year.
- MMC collect delinquent OGE Forms 450 from special Government employees.
- MMC collect OGE Forms 450 required to be filed in 2007 from regular employees.

If you have any comments or would like to discuss this report, please contact Dale Christopher, Associate Director, Program Review Division, at 202-482-9224

Ethics Program Review Marine Mammal Commission

September 2009 Report

Executive Summary

The United States Office of Government Ethics (OGE) has completed its review of the ethics program at the Marine Mammal Commission (MMC). The purpose of a review is to identify and report on the strengths and weaknesses of a 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.

During its ethics program reviews, OGE identifies model practices that agencies have implemented to enhance their ethics program. OGE's review of MMC identified several model practices relating to program structure and ethics training.

To enhance MMC's ethics program, OGE makes three recommendations related to the confidential financial disclosure system.

This report has been sent to MMC's Designated Agency Ethics Official and the Department of Commerce Inspector General. OGE will follow-up with MMC within six months from the date of this report's issuance.



United States Office
Of Government Ethics

Report Number 09-022

Highlights

Model Practice

- STB requires all employees, as part of out-processing, to receive a briefing from the STB ethics office prior to leaving Government service.

OGE Suggests

- That STB revise its financial disclosure written procedures to reflect current changes in dates.
- That STB ensure the proper date of receipt by the ethics office on financial disclosure forms.

Ethics Program Review Surface Transportation Board

September 2009 Report

Executive Summary

The United States Office of Government Ethics (OGE) has completed its review of the ethics program at the Surface Transportation Board (STB). The purpose of a review is to identify and report on the strengths and weaknesses of a 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.

OGE identified one model practice that STB has implemented: STB requires all employees, as part of out-processing, to receive a briefing from the STB ethics office prior to leaving Government service.

OGE made two suggestions to enhance STB's ethics program during its on-site fieldwork. The suggestions were: that STB revise its financial disclosure written procedures to reflect current changes in dates and that STB ensure the proper date of receipt by the ethics office on financial disclosure forms.

This report has been sent to STB's Designated Agency Ethics Official (DAEO) and the Department of Transportation's Inspector General.

If you have comments or would like to discuss this report, please contact Dale Christopher, Associate Director, Program Review Division, at 202-482-9224.



United States Office
Of Government Ethics

Report Number 09-023

Highlights

Model Practices

- Holding regularly scheduled meetings between ethics officials and LARC's leadership to discuss ethics-related issues.
- Issuing the LARC Director's Ethics Policy Statement directing employees to hold themselves to the highest ethical standards.
- Providing public and confidential financial disclosure filers with cautionary memorandums.
- Including senior staff in ethics training sessions for public filers.
- Leveraging ethics-training resources and developing-focused training for agency leadership.
- Posting periodic ethics-related notices on LARC's Home Page.

OGE Suggests

- That LARC ethics officials follow up with financial disclosure report filers to ensure full disclosure of underlying assets of investments and other financial interests.

If you have comments or would like to discuss this report, please contact Dale Christopher, Associate Director, Program Review Division, at 202-482-9224.

Ethics Program Review National Aeronautics and Space Administration Langley Research Center

September 2009 Report

Executive Summary

The United States Office of Government Ethics (OGE) has completed its review of the ethics program at the National Aeronautics and Space Administration's (NASA) Langley Research Center (LARC). The purpose of a review is to identify and report on the strengths and weaknesses of a 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.

During its ethics program reviews, OGE identifies model practices that agencies have implemented to enhance their programs. OGE's review of LARC's ethics program identified a number of model practices. The model practices include:

- holding regularly scheduled meetings between ethics officials and LARC's leadership to discuss ethics-related issues,
- issuing the LARC Director's Ethics Policy Statement directing employees to hold themselves to the highest ethical standards,
- providing public and confidential financial disclosure filers with cautionary memorandums,
- including senior staff in ethics training sessions for public filers,
- leveraging ethics-training resources and developing focused training for agency leadership, and
- posting periodic ethics-related notices on LARC's Home Page.

OGE suggests that LARC ethics officials follow-up with financial disclosure report filers to ensure full disclosure of underlying assets of investments and other financial interests.

This report has been sent to LARC's Chief Counsel, NASA's Designated Agency Ethics Official, and NASA's Inspector General.



United States Office
Of Government Ethics

Report Number 09-024

Highlights

Model Practice

- Ethics officials provide annual ethics training to all non-covered employees and contractors, in addition to financial disclosure report filers.

OGE Recommends

- ADF cease requiring contractors to file OGE Forms 450.

Ethics Program Review African Development Foundation

September 2009 Report

Executive Summary

The United States Office of Government Ethics (OGE) has completed its review of the ethics program at the African Development Foundation (ADF). The purpose of a review is to identify and report on the strengths and weaknesses of a program by evaluating: (1) agency compliance with ethics requirements found in relevant laws, regulations, and policies, and (2) ethics-related systems, processes, and procedures in place for administering the program.

OGE's review identified one model practice in the management of ADF's ethics program: ethics officials provide annual ethics training to all non-covered employees and contractors, in addition to financial disclosure report filers.

OGE's review of ADF identified several areas of deficiency in the performance and management of ADF's ethics program. Because ADF has taken several steps to address the areas of deficiency, OGE is making only one recommendation for improvement: ADF cease requiring contractors to file OGE Forms 450.

This report has been sent to ADF's Designated Agency Ethics Official (DAEO) and the U.S. Agency for International Development's Inspector General. OGE will follow-up with ADF within six months from the date of this report's issuance.

If you have any comments or would like to discuss this report, please contact Dale Christopher, Associate Director, Program Review Division, at 202-482-9224 or dachrist@oge.gov



United States Office
Of Government Ethics

Report Number 09-025

Highlights

Model Practices

- ITC includes the ethics duties of the DAEO in his position description.
- ITC provides in-person training to new employees.
- ITC requires that all employees receive annual ethics training.

OGE Suggests

- ITC reduce periods of inaction between contacting financial disclosure filers to resolve issues and certifying reports.

If you have comments or would like to discuss this report, please contact
Dale Christopher, Associate Director,
Program Review Division,
at 202-482-9224.

Ethics Program Review United States International Trade Commission

September 2009 Report

Executive Summary

The United States Office of Government Ethics (OGE) has completed its review of the ethics program at the United States International Trade Commission (ITC). The purpose of a review is to identify and report on the strengths and weaknesses of a 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.

OGE identified several model practices that ITC has implemented. OGE found that ITC includes ethics duties in the position description of the Designated Agency Ethics Official (DAEO), provides in-person training to all new employees, and requires that all employees receive annual ethics training.

During the review, OGE noted that two public financial disclosure reports were certified late. OGE suggests that ITC reduce periods of inaction between contacting financial disclosure filers to resolve issues and certifying reports.

This report has been sent to ITC's DAEO and the Inspector General.



United States Office
Of Government Ethics

Report Number 08-001

Highlights

OGE Suggests

- OGE suggests that CSOSA ethics officials consistently enter on all public financial disclosure reports the dates on which they review and certify the reports.

If you have comments or would like to discuss the report, please contact Daie Christopher, Associate Director for Program Reviews, at 202-482-9224 or dachrist@oge.gov

Ethics Program Review Court Services and Offender Supervision Agency

January 2008 Report

Executive Summary

The Office of Government Ethics (OGE) has completed its review of the ethics program at the Court Services and Offender Supervision Agency (CSOSA). The purpose of a review is to identify and report on the strengths and weaknesses of a program by evaluating: (1) agency compliance with ethics requirements found in relevant laws, regulations, and policies, and (2) ethics-related systems, processes, and procedures in place for administering the program. OGE determined that there is reasonable assurance that the performance and management of CSOSA's ethics program is effective.

OGE suggests that CSOSA ethics officials consistently enter on all public financial disclosure reports the dates on which they review and certify the reports.

This report has been forwarded to CSOSA's Designated Agency Ethics Official and CSOSA's Director of the Office of Professional Responsibility. OGE will follow-up with CSOSA within six months from the date of the report.



United States Office
Of Government Ethics

Report Number 08-002

Highlights

Model Practices

- VA exhibits leadership involvement and support for the ethics program.
- VA conducts internal ethics program reviews of VA regional offices.
- VA provides tailored training to targeted audiences, including training for employees who are not required to be trained.
- VA has developed comprehensive written procedures for managing the education and training program.
- VA issues memoranda through the agency's leadership reminding employees about training requirements.
- VA makes counseling available to components, and provides weekly reports with examples to ensure consistency and transparency.
- VA procedures require coordination with the DAEO when disciplinary actions, which often involve ethics issues, are taken against senior personnel.

OGE Suggests

- VA enlist the help of individual component leadership in ensuring the submission of semiannual reports of travel payments accepted from non-Federal sources to OGE.

If you have comments or would like to discuss the report, please contact Dale Christopher, Associate Director for Program Reviews, at 202-482-9224 or dachrist@oge.gov.

Ethics Program Review Department of Veterans Affairs

April 2008 Report

Executive Summary

The Office of Government Ethics (OGE) has completed its review of the ethics program at the Department of Veterans Affairs (VA). The purpose of a review is to identify and report on the strengths and weaknesses of a program by evaluating: (1) agency compliance with ethics requirements found in relevant laws, regulations, and policies and (2) ethics-related systems, processes, and procedures for administering the program. OGE determined that there is reasonable assurance that the performance and management of VA's ethics program is effective.

OGE's review also identified several model practices that VA has implemented. The model practices include:

- exhibiting leadership involvement in and support for the ethics program, as demonstrated by the VA Secretary's meeting with OGE's Director;
- conducting internal ethics program reviews of VA regional offices;
- providing tailored training to targeted audiences, including training for employees who are not required to be trained;
- developing comprehensive written procedures for managing the education and training program;
- issuing memoranda through the agency's leadership reminding employees about training requirements;
- making counseling available to components, and providing weekly reports with examples to ensure consistency and transparency; and
- requiring coordination with the DAEO when disciplinary actions, which often involve ethics issues, are taken against senior personnel.

This report has been forwarded to VA's Designated Agency Ethics Official and VA's Inspector General.



United States Office
Of Government Ethics

Report Number 08-003

Highlights

Model Practices

- The Board prepares financial disclosure packages that contain useful documents for filers.
- The Board utilizes a tracking system that helps manage financial disclosure, training attendance, outside employment, and waivers.
- The Board tailors education and training to provide relevant training to specific audiences.
- The Board reassesses confidential financial disclosure covered positions to ensure that positions meet the filing requirements.
- The Board exhibits substantial leadership support for the ethics program.

Ethics Program Review Board of Governors of the Federal Reserve System

April 2008 Report

Executive Summary

The Office of Government Ethics (OGE) has completed its review of the ethics program at the Board of Governors of the Federal Reserve System (Board). The purpose of a review is to identify and report on the strengths and weaknesses of a program by evaluating: (1) agency compliance with ethics requirements found in relevant laws, regulations, and policies and (2) ethics-related systems, processes, and procedures for administering the program. OGE determined that there is reasonable assurance that the performance and management of the Board's ethics program is effective.

OGE also identified several model practices that the Board has implemented. The model practices include:

- preparing financial disclosure packages with useful documents;
- creating an advanced tracking system for financial disclosure, training, outside employment, and waivers;
- tailoring education and training to provide relevant training to targeted audiences;
- reassessing confidential financial disclosure covered positions to ensure that positions meet the filing requirements; and
- exhibiting substantial leadership support for the ethics program at the Board.

This report has been forwarded to the Board's Designated Agency Ethics Official and the Board's Assistant Inspector General.

If you have comments or would like to discuss the report, please contact Dale Christopher, Associate Director for Program Reviews, at 202-482-9224.



United States Office
Of Government Ethics

Report Number 08-004

Highlights

Model Practices

- DOL implements concrete leadership actions to demonstrate commitment to supporting the ethics program.
- DOL offers education and training that exceed requirements.

OGE Suggests

- DOL standardize the quality of technical review of financial disclosure forms by utilizing DOL's 278 Checklist and 450 Checklist.
- DOL include all relevant reviewer documents in employee financial disclosure report files.

Ethics Program Review Department of Labor

May 2008 Report

Executive Summary

The Office of Government Ethics (OGE) has completed its review of the ethics program at the Department of Labor's (DOL) Employment Standards Administration, Employment and Training Administration, Mine Safety and Health Administration, Occupational Safety and Health Administration, and Office of the Secretary. The purpose of a review is to identify and report on the strengths and weaknesses of a program by evaluating: (1) agency compliance with ethics requirements found in relevant laws, regulations, and policies and (2) ethics-related systems, processes, and procedures for administering the program. OGE determined that there is reasonable assurance that the performance and management of DOL's program is effective.

OGE's review identified two model practices that DOL has implemented. The model practices include:

- concrete leadership actions that demonstrate commitment to supporting the ethics program, and
- education and training that exceed requirements.

OGE also identified some minor technical deficiencies in the financial disclosure systems. During the review, OGE suggested that DOL:

- standardize the quality of technical review of financial disclosure forms by utilizing DOL's 278 Checklist and 450 Checklist, and
- include all relevant reviewer documentation in employee financial disclosure report files.

This report has been forwarded to DOL's Designated Agency Ethics Official and DOL's Inspector General.



United States Office
Of Government Ethics

Report Number 08-005

Highlights

Model Practices

- AAFES reaches all employees by publishing ethics-related articles in the AAFES magazine, *Exchange Post*.
- AAFES creates detailed, comprehensive travel memoranda that outline pertinent facts and address relevant rules.
- AAFES exhibits leadership support for the ethics program.

If you have comments or would like to discuss the report, please contact Dale Christopher, Associate Director for Program Reviews, at 202-482-9224.

Ethics Program Review Army and Air Force Exchange Service

May 2008 Report

Executive Summary

The Office of Government Ethics (OGE) has completed its review of the ethics program at the Army and Air Force Exchange Service (AAFES). The purpose of a review is to identify and report on the strengths and weaknesses of a program by evaluating: (1) agency compliance with ethics requirements found in relevant laws, regulations, and policies and (2) ethics-related systems, processes, and procedures for administering the program. OGE determined that there is reasonable assurance that the performance and management of AAFES' program is effective.

OGE's review also identified several model practices that AAFES has implemented. The model practices include:

- publishing articles that target all AAFES employees in the AAFES magazine, *Exchange Post*,
- preparing comprehensive travel memoranda that outline pertinent facts and address relevant rules, and
- underscoring substantial AAFES leadership support for the ethics program.

This report has been forwarded to AAFES' Designated Agency Ethics Official and the Department of Defense's Inspector General.



United States Office
Of Government Ethics

Report Number 08-006

Highlights

Model Practices

- USTDA provides annual ethics training to all agency employees.
- USTDA sends out timely guidance to all agency employees throughout the year.
- USTDA plans to provide one-on-one initial ethics orientation and annual ethics training for the agency's Presidentially-appointed, Senate-confirmed Director.

OGE Suggests

- That when additional information is requested of a financial disclosure report filer to assist in proper certification of the report, the request should identify a specific date on which the information should be provided to the reviewing official in accordance with 5 CFR § 2634.605(b)(3).

If you have comments or would like to discuss the report, please contact Dale Christopher, Associate Director for Program Reviews, at 202-482-9224.

Ethics Program Review United States Trade and Development Agency

May 2008 Report

Executive Summary

The Office of Government Ethics (OGE) has completed its review of the ethics program at the United States Trade and Development Agency (USTDA). The purpose of a review is to identify and report on the strengths and weaknesses of a program by evaluating: (1) agency compliance with ethics requirements found in relevant laws, regulations, and policies and (2) ethics-related systems, processes, and procedures for administering the program. OGE determined that there is reasonable assurance that the performance and management of USTDA's ethics program is effective.

OGE's review identified several model practices that USTDA has implemented or plans to implement. The model practices include:

- providing annual ethics training to all agency employees,
- sending out timely guidance to all agency employees throughout the year, and
- providing one-on-one initial ethics orientation and annual ethics training for the agency's Presidentially-appointed, Senate-confirmed Director.

OGE suggests that when additional information is requested of a financial disclosure report filer to assist in proper certification of the report, the request should identify a specific date on which the information should be provided to the reviewing official in accordance with 5 CFR § 2634.605(b)(3).

This report has been forwarded to USTDA's Designated Agency Ethics Official.



United States Office
Of Government Ethics

Report Number 08-007

Highlights

Model Practice

- Ethics duties are included in the DAEO's position description and performance evaluations.

OGE Suggests

- Public filers be provided training in completing their public financial disclosure reports.

OGE Recommends

- AFRH conduct a thorough review of all public and confidential reports for technical compliance and conflicts of interest in accordance with 5 CFR § 2634.605.
- AFRH annotate public and confidential reports to reflect any clarifications or corrections made to the reports based on follow-up discussions with filers as discussed in 5 CFR § 2634.605(b)(3).
- AFRH ensure that all termination public reports are timely filed in accordance with 5 CFR § 2634.201(e).
- AFRH make a formal determination as to the status of the civilian members of the Local Board of Trustees based on the provisions of 18 U.S.C. § 202(a).

For more information, please contact
Dale Christopher at 202-482-9224

Ethics Program Review Armed Forces Retirement Home

May 2008 Report

Executive Summary

The Office of Government Ethics (OGE) has completed its review of the ethics program at the Armed Forces Retirement Home (AFRH). The purpose of a review is to identify and report on the strengths and weaknesses of a program by evaluating: (1) agency compliance with ethics requirements found in relevant laws, regulations, and policies, and (2) ethics-related systems, processes, and procedures in place for administering the program. OGE determined that there is reasonable assurance that the performance and management of AFRH's ethics program is effective.

OGE's review identified as a model practice that the ethics duties of AFRH's Designated Agency Ethics Official (DAEO) are included in her position description and performance evaluations.

OGE suggests that AFRH provide training to public filers in completing public financial disclosure reports.

OGE makes four recommendations to enhance AFRH's ethics program:

- AFRH conduct a thorough review of all public and confidential reports for technical compliance and conflicts of interest in accordance with 5 CFR § 2634.605(b),
- AFRH annotate public and confidential reports to reflect any clarifications or corrections made to the reports based on follow-up discussions with filers as discussed in 5 CFR § 2634.605(b)(3),
- AFRH ensure that all termination public reports are timely filed in accordance with 5 CFR § 2634.201(e), and
- AFRH make a formal determination as to the status of the civilian members of the Local Board of Trustees based on the provisions of 18 U.S.C. § 202(a).

This report has been forwarded to AFRH's Designated Agency Ethics Official and AFRH's Inspector General. OGE will follow-up with AFRH within six months from the date of this report's issuance on the status of OGE's suggestion and recommendations.



United States Office
Of Government Ethics

Report Number 08-008

Highlights

Model Practices

- OE has comprehensive written standard operating procedures.
- OE employs a tracking system for financial disclosure and ethics training that sends automated emails, tracks filing extensions, and generates destruction dates for records.
- OE has developed award-winning training materials.
- OE gives specialized, one-on-one training for senior officials.
- OE employs a searchable index of ethics counseling.
- OE requires quarterly status reports from ethics staff at components regarding their administration of component ethics programs.

OGE Recommends

- That OE reduce undue periods of inaction between contacting financial disclosure filers to resolve issues and certifying reports.
- That OE review and certify the six public financial disclosure reports filed in 2006 that OGE identified as being uncertified.

If you have comments or would like to discuss this report, please contact Dale Christopher, Associate Director for Program Reviews, at 202-482-9224 or dachrist@oge.gov.

Ethics Program Review U.S. Department of Agriculture Office of the Secretary

May 2008 Report

Executive Summary

The Office of Government Ethics (OGE) has completed its review of the ethics program at the U.S. Department of Agriculture's (USDA) Office of the Secretary (OSEC). The purpose of a review is to identify and report on the strengths and weaknesses of a program by evaluating: (1) agency compliance with ethics requirements found in relevant laws, regulations, and policies and (2) ethics-related systems, processes, and procedures for administering the program. OGE determined that there is reasonable assurance that the performance and management of OSEC's ethics program is effective.

USDA's Office of Ethics (OE) is directly responsible for administering OSEC's ethics program. OGE's review identified several model practices that OE has implemented. The model practices include:

- comprehensive written standard operating procedures;
- a tracking system for financial disclosure and ethics training that sends automated emails, tracks filing extensions, and generates destruction dates for records;
- award-winning training materials;
- specialized, one-on-one training for senior officials;
- a searchable index of ethics counseling; and
- quarterly status reports from ethics staff at components regarding their administration of component ethics programs.

OGE's report makes two recommendations: (1) that OE reduce undue periods of inaction between contacting financial disclosure filers to resolve issues and certifying reports and (2) that OE review and certify the six public financial disclosure reports filed in 2006 that OGE identified as being uncertified.

This report has been forwarded to USDA's Designated Agency Ethics Official and USDA's Inspector General. OGE will follow-up with USDA's Designated Agency Ethics Official within six months from the date of this report's issuance on the status of OGE's recommendations.



United States Office
Of Government Ethics

Report Number 08-009

Highlights

Model Practices

- ARS has a process for certifying confidential financial disclosure reports that results in a high quality conflict of interest review. The process strengthens the relationship between the Mission Area Ethics Advisor and Area Ethics Advisors.
- ARS has a system for financial disclosure that tracks the date a report was received, the date it was initially reviewed, and the date it was certified. The system also tracks extension requests, collateral duties with the start and end dates of the contracts, and approved outside employment requests.

OGE Recommends

- That ARS improve the filing timeliness of new entrant confidential financial disclosure reports.

If you have comments or would like to discuss this report, please contact Dale Christopher, Associate Director for Program Reviews, at 202-482-9224 or dachrist@oge.gov.

Ethics Program Review U.S. Department of Agriculture Agricultural Research Service

July 2008 Report

Executive Summary

The Office of Government Ethics (OGE) has completed its review of the ethics program at the U.S. Department of Agriculture's (USDA) Agricultural Research Service (ARS). The purpose of a review is to identify and report on the strengths and weaknesses of a program by evaluating (1) agency compliance with ethics requirements found in relevant laws, regulations, and policies and (2) ethics-related systems, processes, and procedures for administering the program.

OGE's review identified several model practices that ARS has implemented. The model practices include:

- a process for certifying confidential financial disclosure reports that results in a high quality conflict of interest review. The process strengthens the relationship between the Mission Area Ethics Advisor and Area Ethics Advisors and
- a system for financial disclosure that tracks the date a report was received, the date it was initially reviewed, and the date it was certified. The system also tracks extension requests, collateral duties with the start and end dates of the contracts, and approved outside employment requests.

OGE's report makes one recommendation: that ARS improve the filing timeliness of new entrant confidential financial disclosure reports.

This report has been sent to USDA's Designated Agency Ethics Official (DAEO) and USDA's Inspector General. USDA's DAEO is to advise OGE within 60 days of the specific actions ARS has taken or plans to take to address OGE's recommendation. OGE stands ready to assist ARS in implementing the recommendation as well as other program initiatives that USDA may choose to undertake. OGE will follow-up with USDA's DAEO within six months from the date of this report's issuance on the status of OGE's recommendation.



United States Office
Of Government Ethics

Report Number 08-010

Highlights

Model Practices

- All new employees meet with the Alternate Designated Agency Ethics Official (DAEO) during the general orientation process.
- Upon leaving service at OSTP, all employees are required to meet with the Alternate DAEO.

For more information, contact Dale Christopher,
Associate Director for Program Reviews, at 202-
482-9224 or dachrist@oge.gov

Ethics Program Review Office of Science and Technology Policy

July 2008 Report

Executive Summary

The Office of Government Ethics (OGE) has completed its review of the ethics program at the Office of Science and Technology Policy (OSTP), Executive Office of the President. The purpose of a review is to identify and report on the strengths and weaknesses of the program by evaluating: (1) agency compliance with ethics requirements found in relevant laws, regulations, and policies and (2) ethics-related systems, processes, and procedures for administering the program.

The review identified substantive deficiencies in the areas of confidential financial disclosure and annual ethics training. OSTP took corrective action prior to and during the review to address the identified deficiencies.

None of the confidential financial disclosure reports required to be filed by regular employees in 2005 were filed until February and March 2006. According to the Designated Agency Ethics Official (DAEO), filers were not reminded to file reports in 2005 because of an oversight on his part. After the DAEO realized that reports had not been filed, he obtained the delinquent reports from filers. Additionally, written procedures were developed to help ensure future reports are filed in a timely manner. In accordance with the written procedures, the Alternate DAEO will screen new employees to determine if they should file a report and will review the OSTP staff list each year to identify filers.

Annual ethics training was not completed in 2005. However, make-up training was provided to all of OSTP's covered employees in 2006. There was also no written annual training plan in place for 2006. We reminded the DAEO that a written annual training plan is required each year. The DAEO created a plan for calendar year 2007 and agreed to complete one for each subsequent calendar year.

OGE identified two model practices that OSTP uses to ensure new and departing employees are made aware of the financial disclosure requirements and the availability of post-employment counseling.

This report has been sent to OSTP's DAEO.



United States Office
Of Government Ethics

Report Number 08-011

Highlights

Model Practice

- SEC provides annual ethics training to non-covered employees.

OGE Suggests

- SEC headquarters' ethics officials instruct regional offices to review OGE's report.

Ethics Program Review

Securities and Exchange Commission

July 2008 Report

Executive Summary

The Office of Government Ethics (OGE) has completed its review of the ethics program at the Securities and Exchange Commission (SEC). The purpose of a review is to identify and report on the strengths and weaknesses of a program by evaluating: (1) agency compliance with ethics requirements found in relevant laws, regulations, and policies and (2) ethics-related systems, processes, and procedures for administering the program.

OGE's review identified a model practice that SEC has implemented: providing annual ethics training to non-covered employees.

OGE's review identified two areas of deficiency relating to SEC's new entrant confidential financial disclosure system and its procedures for concurrently notifying OGE of referrals to the Department of Justice and providing OGE with subsequent disposition reports. However, during and since OGE's on-site fieldwork, SEC took several actions to rectify these deficiencies. Therefore, OGE makes no formal recommendations for improvement in SEC's confidential financial disclosure system or referral procedures.

This report has been sent to SEC's Designated Agency Ethics Official and SEC's Inspector General.

If you have comments or would like to discuss this report, please contact Dale Christopher, Associate Director for Program Reviews, at 202-482-9224 or dachrist@oge.gov



United States Office
Of Government Ethics

Report Number 06-013

Highlights

Issues of Compliance

- The NLRB has not conducted conflict of interest analyses of the public and confidential financial disclosure reports. (5 C.F.R. §§ 2634.605 and 2634.909(a)).

Model Practices

- The NLRB incorporates information from advice and counseling and from Office of Inspector General cases in training materials.
- The NLRB's DAEO attends senior staff meetings and is given the opportunity to discuss ethics issues.
- The NLRB offers ethics training to non-filers.
- The NLRB requests feedback on new training products.
- The NLRB maintains an ethics page on its intranet.
- The NLRB uses certification forms to track both initial ethics orientation and annual ethics training.

OGE Suggests

- The NLRB review its policy regarding supervisors making solicitations for gifts.
- When advice rendered over the phone is documented in writing, assure that the official who gave the advice is also documented to increase accountability in the advice program.

OGE Recommends

- The NLRB develop a written proposal for identifying potential conflicts of interest on the part of its public and confidential financial disclosure filers and certifying reports.

For further information, contact
Gina Todorovich at 202-482-9316
or gtodoro@oge.gov

Ethics Program Review

National Labor Relations Board

September 2006 Report

Executive Summary

The Office of Government Ethics (OGE) has completed its review of the ethics program at the National Labor Relations Board (NLRB). The purpose of a review is to identify and report on the strengths and weaknesses of the program by: (1) measuring agency compliance with ethics requirements found in the relevant laws, regulations, and policies; and (2) evaluating ethics-related systems, processes, and procedures in place for administering the program. OGE determined that there is reasonable assurance that the performance and management of the NLRB's ethics program is effective, with the exception of the lack of a conflict of interest analysis of the public and confidential financial disclosure reports.

OGE recommends that the NLRB develop a written proposal for identifying potential conflicts of interest on the part of its public and confidential financial disclosure filers and certifying reports in accordance with 5 C.F.R. §§ 2634.605 and 2634.909(a).

Additionally, the review team found that the practice at the NLRB of allowing supervisors to solicit subordinates for contributions towards gifts for employees raised concerns among some NLRB employees who felt coerced to contribute. Further, the written record of advice rendered over the phone did not always specify which ethics employee rendered the advice. The NLRB should take actions to address these issues.

The NLRB's Designated Agency Ethics Official (DAEO) is to advise OGE within 60 days of the specific actions the NLRB has taken or plans to take on our recommendation. OGE stands ready to assist the NLRB in implementing our recommendation and suggestions, as well as other program initiatives that the NLRB may choose to undertake. OGE will formally follow-up with the NLRB in six months.

This report is being forwarded to the NLRB's DAEO and Inspector General.



United States Office
Of Government Ethics

Report Number 06-014

Highlights

Issues of Compliance

- RRB is in substantial compliance with applicable requirements.

Model Practices

- Ethics officials provided training specifically designed for new supervisors who were not required to receive annual ethics training. The DAEO also sends a memorandum to all employees annually, reminding them that they are subject to the Standards of Ethical Conduct for Employees of the Executive Branch and encouraging them to seek the advice of an ethics official when appropriate.
- Post-employment counseling is incorporated into RRB's employee out-processing procedures, allowing ethics officials to assess each employee's needs and provide counseling when appropriate.

OGE Suggests

- RRB review and certify each report filed by a Presidentially-appointed, Senate-confirmed employee as soon as possible after the intermediate review is completed and then immediately submit the report to OGE.
- RRB determine which office should be responsible for providing concurrent notification to OGE when the agency makes a referral to the Department of Justice regarding alleged violations of the criminal conflict of interest laws.

For more information, contact
Doug Chapman at 202-482-9223
or dchapman@oge.gov

Ethics Program Review

Railroad Retirement Board

October 2006 Report

Executive Summary

The Office of Government Ethics (OGE) has completed its review of the ethics program at the Railroad Retirement Board (RRB). The purpose of a review is to identify and report on the strengths and weaknesses of the program by: (1) measuring agency compliance with ethics requirements found in the relevant laws, regulations, and policies; and (2) evaluating ethics-related systems, processes, and procedures in place for administering the program. OGE determined that there is reasonable assurance that the performance and management of RRB's ethics program is effective. However, OGE suggests that actions be taken to resolve two issues to enhance the effectiveness of the program.

First, public financial disclosure reports filed by Presidentially-appointed, Senate-confirmed employees are not generally submitted to OGE as soon as they are approved, as required by OGE guidance issued in DAEOgrams DO-05-009, dated April 13, 2005, and DO-06-010, dated April 7, 2006.

Second, both the Inspector General and the Alternate Designated Agency Ethics Official were aware of the requirement that agencies must concurrently notify OGE when making a referral to the Department of Justice regarding alleged violations of the criminal conflict of interest laws. 5 C.F.R. § 2638.603(b). However, both stated that their respective offices would be responsible for notifying OGE, which could result in duplicated efforts and OGE receiving multiple notifications of the same referral or a misunderstanding that would result in OGE receiving no notification at all.

OGE's review also identified several model practices that RRB has implemented. These include providing training specifically for new supervisors who were not required to receive annual ethics training and annually reminding all employees that they are subject to the Standards of Ethical Conduct for Employees of the Executive Branch. Additionally, the incorporation of post-employment counseling into RRB's employee out-processing procedures allows ethics officials to assess each employee's needs and provide counseling when appropriate.

This report has been forwarded to RRB's Designated Agency Ethics Official (DAEO) and Inspector General.



United States Office
Of Government Ethics

Report Number 06-015

Highlights

Issues of Compliance

- USAID did not provide notification to OGE of three conflict of interest referrals to the Department of Justice in a timely manner. 5 C.F.R. § 2638.603.
- OGE did not receive copies of three waivers USAID issued under 18 U.S.C. § 208(b)(1) until OGE's review was underway. USAID could not recall whether it consulted with OGE prior to granting the waivers. 5 C.F.R. § 2640.303.
- Three recusal statements did not contain specific screening arrangements until after USAID revised them during OGE's review.
- USAID did not have effective procedures in place prior to OGE's review to ensure the timely filing of new entrant confidential financial disclosure reports required of SGEs.

Model Practices

- Ethics duties are included in the ethics staff's position descriptions and performance evaluations.
- A Standard Operating Procedures notebook contains guidance for administering the ethics program.
- New employees receive both a written and in-person initial ethics orientation.
- Confidential financial disclosure report filers receive verbal annual ethics training more than once every three years.
- USAID offers values-based ethical decision-making training.
- Certain contractor employees and representatives serving on a Federal advisory committee received ethics training.

For more information, contact
Dale Christopher at 202-482-9224
or dachrist@oge.gov.

Ethics Program Review

U.S. Agency for International Development

October 2006 Report

Executive Summary

The Office of Government Ethics (OGE) has completed its review of the U.S. Agency for International Development's (USAID) ethics program. The purpose of a review is to identify and report on the strengths and weaknesses of the program by: (1) measuring agency compliance with ethics requirements found in the relevant laws, regulations, and policies and (2) evaluating ethics-related systems, processes, and procedures in place for administering the program. OGE determined there is reasonable assurance that the performance and management of the ethics program is effective.

OGE has no formal recommendations for the ethics program at this time. OGE notes that the following actions were taken during the review to address issues in certain ethics program elements. USAID's ethics and enforcement officials entered into a Memorandum of Understanding to ensure that OGE is notified of conflict of interest referrals to the Department of Justice. 5 C.F.R. § 2638.603. USAID drafted procedures to address consultation and notification responsibilities with respect to waivers issued under 18 U.S.C. § 208(b)(1). 5 C.F.R. § 2640.303. USAID revised three recusal statements to incorporate specific screening arrangements. USAID corrected its administration of the confidential financial disclosure system as it relates to special Government employees (SGE) by drafting procedures to ensure that new entrant filers are captured as they enter on duty, rather than during the annual filing cycle. USAID drafted procedures to ensure that SGEs receive tailored ethics training materials. USAID revised two ethics training handouts and corrected or clarified information posted on the financial disclosure pages of its ethics Web site. Finally, USAID amended the standard language of its conflict of interest analysis statement concerning the acceptance of travel payments from non-Federal sources to include an explicit statement that ethics officials had conducted the conflict of interest analysis.

Furthermore, OGE found that aspects of the education and training program exceed the minimum regulatory requirements and that USAID has implemented various model practices in its ethics program.

This report has been forwarded to USAID's Designated Agency Ethics Official and Inspector General.



United States Office
Of Government Ethics

Report Number 07-001

Highlights

Issues of Compliance

- FTC is in substantial compliance with applicable requirements.

Model Practices

- FTC uses checklists and cautionary letters to bolster the review of both public and confidential financial disclosure reports.
- FTC developed innovative and engaging methods to teach annual ethics training.
- FTC maintains a comprehensive ethics Web page on its Intranet.
- FTC offers in-person initial ethics orientation to all FTC employees.
- FTC uses two screening arrangements to protect individuals who enter into ethics agreements.
- FTC developed a self-assessment survey to review their ethics program.

OGE Suggests

- FTC date stamp confidential financial disclosure reports upon receipt.
- FTC remind first-line supervisors to sign confidential financial disclosure reports as the final reviewing official.
- FTC contact employees who fail to indicate approximate dates of employment on outside employment approval requests, and obtain the necessary information required to amend these requests.
- FTC modify the sample memorandum for outside employment approval requests to include approving officials' dates of signature.

For further information, contact
Marie Iannacone at 202-482-9244 or
mtiannac@oge.gov or Jorge Guzman at
202-482-9246 or jaguzman@oge.gov

Ethics Program Review

Federal Trade Commission

February 2007 Report

Executive Summary

The Office of Government Ethics (OGE) has completed its review of the ethics program at the Federal Trade Commission (FTC). The purpose of a review is to identify and report on the strengths and weaknesses of the program by: (1) measuring agency compliance with ethics requirements found in relevant laws, regulations, and policies and (2) evaluating ethics-related systems, processes, and procedures in place for administering the program. OGE determined that there is reasonable assurance that the performance and management of FTC's program is effective; however, OGE identified some technical deficiencies.

We suggest that FTC's ethics officials: (1) instruct Administrative Assistants to date stamp the confidential financial disclosure reports they receive; (2) remind all first-line supervisors who review confidential financial disclosure reports to sign on the appropriate line for final certification; (3) contact employees who fail to indicate approximate dates of employment on outside employment approval requests, and obtain the necessary information required to amend these requests; and (4) revise the sample memorandum for outside employment, found on FTC's ethics Web page, to include approving officials' dates of signature.

OGE's review also identified several model practices that FTC has implemented. These include the following: using checklists and cautionary letters to bolster the review of financial disclosure reports, developing innovative and engaging methods to teach annual ethics training, and maintaining an ethics Web page. Additionally, FTC offers in-person initial ethics orientation to all FTC employees, uses two screening arrangements to protect individuals who enter into ethics agreements, and has developed a self-assessment survey to review its ethics program.

This report has been forwarded to FTC's Designated Agency Ethics Official and Inspector General.



United States Office
Of Government Ethics

Report Number 07-002

Highlights

Issues of Compliance

- FMCS does not have a supplemental standards of conduct regulation to require employees to seek prior approval to engage in outside activities. 5 C.F.R. § 2635.803.

Model Practices

- FMCS leadership is involved in the ethics program as evidenced by the Director's participation in an ethics-related meeting with OGE leadership.
- Annual ethics training is provided to certain non-covered employees, including all mediators.

OGE Suggests

- OGE suggests that FMCS consistently indicate the date of appointment on new entrant confidential financial disclosure reports and the date of agency receipt on all confidential reports.

OGE Recommends

- OGE recommends that FMCS resubmit to OGE a proposed supplemental standards of conduct regulation requiring prior approval for outside activities.

For more information, contact
Megan Granahan at 202-482-9202
or mvggranah@oge.gov

Ethics Program Review

Federal Mediation and Conciliation Service

March 2007 Report

Executive Summary

The Office of Government Ethics (OGE) has completed its review of the ethics program at the Federal Mediation and Conciliation Service (FMCS). The purpose of a review is to identify and report on the strengths and weaknesses of the program by: (1) measuring agency compliance with ethics requirements found in the relevant laws, regulations, and policies and (2) evaluating ethics-related systems, processes, and procedures in place for administering the program. OGE determined that there is reasonable assurance that the performance and management of FMCS' ethics program is effective, with the exception of the continued use of an outdated and invalid regulation.

OGE recommends that FMCS resubmit to OGE, for concurrence, a proposed supplemental standards of conduct regulation containing a provision requiring employees to obtain prior approval for outside activities if FMCS desires to enforce the approval of outside activities. 5 C.F.R. § 2635.803. OGE suggests that FMCS consistently indicate the date of appointment on new entrant confidential financial disclosure reports and the date of agency receipt on all financial disclosure reports. This will allow reviewing officials to readily determine the timeliness of filing for these reports.

FMCS' newly-written procedures for the financial disclosure systems should help to minimize late filing of reports.

The report also discusses the model practices FMCS' ethics officials have implemented.

This report has been forwarded to FMCS' Designated Agency Ethics Official (DAEO). The DAEO is to advise OGE within 60 days of the specific actions FMCS has taken or plans to take on OGE's recommendation. OGE stands ready to assist FMCS in implementing the recommendation and suggestion, as well as other program initiatives FMCS may choose to undertake. OGE will follow-up with FMCS in six months on the recommendation and suggestion in this report.



United States Office
Of Government Ethics

Report Number 07-003

Highlights

Issues of Compliance

- ARC is in substantial compliance with applicable requirements.

Model Practices

- ARC routinely exceeds the annual training requirements by not only ensuring that covered employees receive the requisite training, but by also inviting *all* ARC employees to partake in the training.
- ARC invites contractor employees interested in taking the training to participate, providing an opportunity for contractor employees to better understand the ethics rules and how they affect the interaction of Federal and contractor employees.

For more information, contact
Dale Christopher at 202-482-9224
or dachrist@oge.gov

Ethics Program Review

Appalachian Regional Commission

June 2007 Report

Executive Summary

The Office of Government Ethics (OGE) has completed its review of the ethics program at the Appalachian Regional Commission (ARC). The purpose of a review is to identify and report on the strengths and weaknesses of the program by: (1) measuring agency compliance with ethics requirements found in relevant laws, regulations, and policies, and (2) evaluating ethics-related systems, processes, and procedures in place for administering the program. OGE determined that there is reasonable assurance that the performance and management of ARC's ethics program is effective.

OGE's review also identified model practices utilized in administering ARC's ethics training program. ARC routinely exceeds the annual training requirements by not only ensuring that covered employees receive the requisite training, but by also inviting *all* ARC employees to partake in the training. Moreover, ARC invites contractor employees interested in taking the training to participate, providing an opportunity for contractor employees to better understand the ethics rules and how they affect the interaction of Federal and contractor employees.

This report has been forwarded to ARC's Designated Agency Ethics Official and Inspector General.



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

November 23, 2005

Edgar M. Swindell
Designated Agency Ethics Official
Department of Health and Human Services
700-E Humphrey Building
200 Independence Avenue, SW.
Washington, DC 20201

Dear Mr. Swindell:

The Office of Government Ethics (OGE) has completed a review of the ethics program at the Centers for Disease Control and Prevention (CDC). This review was conducted pursuant to section 402 of the Ethics in Government Act of 1978, as amended (Ethics Act). Our objectives were to determine the ethics program's effectiveness and compliance with applicable laws and regulations. We also evaluated CDC's systems and procedures for ensuring that ethics violations do not occur. The review was conducted in June 2005. The following is a summary of our findings and recommendations.

HIGHLIGHTS

Based on the results of our review, we are concerned that CDC has not made significant improvement to its ethics program since our last review in 1999. Many of the same deficiencies identified during that review, most of which involved the administration of the financial disclosure systems, remain today. Moreover, without increased staffing to administer the program on a day-to-day basis, CDC runs the risk of failing to comply with the most basic ethics requirements.

EMPLOYEE ETHICS SURVEY

In May 2005, just prior to the beginning of our fieldwork, OGE completed a survey of CDC employees to assess the effectiveness of CDC's ethics program and agency ethical climate from the employees' perspective. Overall, employees who responded to our survey were favorable in their assessment of CDC's ethics program and ethical climate. Most respondents indicated that they were familiar with the rules of ethical conduct for executive branch employees and aware that there are officials in their agency with responsibility for addressing ethics concerns. These results indicate a relatively high level of program awareness among survey respondents. Most respondents also indicated that the ethics advice and training they had received were useful in making them more aware of ethics issues and guiding their decisions and conduct in connection with their work.



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

November 23, 2005

Mary L. Walker
Designated Agency Ethics Official
Department of the Air Force
1740 Air Force Pentagon
Washington, DC 20330-1740

Dear Ms. Walker:

The Office of Government Ethics (OGE) has completed its review of the ethics programs at Headquarters, Air Combat Command (HQ ACC) and 1st Fighter Wing (1FW) located at Langley Air Force Base. This review was conducted pursuant to section 402 of the Ethics in Government Act of 1978, as amended (Ethics Act). Our objective was to determine the ethics program's compliance with applicable statutes and regulations. We also evaluated the systems and procedures for ensuring that ethics violations do not occur. The review was conducted in September 2005. The following is a summary of our findings and conclusions.

HIGHLIGHTS

Based on the results of our review, we conclude that the ethics programs of both HQ ACC and 1FW are effectively administered by knowledgeable ethics counselors and support staff. All ethics officials we encountered are earnestly dedicated to providing ethics-related services to their respective activities' personnel. The public and confidential financial disclosure systems are generally well managed with the exception of problems with the new entrant confidential report system at both HQ ACC and 1FW. We have made a recommendation with respect to the new entrant confidential report issue.

Through efforts on the part of the ethics officials at HQ ACC and 1FW, the new entrant confidential report system has recently been somewhat improved by the implementation of new trial processes to ensure that new entrant confidential filers are identified and notified of the filing requirement in a timely manner. However, HQ ACC and 1FW officials are concerned that work may be needed on a department-wide level to completely fix the new entrant confidential report system. The ethics training and advice and counseling programs are effectively administered. Ethics training materials are well-organized and comprehensive, and the advice and counseling provided by ethics officials



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

November 23, 2005

James Raggio
Designated Agency Ethics Official
Office of the General Counsel
Architectural and Transportation Barriers
Compliance Board
Suite 1000
1331 F Street, NW.
Washington, DC 20004-1111

Dear Mr. Raggio:

The Office of Government Ethics (OGE) has completed its review of the ethics program at the Architectural and Transportation Barriers Compliance Board (the Access Board). This review was conducted pursuant to section 402 of the Ethics in Government Act of 1978, as amended. Our objective was to determine the ethics program's compliance with applicable statutes and regulations. We also evaluated the Access Board's systems and procedures for ensuring that ethics violations do not occur. The review was conducted in September 2005. The following is a summary of our findings and conclusions.

HIGHLIGHTS

The Access Board's ethics program generally complies with the applicable statutes and regulations. Indeed, certain aspects of the education and training element of the program exceed the minimum regulatory requirements.

BACKGROUND

The Access Board, an independent Federal agency, develops guidelines and standards on design that is accessible to persons with disabilities. The Access Board is headed by a board which consists of 12 ex officio Federal members from various departments and agencies and 13 members of the public who serve as special Government employees (SGE).¹ The public members are appointed by the President, without Senate confirmation, to serve for four-year terms. All members may vote on matters before the board.

Additionally, each of the 12 departments and agencies from which the ex officio Federal members come are represented by a Federal liaison. The 12 liaisons represent the ex officio

¹ At the time of our review, there were two vacancies in the ex officio Federal positions for the Departments of Defense and Justice. Additionally, the United States Postal Service ex officio position will be vacant due to the upcoming retirement of the current occupant.



United States
Office of Government Ethics

1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

December 6, 2005

Gary D. Blank
Chief of Staff and
Designated Agency Ethics Official
Council of Economic Advisers
1800 G Street, NW.
Washington, DC 20502

Dear Mr. Blank:

The Office of Government Ethics (OGE) has completed a review of the Council of Economic Advisers' (CEA) ethics program. The review was conducted pursuant to section 402 of the Ethics in Government Act of 1978, as amended (Ethics Act). Our objective was to determine the program's compliance with applicable laws and regulations. We also evaluated CEA's systems and procedures for ensuring that ethics violations do not occur. The review was conducted in June and July 2005. The following summarizes our findings.

HIGHLIGHTS

Our review revealed that CEA's ethics program continues to need improvement. After our last review in 1997, OGE issued a Notice of Deficiency to CEA. While the deficiencies were corrected, our current review found that improvement is needed in the financial disclosure systems and in ethics education and training. In particular, CEA needs to develop written procedures for the financial disclosure systems, ensure that confidential financial disclosure reports are kept on file for six years, and develop a written ethics training plan in order to bring the ethics program into full compliance with ethics laws and regulations.

PROGRAM STRUCTURE

CEA's current staff of three ethics officials, who work on ethics in addition to their other duties, appears appropriate considering the size of CEA.

In March 2005, you were appointed CEA's Designated Agency Ethics Official (DAEO). As the DAEO, you are responsible for the day-to-day administration of the ethics program. Assisting you are the Chief Administrative Officer and Executive Assistant. There currently is no Alternate DAEO. However, you informed us that the Chairman would designate the Chief Administrative Officer as the Alternate DAEO.



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

January 12, 2006

Kenneth R. Schmalzbach
Designated Agency Ethics Official
Department of the Treasury
Room 2023 MT
1500 Pennsylvania Avenue, NW.
Washington, DC 20220

Dear Mr. Schmalzbach:

The Office of Government Ethics (OGE) has completed its review of the ethics program at the Office of the Comptroller of the Currency (OCC), a bureau of the Department of the Treasury (Treasury). The review was conducted pursuant to section 402 of the Ethics in Government Act of 1978, as amended. Our objective was to determine the program's compliance with applicable laws and regulations. We also evaluated OCC's systems and procedures for ensuring that ethics violations do not occur. The review was conducted during August 2005. The following is a summary of our findings and conclusions.

HIGHLIGHTS

The program meets or exceeds the requirements of the ethics laws and regulations. The documentation of the advice and counseling enhances both the transparency and accountability of the ethics program. Providing post-employment counseling to all departing employees is a best practice. The Ethics Tracking System enables OCC to determine that it is meeting the requirements for the financial disclosure and education and training systems. It is also a practical way of providing a screening mechanism for employee recusals. Also, the use of electronic mail to alert employees of ethics issues, along with maintenance of an extensive ethics bulletin board on the OCC computer network, promotes ethics awareness among employees.

ADMINISTRATION OF THE ETHICS PROGRAM

A Senior Counsel, Administrative and Internal Law, is the Ethics Counselor. He is primarily responsible for the day-to-day operation of the ethics program and is assisted by one staff member and approximately eleven District Counsels. The District Counsels, with oversight by the Ethics Counselor, carry out the ethics program in four district offices.

To monitor several aspects of the ethics program, OCC has developed an electronic Ethics Tracking System. With this, OCC is able to monitor the progress of the financial disclosure systems, ethics orientation training, and annual ethics training. The inclusion of an



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

February 8, 2006

Ray Sheehan
Acting Designated Agency Ethics Official
Office of Ethics
U.S. Department of Agriculture
1400 Independence Avenue, SW.
Room 209, J.L. Whitten Building
Washington, DC 20250

Dear Mr. Sheehan:

The Office of Government Ethics (OGE) has completed its review of the Economic Research Service (ERS). This review was conducted pursuant to section 402 of the Ethics in Government Act of 1978 (Ethics Act), as amended. Our objective was to determine the ethics program's compliance with applicable ethics statutes and regulations. We also evaluated the systems and procedures for ensuring that ethics violations do not occur. The review was conducted in August 2005. The following is a summary of our findings, conclusions, and recommendation.

HIGHLIGHTS

We commend the Research, Education, and Economics (REE) Mission Area ethics officials for having made significant programmatic strides since the last ethics program review. That review was conducted from November 1995 through January 1996. During the current review we noted visible and marked improvement in several areas of the program. However, there is still room for further improvement, particularly in the administration of the confidential financial disclosure system and the prior approval of outside employment process. We are making a recommendation to address these areas.

As you are well aware, recent events have brought about an intense scrutiny of agencies with a large number of employees with scientific and research-related duties; the missions and work of such agencies are very similar to those within the REE Mission Area.¹ As a result, while

¹ In addition to ERS, the REE Mission Area includes the following U.S. Department of Agriculture component agencies: Agricultural Research Service; Cooperative State Research, Education and Extension Service; and National Agricultural Statistics Service.



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

February 22, 2006

Mary L. Johnson
Designated Agency Ethics Official
National Mediation Board
Suite 250 East
1301 K Street, NW.
Washington, DC 20572

Dear Ms. Johnson:

The Office of Government Ethics (OGE) has completed its review of the National Mediation Board's (Board) ethics program. The review was conducted pursuant to section 402 of the Ethics in Government Act of 1978, as amended. Our objective was to determine the program's compliance with applicable statutes and regulations. We also evaluated the Board's systems and procedures for ensuring that ethics violations do not occur. The review was conducted in October 2005.

HIGHLIGHTS

The Board's ethics program generally complies with the applicable statutes and regulations. During the course of the review the DAEO was helpful in providing information as well as prompt in correcting small matters in the areas of financial disclosure and education and training. The Board also has effective practices, including the Board's processes that ensure that members are properly recused and that thorough written documentation supports travel payments accepted under the authority of 31 U.S.C. § 1353. These practices promote both individual and institutional transparency and accountability and we urge the Board to continue them.

BACKGROUND AND PROGRAM STRUCTURE

The Board is a small, independent agency with approximately 50 employees; it is led by three Presidentially-appointed, Senate confirmed members (PAS). The Board's mission is to facilitate harmonious labor-management relations in the railroad and airline industries through dispute resolution. The Board achieves this through mediation, representation, arbitration, and alternative dispute resolution and dispute prevention activities.



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

February 22, 2006

Mary Anne Gibbons
Designated Agency Ethics Official
United States Postal Service
Room 6147
475 L'Enfant Plaza West, SW.
Washington, DC 20260

Dear Ms. Gibbons:

The Office of Government Ethics (OGE) has completed its review of the United States Postal Service's (USPS) ethics program within USPS headquarters. The review was conducted pursuant to section 402 of the Ethics in Government Act of 1978, as amended (Ethics Act). Our objective was to determine the strengths and weaknesses of the ethics program and to assess its compliance with applicable statutes and regulations. The review was conducted from July through October 2005. The following is a summary of our findings and conclusions.

HIGHLIGHTS

We found serious deficiencies in the administration of the confidential financial disclosure system within some headquarters components. Most importantly, a significant number of confidential financial disclosure reports are not being reviewed or reviewed adequately for conflicts of interest. We are also concerned that there is no process in place to accurately track the number of days special Government employees (SGE) serve. Additionally, we believe that guidance provided to employees regarding widely attended gatherings (WAG) was not adequate. Our report discusses each of these issues in detail.

We also observed that you incorporate a number of best practices into your ethics program. These include the issuance of "vigilance letters" to financial disclosure report filers and the preparation of a monthly "Conflict of Interest Memorandum" which highlights potential conflicts of interest for members of the Postal Board of Governors (Board) prior to monthly Board meetings. We also strongly endorse your practice of specifically tailoring annual ethics training to particular components or offices.

PROGRAM STRUCTURE

The USPS ethics program provides required ethics-related services to USPS employees within headquarters components. As USPS' Senior Vice President and General Counsel, you also serve as the DAEO. Within your immediate office, you are assisted by the Alternate DAEO, who is the Chief Counsel, Ethics and Federal Requirements, and one other full-time and two part-time attorneys. Additionally, the ethics program is supported by one full-time



DEFENSE NUCLEAR FACILITIES SAFETY BOARD

Conducted December 2005 Through January 2006

Highlights

Issues of Compliance

- The Board had no ADAEO. After the review the Board designated an ADAEO (5 C.F.R. § 2638.202(b)).
- During the review, the Board modified its annual written training plan to estimate employees required to be trained (5 C.F.R. § 2638.706).

Model Practices

- The emergent issue of pay banding concerning public filing was addressed effectively by the Board.
- All of the Board's employees receive verbal annual ethics training.
- The Board promotes an ethical culture by enclosing ethics materials with job offer letters.
- The Board provides mandatory post-employment counseling.
- Documentation of screening analyses fosters transparency and accountability.

OGE Suggests

- Periodically reexamine written financial disclosure procedures implementing § 402(d)(1) of the Ethics Act.
- To enhance transparency, document fully all those who receive annual training.

Executive Summary

As a result of the review the Defense Nuclear Facilities Safety Board's (Board) ethics program is sound with respect to relevant ethics laws and regulations. The Board also fosters an ethical climate by implementing several model practices.

Areas of the Board's ethics program were not in full technical compliance at the beginning of the Office of Government Ethics' (OGE) review. However, these issues were resolved quickly and efficiently. For instance, the Board designated an Alternate Designated Agency Ethics Official (ADAEO) within three days of our exit conference.

OGE does offer the Board some suggestions to aid in strengthening the ethics program further.

- First, update the Board's written procedures relating to the collection, review, evaluation, and, if applicable, public dissemination of financial disclosure statements (§ 402(d)(1) of the Ethics in Government Act of 1978, as amended [Ethics Act]), as these procedures were last updated in 1993.
- Second, more efficiently track annual ethics training by having those employees who receive training, subsequent to an annual training session, certify that they have done so.

OGE may follow-up with the Board in six months to address any issues that may arise subsequent to the issuance of this report.

This report is being forwarded to the Board's Designated Agency Ethics Official (DAEO).



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

March 21, 2006

Keith E. Gottfried
Designated Agency Ethics Official
Department of Housing and Urban Development
Room 10214
451 7th Street, SW.
Washington, DC 20410

Dear Mr. Gottfried:

The Office of Government Ethics (OGE) has completed its review of the Department of Housing and Urban Development's (HUD) ethics program. The review was conducted pursuant to section 402 of the Ethics in Government Act of 1978, as amended. Our objective was to determine the program's compliance with applicable laws and regulations. We also evaluated HUD's systems and procedures for ensuring that ethics violations do not occur. The review was conducted in December 2005. The following summarizes our findings and conclusions.

HIGHLIGHTS

HUD's ethics program meets or exceeds the requirements of the ethics laws and regulations. The support and involvement of upper management has contributed to the success of the ethics program. The documentation of the advice and counseling enhances both the transparency and accountability of the ethics program. The use of tracking systems enables HUD to determine that it is meeting the requirements for the financial disclosure and education and training systems. The strong procedures for approval of travel payments from non-Federal sources increase accountability of the ethics program. HUD also provides a wide variety of ethics education and training materials to employees on a regular basis, enhancing the ethics program's transparency, efficiency, and accountability.

PROGRAM STRUCTURE

HUD has approximately 10,000 employees, located both at headquarters in Washington, DC and at field and regional offices around the country. HUD's mission is to increase homeownership, support community development, and increase access to affordable housing free from discrimination. Our review focused predominately on the headquarters. The Office of Inspector General (OIG) and the Office of Federal Housing Enterprise Oversight (OFHEO) run separate ethics programs, which were not included in the scope of our review. However, all public financial disclosure reports are filed at headquarters, so we did look at a sample of all reports, including the ones filed by employees at the OIG, the OFHEO, and at the field and regional offices.



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

April 3, 2006

Christopher Runkel
Designated Agency Ethics Official
National Archives and Records Administration
8601 Adelphi Road
College Park, MD 20740-6001

Dear Mr. Runkel:

The Office of Government Ethics (OGE) recently completed a review of the National Archives and Records Administration's (NARA) ethics program. This review was conducted pursuant to section 402 of the Ethics in Government Act of 1978, as amended (Ethics Act). Our objective was to determine the program's compliance with applicable ethics laws and regulations. We also evaluated the system and procedures for ensuring that ethics violations do not occur. Our fieldwork was conducted intermittently between August and October 2005 and focused on calendar year 2004 and 2005 activities. The following is a summary of our findings, conclusions, and recommendations.

HIGHLIGHTS

Our current examination found instances of both regulatory and statutory compliance with regard to some of the program elements we examined, including a strong advice and counseling program that addresses all ethics matters and is responsive to employees' needs in terms of timeliness. However, we are troubled by the scope of noncompliance found regarding several of the other program elements subject to our examination. More specifically, we found the lack of compliance with the ethics program requirements for special Government employees (SGEs) serving on NARA's advisory committees and the provisions on review of reports in 5 C.F.R. part 2634 with regard to the confidential financial disclosure system very disturbing. These requirements are there to prevent employees from being placed in jeopardy of violating substantive ethics laws and regulations, albeit unintentionally, such as those found in the Standards of Ethical Conduct for Employees of the Executive Branch (Standards) (5 C.F.R. part 2635) and the criminal conflict of interest laws (18 U.S.C. §§ 203, 205, and 207-209). Moreover, we also have systemic concerns with regard to the prior approval system for outside activities and urge you to give some considerable attention to evaluating this program element.

Although this report details the substantive and systemic issues revealed during our review and our recommendations to address the issues and enhance the overall effectiveness of NARA's ethics program, it also provides a number of suggestions that we hope will help you manage the ethics program better. We note that we found these suggestions well received when they were presented. In fact, many of them you indicated were needed and you would begin to incorporate



Highlights

Issues of Compliance

- The NPS DEC does not conduct a conflict of interest analysis of the confidential financial disclosure reports.
- Certification of some public and confidential financial disclosure reports not requiring significant follow-up was protracted.
- Efforts to collect confidential financial disclosure reports from newly designated SGE members of NPS' committees have been protracted.

OGE Recommends

- The NPS DEC conduct thorough conflict of interest analyses of confidential financial disclosure reports.
- The NPS DEC review and certify financial disclosure reports in a timely manner.
- The NPS DEC collect confidential financial disclosure reports from SGE members of NPS committees in a timely manner.

For further information, contact
Dale Christopher at 202-482-9224
or dachrist@oge.gov

Executive Summary

The Office of Government Ethics' (OGE) review revealed that room for improvement exists in the National Park Service's (NPS) ethics program, especially with regard to the review and certification of financial disclosure reports. Of primary concern is the NPS Deputy Ethics Counselor's (DEC) admission that she does not conduct conflict of interest analyses of the confidential financial disclosure reports, but simply reviews them for completeness and compliance with the technical reporting requirements. We are also concerned that the certification of some public and confidential reports not requiring significant follow-up was protracted, often several months after initial review. Finally, while we commend officials from the Department of the Interior's (Interior) Departmental Ethics Office and the NPS DEC for reevaluating the status of the members of NPS' advisory and operational committees and designating some of the members as special Government employees (SGE), efforts to collect confidential financial disclosure reports from these newly designated SGE members have been protracted.

Despite these deficiencies, the NPS ethics program has several commendable aspects. For example, we were impressed with an ongoing training initiative undertaken by the NPS DEC in which she is tailoring computer-based training modules developed by another agency to focus more on NPS issues and situations. In addition, we found the advice and counseling we examined to comply with all relevant statutory and regulatory provisions. Finally, the Interior Designated Agency Ethics Official's (DAEO) continuing efforts to provide training for field and regional Assistant Ethics Counselors is laudable, especially in light of some of the concerns highlighted in the Departmental Ethics Office's internal review of the NPS program at the field and regional levels.

We ask that Interior's DAEO advise OGE within 60 days of the specific actions NPS has taken or plans to take on our recommendations. OGE will conduct a follow-up review within six months of the date of this report.

This report is being forwarded to Interior's DAEO and Inspector General.



United States Office
Of Government Ethics

Report Number 06-010

Highlights

Issues of Compliance

- MEDCOM issued incorrect post-Government employment advice to departing military officers, but provided corrective letters to the affected personnel.
- DA did not provide notification to OGE of two conflict of interest referrals to DOJ in a timely manner.
- MEDCOM did not record the date of agency receipt on public financial disclosure reports filed by its employees, but has agreed to do so.

Model Practices

- Ethics duties are included in the ethics staff's position descriptions and performance evaluations.
- All employees are required to receive verbal annual ethics training.
- Contractor employees receive informational ethics materials upon their entrance on duty.
- Acquisition ethics training is provided to certain employees.

OGE Suggests

- MEDCOM should notify subordinate ethics offices that the date of agency receipt must be recorded on public financial disclosure reports.
- MEDCOM should inform new entrant confidential financial disclosure report filers that the new entrant date of appointment refers to the date on which an employee becomes subject to filing a confidential financial disclosure report.

For more information, contact
Traci Quan at 202-482-9271
or tmquan@oge.gov.

U.S. ARMY MEDICAL COMMAND

Conducted December 2005

Executive Summary

The Office of Government Ethics (OGE) recently conducted a review of the U.S. Army Medical Command's (MEDCOM) ethics program. The purpose of a review is to identify and report on the strengths and weaknesses of the program by: (1) measuring agency compliance with ethics requirements found in the relevant laws, regulations, and policies; and (2) evaluating ethics-related systems, processes, and procedures in place for administering the program. OGE determined there is reasonable assurance that the performance and management of the program is effective.

OGE notes that actions were taken during the review to address issues in the advice and counseling and enforcement elements of the program. For example, MEDCOM issued corrective post-Government employment letters to certain personnel and the Department of the Army's (DA) Office of the General Counsel established a system to ensure that OGE is notified of conflict of interest referrals to the Department of Justice (DOJ), as required by 5 C.F.R. § 2638.603. Furthermore, OGE was pleased to find that aspects of the education and training element of the program exceed the minimum regulatory requirements.

Although there are no formal recommendations in this report, OGE suggests that MEDCOM: (1) notify subordinate ethics offices that the date of agency receipt must be recorded on public financial disclosure reports; and (2) inform new entrant confidential financial disclosure report filers that the new entrant date of appointment refers to the date on which an employee becomes subject to filing a confidential financial disclosure report. OGE will follow-up with MEDCOM in six months on the suggestions made in this report.

This report is being forwarded to DA's Alternate Designated Agency Ethics Official, the Inspectors General of DA and MEDCOM, and the resident agency of the U.S. Army Criminal Investigation Command.



United States Office
Of Government Ethics

Report Number 06-011

Highlights

Issues of Compliance

- Many instances of late new entrant confidential financial disclosure report filing occurred in the 2004 filing cycle.
- The quality of review of confidential reports appears to be inconsistent.

Model Practices

- The education and training program exceeds mere compliance through DISA Vision broadcasts, regular agency-wide e-mail ethics advisories, and focused training for non-covered employees.
- The automated financial disclosure and ethics training tracking system promotes efficiency and measurability within the ethics program.

OGE Suggests

- Ethics officials continue their efforts to improve the timeliness of new entrant confidential report filing.
- Ethics officials continue to address the development of standardized training for OGE Form 450 reviewers.

For more information, contact
Megan Granahan at 202-482-9202
or mjvgranah@oge.gov

Defense Information Systems Agency

Conducted February through April 2006

Executive Summary

The Office of Government Ethics (OGE) recently conducted a review of the Defense Information Systems Agency's (DISA) ethics program. The purpose of a review is to identify and report on the strengths and weaknesses of the program by: (1) measuring agency compliance with ethics requirements found in the relevant laws, regulations, and policies; and (2) evaluating ethics-related systems, processes, and procedures in place for administering the program. OGE determined there is reasonable assurance that the performance and management of the program is effective.

DISA's ethics program has far more commendable aspects than areas needing improvement. The education and training program exceeds mere compliance through many model practices. Additionally, the newly-developed automated financial disclosure and ethics training tracking system is truly impressive. Review of public financial disclosure reports appears to be thorough and detailed, and the advice and counseling we examined was very thorough and responsive to employee's needs.

We found there is room for improvement in the areas of timely new entrant confidential financial disclosure report filing as well as the level of consistency of confidential report review. DISA ethics officials were aware of both issues prior to the time of the review, and have already made great efforts towards rectifying the issues.

OGE suggests that DISA ethics officials continue their efforts to improve the timeliness of new entrant confidential report filing and to develop standardized training for confidential report reviewers.

A copy of this report is being forwarded to DISA's Designated Agency Ethics Official and Inspector General.

OGE will follow up in six months on the suggestions made in this report.



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

June 2, 2006

Emma Monroig
Designated Agency Ethics Official
U.S. Commission on Civil Rights
624 Ninth Street, NW.
Suite 620
Washington, DC 20425

Dear Ms. Monroig:

The Office of Government Ethics (OGE) has recently completed its review of the United States Commission on Civil Rights' (Commission) ethics program. This review was conducted pursuant to section 402 of the Ethics in Government Act of 1978, as amended (Ethics Act). Our objectives were to determine the ethics program's compliance with applicable ethics laws and regulations and to evaluate the Commission's systems and procedures for ensuring that ethics violations do not occur. Our review was conducted intermittently from July through November 2005 and focused on calendar year 2004 and 2005 activities. The following is a summary of our findings, conclusions, and recommendations.

For purposes of this report, we are aware that under the direction of new leadership, the Commission is currently working to overcome profound management and financial challenges, which have developed over a period of many years, to address longstanding concerns voiced by Congress, the Government Accountability Office (GAO), and others about the agency's management.¹ With regard to ethics, we recognize that the agency's Designated Agency Ethics Official (DAEO), was reappointed in April 2003.² We note this to underscore our recognition that many of the concerns raised in our current review arose before you took over the duties of the ethics program in 2003. However, we found many of the same "issues/concerns" identified in the last two reviews of the Commission's ethics program to persist.

HIGHLIGHTS

This report details the substantive and systemic issues found during our current review and recommends specific actions that will help ensure compliance with applicable ethics laws and regulations. Most notably, we are recommending that the Commission commit a high level of

¹ These challenges are well documented by a series of GAO and Office of Personnel Management (OPM) reports dating back to the 1990s. These reports document financial management, internal control, strategic planning, project planning, and internal communications failures, compounded by diminishing budgetary resources.

² Prior to this reappointment you had served in this capacity until May 1995, when you were reassigned from the position and detailed to another unit within the Commission.



United States Office
Of Government Ethics

Report Number 06-012

Highlights

Issues of Compliance

- The CIA is not collecting new entrant confidential financial disclosure reports as required (5 C.F.R. § 2634.903(b)(1)).

Model Practices

- Ethics officials provided comprehensive training for Deputy Ethics Officials who review confidential financial disclosure reports.
- Initial ethics orientation and annual ethics training creatively and effectively related ethics rules to employees' personal situations and engaged them in discussion.

OGE Suggests

- OGE suggests that the CIA review and certify each report filed by a Presidentially-appointed, Senate-confirmed employee as soon as possible after the intermediate review is completed and then immediately submit the report to OGE.
- OGE suggests that the CIA ensure that all authorizations granted under the authority of 5 C.F.R. § 2635.502(b) are specific as to the particular matter involved and the nature of the authorized participation.

OGE Recommends

- OGE recommends that the DAEO ensure that new entrant confidential financial disclosure filers are identified timely and that reports are collected within 30 days of the filers assuming covered positions, within both headquarters and NRO.

For more information, contact
Doug Chapman at 202-482-9223
or dchapma@oge.gov

Ethics Program Review

Central Intelligence Agency

August 2006 Report

Executive Summary

The Office of Government Ethics (OGE) has completed its review of the ethics program at the Central Intelligence Agency (CIA), including the National Reconnaissance Office (NRO), a joint CIA-Department of Defense activity. The purpose of a review is to identify and report on the strengths and weaknesses of the program by: (1) measuring agency compliance with ethics requirements found in the relevant laws, regulations, and policies; and (2) evaluating ethics-related systems, processes, and procedures in place for administering the program. OGE determined that there is reasonable assurance that the performance and management of the CIA's ethics program is effective, with the exception of the collection of new entrant confidential financial disclosure reports.

OGE recommends that the CIA's Designated Agency Ethics Official (DAEO) ensure that new entrant confidential financial disclosure filers are identified timely and that reports are collected within 30 days of the filers assuming covered positions, both within CIA headquarters and NRO. 5 C.F.R. § 2634.903(b)(1).

Additionally, public financial disclosure reports filed by Presidentially-appointed, Senate-confirmed employees are not submitted to the OGE as soon as they are approved, as required by OGE guidance issued in DAEOgrams DO-05-009, dated April 13, 2005, and DO-06-010, dated April 7, 2006. Further, authorizations granted under the authority of 5 C.F.R. § 2635.502(d) are not always specific as to the particular matter involved and the nature of the authorized participation. Therefore, the report suggests that the CIA strengthen its program further by taking actions to address these issues. The report also discusses some of the model practices the CIA's ethics officials have implemented.

This report has been forwarded to the CIA's DAEO and Inspector General.



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

June 6, 2005

Kevin Flanagan
Designated Agency Ethics Official
Office of the General Counsel
Defense Threat Reduction Agency
Mail Stop Code 6201
8725 John J. Kingman Road
Fort Belvoir, VA 22060-6201

Dear Mr. Flanagan:

The Office of Government Ethics (OGE) has completed its first review of the ethics program at the Defense Threat Reduction Agency (DTRA). This review was conducted pursuant to section 402 of the Ethics in Government Act of 1978, as amended. Our objective was to determine the ethics program's compliance with applicable statutes and regulations. We also evaluated DTRA's systems and procedures for ensuring that ethics violations do not occur. The review was conducted in March and April 2005. The following is a summary of our findings and conclusions.

HIGHLIGHTS

DTRA's ethics program generally complies with the applicable statutes and regulations. Indeed, certain aspects of the education and training element of the program exceed the minimum regulatory requirements. We commend the ethics staff for their dedication to the success of the ethics program and the encouragement of ethical behavior by DTRA employees.

BACKGROUND AND HISTORY OF DTRA

DTRA was established in 1998 by Department of Defense (DOD) Directive 5105.62. The Directive consolidated the Defense Special Weapons Agency, On-Site Inspection Agency, Defense Technology Security Administration (DTSA), and selected elements within the Office of the Secretary of Defense Staff into one agency.¹ DTRA's mission is to reduce the threat posed by weapons of mass destruction. Approximately 2,000 civilian and military personnel are assigned to the headquarters office in Fort Belvoir, Virginia and to more than 14 locations around the world.

¹ In 2001, the responsibilities of the former DTSA were removed from DTRA; DTSA was reestablished under the Under Secretary of Defense for Policy.



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

November 23, 2005

Mary L. Walker
Designated Agency Ethics Official
Department of the Air Force
1740 Air Force Pentagon
Washington, DC 20330-1740

Dear Ms. Walker:

The Office of Government Ethics (OGE) has completed its review of the ethics programs at Headquarters, Air Combat Command (HQ ACC) and 1st Fighter Wing (1FW) located at Langley Air Force Base. This review was conducted pursuant to section 402 of the Ethics in Government Act of 1978, as amended (Ethics Act). Our objective was to determine the ethics program's compliance with applicable statutes and regulations. We also evaluated the systems and procedures for ensuring that ethics violations do not occur. The review was conducted in September 2005. The following is a summary of our findings and conclusions.

HIGHLIGHTS

Based on the results of our review, we conclude that the ethics programs of both HQ ACC and 1FW are effectively administered by knowledgeable ethics counselors and support staff. All ethics officials we encountered are earnestly dedicated to providing ethics-related services to their respective activities' personnel. The public and confidential financial disclosure systems are generally well managed with the exception of problems with the new entrant confidential report system at both HQ ACC and 1FW. We have made a recommendation with respect to the new entrant confidential report issue.

Through efforts on the part of the ethics officials at HQ ACC and 1FW, the new entrant confidential report system has recently been somewhat improved by the implementation of new trial processes to ensure that new entrant confidential filers are identified and notified of the filing requirement in a timely manner. However, HQ ACC and 1FW officials are concerned that work may be needed on a department-wide level to completely fix the new entrant confidential report system. The ethics training and advice and counseling programs are effectively administered. Ethics training materials are well-organized and comprehensive, and the advice and counseling provided by ethics officials



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

March 8, 2005

Matt Reres
Acting Designated Agency Ethics Official
Department of the Army
104 Army Pentagon
Washington, DC 20310-0104

Dear Mr. Reres:

The Office of Government Ethics (OGE) has completed its review of the Army's ethics program within the headquarters of the U.S. Army Training and Doctrine Command (TRADOC) at Fort Monroe and one of its major subordinate commands, the U.S. Army Transportation Center (Center) at Fort Eustis. This review was conducted pursuant to section 402 of the Ethics in Government Act of 1978 (Ethics Act), as amended. Our objective was to determine the ethics program's compliance with applicable statutes and regulations. We also evaluated the systems and procedures for ensuring that ethics violations do not occur. The review was conducted in September and October 2004. The following is a summary of our findings and conclusions.

HIGHLIGHTS

Members of TRADOC's Army Education Advisory Committee, who are all special Government employees (SGE), must immediately file current confidential financial disclosure reports. The last reports filed by committee members were destroyed in September 2003. Committee members were not required to provide duplicate reports and no subsequent reports have been filed.

Prior to our review, neither TRADOC nor the Center had a program to ensure newly-hired civilian employees were given initial ethics orientation. Ethics counselors identified the deficiency in preparing for our review and have taken steps to ensure the training is provided, as required. Both organizations met and exceeded annual training requirements in 2003. In addition, they were progressing towards meeting the Acting Secretary of the Army's directive to provide in-person training to all assigned military and civilian personnel. We commend this effort.

Both the public and confidential financial disclosure programs within TRADOC and the Center were well administered for annual financial disclosure filers. However, neither organization had a program to timely identify new entrant confidential filers within 30 days of their entering a covered position. Ethics counselors also identified this deficiency prior to our review and have taken appropriate actions.

Although our report notes the deficiencies regarding initial ethics orientation and new entrant confidential filers, it also notes that ethics counselors have already moved to correct these



United States
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1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

January 24, 2005

Alberto J. Mora
Designated Agency Ethics Official
Department of the Navy
Room 4E516
1000 Navy Pentagon
Washington, DC 20350-1000

Dear Mr. Mora:

The Office of Government Ethics (OGE) recently completed a review of the Naval Sea Systems Command's (NAVSEA) headquarters' ethics program. This review was conducted pursuant to section 402 of the Ethics in Government Act of 1978, as amended. Our objectives were to determine the ethics program's effectiveness and compliance with applicable laws and regulations. We also evaluated NAVSEA's systems for ensuring that ethics violations do not occur. The review was conducted from September through October 2004.

HIGHLIGHTS

Based on the results of our review, we conclude that NAVSEA's ethics program is effectively administered by dedicated and knowledgeable ethics counselors and support staff. The public and confidential financial disclosure systems are generally well managed and have recently been improved by the implementation of a new process to ensure that new entrant filers are identified and notified of the filing requirement in a timely manner. The ethics training and counseling programs are also effectively administered. In addition, NAVSEA appears to take standards of conduct violations seriously, as evidenced by the prompt and effective actions taken against offending employees. Finally, effective procedures are in place to accept payments of travel and related expenses from non-Federal sources.

PROGRAM STRUCTURE

The NAVSEA ethics program is administered by ethics counselors and a paralegal from the NAVSEA Office of Counsel. These officials receive administrative assistance from the Human Resources Office and various administrative officers (AO) throughout NAVSEA. They also receive guidance and support from the Department of the Navy's (Navy) Assistant General Counsel (Ethics) (AGC (Ethics)).



United States
Office of Government Ethics

1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

September 15, 2005

Alberto J. Mora
Designated Agency Ethics Official
Department of the Navy
1000 Navy Pentagon
Washington, DC 20350

Dear Mr. Mora:

The Office of Government Ethics (OGE) has recently completed a review of the ethics program at the Navy Exchange Service Command (NEXCOM), headquartered in Virginia Beach, Virginia. This review was conducted pursuant to section 402 of the Ethics in Government Act of 1978, as amended (Ethics Act). Our objective was to determine the program's compliance with applicable ethics laws and regulations. We also evaluated the systems and procedures for ensuring that ethics violations do not occur. Our current review was conducted in June 2005. The following is a summary of our findings and conclusions.

HIGHLIGHTS

Overall, we found NEXCOM's ethics program to be sound and appropriate for its size and mission. Although the timely filing of new entrant confidential financial disclosure reports has remained a challenge for NEXCOM since we last addressed this issue during our August 1995 program review, we endorse the steps that were taken prior to and throughout our review in seeking remedies to elicit full compliance. As one of the most common review findings of our reviews of agencies with large, decentralized systems, we recognize the challenge NEXCOM faces to address this issue and trust the current steps, along with any prospective actions will ensure full compliance with 5 C.F.R § 2634.903(b) in the future. However, we strongly encourage ethics officials to continually monitor this system to ensure that these steps are effective.

BACKGROUND AND ETHICS PROGRAM STRUCTURE

NEXCOM is a component of the Department of the Navy (Navy) and a field office of the Naval Supply Systems Command (NAVSUP). Consisting of over 16,000 federal and non-appropriated fund (NAF) employees in over 100 locations worldwide (including seasonal employees), NEXCOM serves as the headquarters element for the worldwide Navy Exchange system, which is comprised of separate and distinct programs. These programs include: the Navy Exchange retail stores and service outlets; the Navy Lodge Program; the Navy Ship Store Program;



United States
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1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

March 17, 2005

Susan Beard
Designated Agency Ethics Official
Department of Energy
Room 6A-211
1000 Independence Avenue, SW.
Washington, DC 20585

Dear Ms. Beard:

The Office of Government Ethics (OGE) has completed a review of the Department of Energy's (Energy) ethics program. Our objective was to determine the program's compliance with applicable laws and regulations. We also evaluated Energy's systems and procedures for ensuring that ethics violations do not occur. The review was conducted in December 2004. The following summarizes our findings.

HIGHLIGHTS

Energy's ethics program continues to be sound and well managed by able ethics staff within Energy's Office of Assistant General Counsel for General Law. Since our last review reported in 1998, ethics officials appear to have sustained strong financial disclosure systems, an exemplary counseling and advice services program, and ongoing training initiatives that raise employee awareness of the ethics laws and regulations. We commend you and your staff for your continuing endeavor to ensure that the members of Energy's committees created under the Federal Advisory Committee Act (FACA) are properly designated and for taking immediate appropriate actions regarding issues that arose during this review.

PROGRAM STRUCTURE

Current staffing levels appear to be adequate. You, as Energy's Assistant General Counsel for General Law, serve as the Designated Agency Ethics Official (DAEO) for the over 14,000 Energy employees located in headquarters in Washington, DC and in operations, field, and site offices (field offices) around the country. At headquarters, you are assisted by the Alternate DAEO, three attorneys,¹ and three paralegals, and at the field offices you are assisted by a total of 56 attorneys. Field attorneys have comprehensive written procedures that document their duties and

¹ One attorney has retired since our fieldwork.



United States
Office of Government Ethics
1201 New York Avenue, NW, Suite 500
Washington, DC 20005-3917

November 23, 2005

Edgar M. Swindell
Designated Agency Ethics Official
Department of Health and Human Services
700-E Humphrey Building
200 Independence Avenue, SW.
Washington, DC 20201

Dear Mr. Swindell:

The Office of Government Ethics (OGE) has completed a review of the ethics program at the Centers for Disease Control and Prevention (CDC). This review was conducted pursuant to section 402 of the Ethics in Government Act of 1978, as amended (Ethics Act). Our objectives were to determine the ethics program's effectiveness and compliance with applicable laws and regulations. We also evaluated CDC's systems and procedures for ensuring that ethics violations do not occur. The review was conducted in June 2005. The following is a summary of our findings and recommendations.

HIGHLIGHTS

Based on the results of our review, we are concerned that CDC has not made significant improvement to its ethics program since our last review in 1999. Many of the same deficiencies identified during that review, most of which involved the administration of the financial disclosure systems, remain today. Moreover, without increased staffing to administer the program on a day-to-day basis, CDC runs the risk of failing to comply with the most basic ethics requirements.

EMPLOYEE ETHICS SURVEY

In May 2005, just prior to the beginning of our fieldwork, OGE completed a survey of CDC employees to assess the effectiveness of CDC's ethics program and agency ethical climate from the employees' perspective. Overall, employees who responded to our survey were favorable in their assessment of CDC's ethics program and ethical climate. Most respondents indicated that they were familiar with the rules of ethical conduct for executive branch employees and aware that there are officials in their agency with responsibility for addressing ethics concerns. These results indicate a relatively high level of program awareness among survey respondents. Most respondents also indicated that the ethics advice and training they had received were useful in making them more aware of ethics issues and guiding their decisions and conduct in connection with their work.



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

August 17, 2005

Edgar M. Swindell
Designated Agency Ethics Official
Department of Health and Human Services
700-E Humphrey Building
200 Independence Avenue, SW.
Washington, DC 20201

Dear Mr. Swindell:

The Office of Government Ethics (OGE) recently completed a review of the Department of Health and Human Services' (HHS) Food and Drug Administration's (FDA) ethics program. This review was conducted pursuant to section 402 of the Ethics in Government Act of 1978, as amended (Ethics Act). Our objective was to determine the program's compliance with applicable ethics laws and regulations. We also evaluated the system and procedures for ensuring that ethics violations do not occur. The review was conducted intermittently between November 2004 and February 2005.

HIGHLIGHTS

We found FDA's ethics program to be well served by a professional and highly organized Ethics and Integrity Staff (Ethics Office) that is dedicated to maintaining a strong ethics program for the over 9,000 employees who serve throughout FDA's six Centers and its Offices of Commissioner and Regulatory Affairs. We found the ethics program to have many strong program elements to ensure the public's confidence in an ethical Government and we commend FDA on implementing several changes to help improve and strengthen its program to ensure the integrity of its employees.

We are making two recommendations to directly enhance the effectiveness of FDA's ethics program. These improvements include: (1) ensuring FDA's confidential reports are filed by regular FDA employees in a timely manner in accordance with 5 C.F.R. § 2634.903(a) and (b) and (2) ensuring that FDA's Ethics and Integrity Administration Advisory Board establish a written policy regarding exemptions to the prohibitions on holding financial interests in significantly regulated organizations at 5 C.F.R. § 5501.104, including an interpretation of "exceptional circumstances."

Finally, as we noted during our exit conference, we identified several procedural issues at FDA which have either already been corrected or the Ethics Office has assured will be corrected in the future. Of these, most important was the immediate halt to using improper confidential financial disclosure report forms by special Government employees (SGEs) who are members of FDA's advisory committees. We are recommending that you evaluate the management of other HHS components to ensure that they are using only an OGE-approved confidential financial disclosure report form to screen SGEs for potential conflicts. In addition, we are recommending that you immediately cease reporting HHS' semiannual travel payments of more than \$250 from non-Federal



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

May 5, 2005

Shayla F. Simmons
Designated Agency Ethics Official
Department of the Interior
MIB, Room 4356
1849 C Street, NW.
Washington, DC 20240

Dear Ms. Simmons:

The Office of Government Ethics (OGE) recently completed a review of the ethics program at the Department of the Interior (Interior). This review focused primarily on the Office of the Secretary, the Bureau of Reclamation (BOR), the Minerals Management Service (MMS), and the United States Geological Survey (USGS).

This review was conducted pursuant to section 402 of the Ethics in Government Act of 1978, as amended (the Ethics Act). Our objective was to determine the ethics program's effectiveness and compliance with applicable laws and regulations. We also evaluated Interior's systems and procedures for ensuring that ethics violations do not occur. The review was conducted from November 2004 through January 2005.

HIGHLIGHTS

Interior has made positive strides toward ensuring that its ethics program is administered in an effective manner and complies with applicable ethics laws and regulations. We commend Interior's ongoing reevaluation of the status of its advisory committee members to ensure that they have been appropriately designated as either special Government employees (SGE) or representatives. We also commend Interior's efforts to ensure that the program is overseen by one cohesive office that not only serves as the administrator of the program, but also provides consistent ethics-related guidance to employees and bureau ethics officials throughout the Department. In addition, Interior's ethics training and counseling programs meet, and sometimes exceed, OGE requirements.

While it appears that Interior's ethics program is moving toward full compliance with applicable ethics laws and regulations, room for improvement exists, especially with regard to the timely review and certification of financial disclosure reports, including those filed by SGE members of certain Interior advisory committees. It is vital that financial disclosure reports be reviewed and certified in a timely manner to ensure that potential conflicts of interest are promptly identified and remedied. Protracted review and certification can put employees at risk of running afoul of the ethics rules.



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

April 7, 2005

James H. Thessin
Designated Agency Ethics Official
Department of State
Room 6419
2201 C Street, NW.
Washington, DC 20520-6310

Dear Mr. Thessin:

The Office of Government Ethics (OGE) has completed its review of the Department of State's (State) ethics program. This review was conducted pursuant to section 402 of the Ethics in Government Act of 1978 (Ethics Act), as amended. Our objective was to determine the ethics program's compliance with applicable statutes and regulations. We also evaluated the systems and procedures for ensuring that ethics violations do not occur. The review was conducted from October 2004 through January 2005. The following is a summary of our findings and conclusions.

HIGHLIGHTS

State's ethics program generally complies with applicable statutes and regulations, although problems related to enforcement, initial ethics orientation, annual ethics training, financial disclosure, and 18 U.S.C. § 208(b)(1) waivers were not addressed until recently, either before or during our review. We are especially pleased that increased headquarters ethics staffing has enabled State to review and certify financial disclosure reports timely, and, in the case of public reports filed by Presidentially-appointed, Senate confirmed (PAS) employees, forward reports timely to OGE. However, we continue to be concerned about the proper reporting to OGE of travel payments accepted under 31 U.S.C. § 1353 and have made a recommendation addressing this concern. Finally, we are pleased that you have been reviewing the status of all members of your advisory committees to determine whether they have been properly designated as special Government employees (SGE) or representatives.

PROGRAM STRUCTURE

As State's Principal Deputy Legal Adviser, you also serve as the Designated Agency Ethics Official (DAEO). The Assistant Legal Adviser for Employment Law oversees the Ethics Division and the Financial Disclosure Division, managing the day-to-day functions of the ethics program. The Senior Ethics Counsel in the Ethics Division is the Alternate DAEO and is assisted by several attorney-advisors.



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

November 23, 2005

James Raggio
Designated Agency Ethics Official
Office of the General Counsel
Architectural and Transportation Barriers
Compliance Board
Suite 1000
1331 F Street, NW.
Washington, DC 20004-1111

Dear Mr. Raggio:

The Office of Government Ethics (OGE) has completed its review of the ethics program at the Architectural and Transportation Barriers Compliance Board (the Access Board). This review was conducted pursuant to section 402 of the Ethics in Government Act of 1978, as amended. Our objective was to determine the ethics program's compliance with applicable statutes and regulations. We also evaluated the Access Board's systems and procedures for ensuring that ethics violations do not occur. The review was conducted in September 2005. The following is a summary of our findings and conclusions.

HIGHLIGHTS

The Access Board's ethics program generally complies with the applicable statutes and regulations. Indeed, certain aspects of the education and training element of the program exceed the minimum regulatory requirements.

BACKGROUND

The Access Board, an independent Federal agency, develops guidelines and standards on design that is accessible to persons with disabilities. The Access Board is headed by a board which consists of 12 ex officio Federal members from various departments and agencies and 13 members of the public who serve as special Government employees (SGE).¹ The public members are appointed by the President, without Senate confirmation, to serve for four-year terms. All members may vote on matters before the board.

Additionally, each of the 12 departments and agencies from which the ex officio Federal members come are represented by a Federal liaison. The 12 liaisons represent the ex officio

¹ At the time of our review, there were two vacancies in the ex officio Federal positions for the Departments of Defense and Justice. Additionally, the United States Postal Service ex officio position will be vacant due to the upcoming retirement of the current occupant.



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

March 9, 2005

Garrett W. Brass, Ph.D.
Executive Director and
Designated Agency Ethics Official
Arctic Research Commission
4350 North Fairfax Drive
Suite 510
Arlington, VA 22203

Dear Dr. Brass:

The Office of Government Ethics (OGE) recently completed a review of the Arctic Research Commission's (ARC) ethics program. This review was conducted pursuant to section 402 of the Ethics in Government Act of 1978, as amended. Our objectives were to determine the ethics program's effectiveness and compliance with applicable laws and regulations. We also evaluated ARC's systems and procedures for ensuring that ethics violations do not occur. The review was conducted from December 2004 through January 2005.

HIGHLIGHTS

Based on the results of our review, we conclude that ARC has laid the foundation for an effective ethics program. During a review we typically examine, among other things, ethics program elements such as enforcement, ethics agreements, written advice and counseling, and travel payments under 31 U.S.C. § 1353. However, we found that ARC has had no activity related to these elements so there is no discussion of them in this report. The public financial disclosure system is generally well managed and the ethics training program appears to be effectively administered. Additionally, ARC has now established a confidential system by virtue of the fact that the Alternate Designated Agency Ethics Official (ADAEO) has agreed to file a confidential report in the future.

ADMINISTRATION OF THE ETHICS PROGRAM

ARC was established in 1984 to promote Arctic research, and to establish and communicate a Federal program plan to support Arctic research. ARC has three full-time employees. You serve as the Designated Agency Ethics Official. ARC's ethics program is administered by the Administrative Officer, who serves as the ADAEO for the agency.



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

March 8, 2005

Carol Booker
Designated Agency Ethics Official
Broadcasting Board of Governors
Cohen Building, Room 3360
330 Independence Avenue, SW.
Washington, DC 20237

Dear Ms. Booker:

The Office of Government Ethics (OGE) has completed its first review of the ethics program at the Broadcasting Board of Governors (BBG). This review was conducted pursuant to section 402 of the Ethics in Government Act of 1978, as amended. Our objective was to determine the ethics program's compliance with applicable statutes and regulations. We also evaluated BBG's systems and procedures for ensuring that ethics-violations do not occur. The review was conducted intermittently from August 2004 through January 2005. The following is a summary of our findings and conclusions.

HIGHLIGHTS

BBG's ethics program generally complies with the applicable statutes and regulations. We note that steps were taken during our review to address deficiencies in the public and confidential financial disclosure, education and training, outside employment and activities, and enforcement areas of the ethics program.

BACKGROUND AND HISTORY OF BBG

BBG oversees all United States Government sponsored, non-military broadcasting to foreign countries. Its mission is "to promote and sustain freedom and democracy by broadcasting accurate and objective news and information about the United States and the world to audiences overseas." Organizations under BBG's supervision include Radio Free Europe/Radio Liberty, Radio Free Asia, Middle East Television Network, Voice of America, Office of Cuba Broadcasting, and the International Broadcasting Bureau (IBB). Of the six organizations, the first three are private corporations which receive grants through BBG, the next two are part of the Federal Government, and the latter is a part of BBG.

The United States International Broadcasting Act of 1994 established BBG and IBB within the United States Information Agency (USIA). The Foreign Affairs Reform and Restructuring Act of 1998 reorganized the foreign affairs agencies. As a result of this reorganization, USIA, with the exceptions of BBG and IBB, was abolished and its functions,



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

June 7, 2005

David V. Houpe
Designated Agency Ethics Official
Armed Services Board of Contract Appeals
Skyline Six, 7th Floor
5109 Leesburg Pike
Falls Church, VA 22041-3208

Dear Mr. Houpe:

David

The Office of Government Ethics (OGE) recently completed a review of the Armed Services Board of Contract Appeals' (ASBCA) ethics program. This review was conducted pursuant to section 402 of the Ethics in Government Act of 1978, as amended. Our objective was to determine the program's compliance with applicable laws and regulations. We also evaluated ASBCA's systems and procedures for ensuring that ethics violations do not occur. Besides reviewing the program elements reported in this letter, we discussed ASBCA's coordination with the cognizant Inspector General's office in our review of the enforcement element. While there was not any activity within this program element, we were satisfied that your procedures are sufficient to meet the requirements relevant to the element. ASBCA currently has no ethics agreements in place and no special Government employees. The review was conducted during April 2005.

HIGHLIGHTS

We did not identify any deficiencies in the ASBCA ethics program. The public and confidential financial disclosure systems are generally well managed and the ethics training program appears to be administered effectively.

ADMINISTRATION OF THE ETHICS PROGRAM

The ASBCA ethics program is administered by you, the Designated Agency Ethics Official (DAEO). You also serve as ASBCA's Chief Counsel. You are assisted by the Alternate DAEO (ADAEO), who is ASBCA's Executive Director/Recorder. You receive additional support and guidance as needed from the Department of Defense Standards of Conduct Office.



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

December 6, 2005

Gary D. Blank
Chief of Staff and
Designated Agency Ethics Official
Council of Economic Advisers
1800 G Street, NW.
Washington, DC 20502

Dear Mr. Blank:

The Office of Government Ethics (OGE) has completed a review of the Council of Economic Advisers' (CEA) ethics program. The review was conducted pursuant to section 402 of the Ethics in Government Act of 1978, as amended (Ethics Act). Our objective was to determine the program's compliance with applicable laws and regulations. We also evaluated CEA's systems and procedures for ensuring that ethics violations do not occur. The review was conducted in June and July 2005. The following summarizes our findings.

HIGHLIGHTS

Our review revealed that CEA's ethics program continues to need improvement. After our last review in 1997, OGE issued a Notice of Deficiency to CEA. While the deficiencies were corrected, our current review found that improvement is needed in the financial disclosure systems and in ethics education and training. In particular, CEA needs to develop written procedures for the financial disclosure systems, ensure that confidential financial disclosure reports are kept on file for six years, and develop a written ethics training plan in order to bring the ethics program into full compliance with ethics laws and regulations.

PROGRAM STRUCTURE

CEA's current staff of three ethics officials, who work on ethics in addition to their other duties, appears appropriate considering the size of CEA.

In March 2005, you were appointed CEA's Designated Agency Ethics Official (DAEO). As the DAEO, you are responsible for the day-to-day administration of the ethics program. Assisting you are the Chief Administrative Officer and Executive Assistant. There currently is no Alternate DAEO. However, you informed us that the Chairman would designate the Chief Administrative Officer as the Alternate DAEO.



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

May 26, 2005

Lawrence D. Crocker, III
Designated Agency Ethics Official
Federal Energy Regulatory Commission
Room 91-09
888 First Street, NE.
Washington, DC 20426

Dear Mr. Crocker:

The Office of Government Ethics (OGE) recently completed a review of the ethics program at the Federal Energy Regulatory Commission (Commission). This review was conducted pursuant to section 402 of the Ethics in Government Act of 1978, as amended (the Ethics Act). Our objective was to determine the ethics program's effectiveness and compliance with applicable laws and regulations. We also evaluated the Commission's systems and procedures for ensuring that ethics violations do not occur. The review was conducted in April and May 2005. The following is a summary of our findings and recommendations.

HIGHLIGHTS

Our review revealed that several elements of the Commission's ethics program complied with or exceeded OGE requirements. However, improvements are necessary to bring the program into compliance with ethics laws and regulations. In particular, we identified deficiencies in the public and confidential financial disclosure systems. We also found that the Commission's enforcement of its supplemental standards of conduct regulation has been inconsistent.

Despite these deficiencies, we commend the Commission's practice of providing annual ethics training to all employees. In addition, while we made some suggestions to expand upon the written counseling we examined, we found the counseling to comply with applicable ethics laws and regulations. Finally, we found that recent payments of travel were properly accepted under the authority of 31 U.S.C. § 1353.

PROGRAM ADMINISTRATION

The Commission's ethics program is centrally managed out of the Office of the General Counsel, General and Administrative Law (GAL). As the Associate General Counsel for GAL, you serve as the Commission's Designated Agency Ethics Official (DAEO). A Staff Attorney within GAL serves as the Alternate DAEO.



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

September 16, 2005

Nancy E. Weiss
Designated Agency Ethics Official
Institute of Museum and Library Services
Ninth Floor
1800 M Street, NW.
Washington, DC 20036

Dear Ms. Weiss:

The Office of Government Ethics (OGE) has completed a review of the Institute of Museum and Library Services' (IMLS) ethics program. The review was conducted pursuant to section 402 of the Ethics in Government Act of 1978, as amended (Ethics Act). Our objective was to determine the program's compliance with applicable laws and regulations. We also evaluated IMLS' systems and procedures for ensuring that ethics violations do not occur. The review was conducted in July 2005. The following summarizes our findings.

HIGHLIGHTS

Since OGE's last review in 1999, IMLS continues to have a sound ethics program. All the ethics program elements were found to be in compliance with applicable laws and regulations. In particular, the ethics education and training program exceeds the minimum regulatory requirements.

PROGRAM STRUCTURE

The number of personnel assigned to administer the ethics program appears adequate considering the size of IMLS. The ethics staff consists of you, as the Designated Agency Ethics Official (DAEO), the Alternate DAEO, and a Paralegal Specialist. The ethics program is located in the Office of General Counsel, and the ethics staff works on other duties in addition to ethics.

SUPPLEMENTAL STANDARDS

Supplemental Standards of Ethical Conduct for Employees of the Institute of Museum and Library Services, at 5 C.F.R. § 7701.102(a), require an employee other than a special Government employee (SGE) to obtain written approval from his or her immediate supervisor and you, as the DAEO, before engaging in any outside employment with a prohibited source. A prohibited source is within the meaning of 5 C.F.R. §2635.203(d) of the Standards of Ethical Conduct for Employees of



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

September 6, 2005

Richard Porras
Designated Agency Ethics Official
International Boundary and Water
Commission, United States Section
4171 North Mesa Street
Suite C-100
El Paso, TX 79902-1441

Dear Mr. Porras:

The Office of Government Ethics (OGE) has completed a review of the ethics program at the United States Section of the International Boundary and Water Commission (USIBWC). This review was conducted pursuant to section 402 of the Ethics in Government Act of 1978, as amended (the Ethics Act). Our objective was to determine the ethics program's compliance with applicable statutes and regulations. We also evaluated USIBWC's systems and procedures for ensuring that ethics violations do not occur. We note that the Department of State's (State) Office of Inspector General (OIG) issued an inspection report on USIBWC prior to our review. While we found their report highly useful to our own review, our jurisdiction precluded us from addressing most of the issues they raised. However, we did examine the former Commissioner's salary raise, which was an issue brought up in the inspection report.¹

Our review was conducted intermittently from April through July 2005. The following is a summary of our findings, conclusions, and recommendations.

HIGHLIGHTS

Aspects of USIBWC's ethics program require improvement to comply with applicable statutes and regulations. USIBWC continues to publish its residual standards of conduct at 22 C.F.R. part 1100, even though they were superseded when OGE published its Standards of Ethical Conduct for Employees of the Executive Branch (Standards). The completion, filing, and review of financial disclosure reports must be improved. Nevertheless, we were impressed that USIBWC exceeds the minimum regulatory requirements by providing verbal annual ethics training to confidential financial disclosure report filers more frequently than once every three years and that some non-filers complete annual training, as well.

¹ The former Commissioner left USIBWC in August 2005.



United States

Office of Government Ethics

1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

August 31, 2005

Eric J. Gangloff
Designated Agency Ethics Official
Japan-United States Friendship Commission
1201 15th Street, NW., Suite 330
Washington, DC 20005

Dear Dr. Gangloff:

The Office of Government Ethics (OGE) recently completed a review of the Japan-United States Friendship Commission's (Commission) ethics program. The review was conducted pursuant to section 402 of the Ethics in Government Act of 1978, as amended. Our objective was to determine the program's compliance with applicable laws and regulations. We also evaluated the Commission's systems and procedures for ensuring that ethics violations do not occur. Besides reviewing the program elements reported in this letter, we discussed the Commission's coordination with the cognizant Inspector General's office in our review of the enforcement element. While there was not any activity within this program element, we were satisfied that the Commission's procedures are sufficient to meet the requirements relevant to the element. The review was conducted in June and July 2005.

HIGHLIGHTS

We did not identify any deficiencies in the Commission's ethics program. The public and confidential financial disclosure systems are generally well managed. The ethics training program appears to be administered effectively. The advice and counseling program is administered appropriately and the Commission's procedures for accepting travel payments are in good order.

ADMINISTRATION AND BACKGROUND

You serve as the Commission's Executive Director and Designated Agency Ethics Official (DAEO). You are assisted by the Alternate DAEO (ADAEO), who is the Commission's Assistant Executive Director. There is one other full-time employee, as well as one employee working on detail at the Commission.

In addition to the four regular employees, the Commission has nine private-sector commissioners who serve as special Government employees (SGE). There are also nine public-sector commissioners who serve in an ex-officio capacity.



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

August 2, 2005

Michael Wholley
Designated Agency Ethics Official
National Aeronautics and Space Administration
Mail Code: G
300 E Street, SW.
Washington, DC 20546

Dear Mr. Wholley:

The Office of Government Ethics (OGE) has completed its review of the National Aeronautics and Space Administration's (NASA) ethics program within NASA headquarters (Headquarters) and Kennedy Space Center (KSC). This review was conducted pursuant to section 402 of the Ethics in Government Act of 1978, as amended (Ethics Act). Our objective was to determine the ethics program's compliance with applicable statutes and regulations. We also evaluated the systems and procedures for ensuring that ethics violations do not occur. The review was conducted from March 2005 through June 2005. The following is a summary of our findings and conclusions.

HIGHLIGHTS

During the course of the review, we discussed with ethics officials a number of concerns regarding a variety of ethics program elements, as reflected in this report. We are recommending that NASA forward public financial disclosure reports filed by Presidentially-appointed, Senate confirmed (PAS) employees, as well as your report, to OGE in a timely manner. We also note in this report several issues which were addressed and resolved during the review. These include: the issuance of written determinations regarding the widely-attended gatherings (WAG) exception to the gift prohibitions in the Standards of Ethical Conduct for Employees of the Executive Branch (Standards), the completion of 2004 annual ethics training, and the content of materials provided to new employees at Headquarters during initial ethics orientation. Additionally, we noted our concerns regarding the waivers NASA has granted under the authority of 18 U.S.C. § 208(b)(3). We do note where NASA has exceeded our requirements in certain areas of education and training and providing counseling and advice.

PROGRAM STRUCTURE

We determined that the structure of NASA's ethics program is appropriate to meet the agency's needs and is adequately staffed within Headquarters and KSC. The ethics program at Headquarters is led by you as the General Counsel and Designated Agency Ethics Official (DAEO) and by the Acting Associate General Counsel for General Law who is the Alternate DAEO. The



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

July 1, 2005

Karen L. Elias
Designated Agency Ethics Official
National Endowment for the Arts
1100 Pennsylvania Avenue, NW., Room 518
Washington, DC 20506

Dear Ms. *Karen* Elias:

The Office of Government Ethics (OGE) has completed a review of the National Endowment for the Arts' (NEA) ethics program. The review was conducted pursuant to section 402 of the Ethics in Government Act of 1978, as amended. Our objective was to determine the program's compliance with applicable laws and regulations. We also evaluated NEA's systems and procedures for ensuring that ethics violations do not occur. The review was conducted in April 2005. This report summarizes our findings.

HIGHLIGHTS

Since OGE's last report in 1999, NEA continues to have a generally strong and viable ethics program. We did find that the financial disclosure reports of members of one of NEA's advisory committees had been misplaced and members of another committee did not file reports. However, you addressed these problems prior to the end of the fieldwork. Also, we made a few suggestions concerning the processes for approving outside employment and travel payments from non-Federal sources, which you said that you have either implemented or will consider implementing.

PROGRAM STRUCTURE

The current staffing level appears to be appropriate considering the size of the agency and your ability to allocate the appropriate time and effort to the ethics program. The ethics program is administered within the Office of General Counsel. You have served as the Designated Agency Ethics Official (DAEO) since 1991, and perform all elements of the ethics program in addition to your other duties. The Alternate DAEO acts as your backup and one administrative employee occasionally assists you.

SUPPLEMENTAL REGULATION

With concurrence from our Office, NEA issued a supplement to the Standards of Ethical Conduct for Employees of the Executive Branch (Standards). Section 6501.102 requires employees to obtain prior written approval to engage in any outside employment involving a prohibited source. Employees are required to obtain written approval from their immediate supervisor as well as from you. Outside employment requests and approvals were included in our examination of written



United States
Office of Government Ethics

1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

August 29, 2005

Michael P. McDonald
Acting Designated Agency Ethics Official
National Endowment for the Humanities
Room 529
1100 Pennsylvania Avenue, NW.
Washington, DC 20506

Dear Mr. McDonald:

The Office of Government Ethics (OGE) has completed a review of the National Endowment for the Humanities' (NEH) ethics program. The review was conducted pursuant to section 402 of the Ethics in Government Act of 1978, as amended (the Ethics Act). Our objective was to determine the program's compliance with applicable laws and regulations. We also evaluated NEH's systems and procedures for ensuring that ethics violations do not occur. The review was conducted from May through July 2005. The following summarizes our findings and recommendations.

HIGHLIGHTS

Improvements are needed to bring NEH's ethics program into compliance. In particular, we found inadequate resources allocated for the administration of the ethics program. In addition, we found a lack of prior written approval for outside activities with prohibited sources, which is required by NEH's supplemental regulation. Also, we identified deficiencies in the financial disclosure systems and in the ethics training.

PROGRAM STRUCTURE

The number of personnel assigned to administer the ethics program appears inadequate. You are currently serving as NEH's Acting Designated Agency Ethics Official (DAEO) and Acting General Counsel, replacing the former DAEO and General Counsel who resigned from NEH in May 2005. NEH's current ethics program staff consists of you, one administrative officer, and one paralegal, all performing ethics duties in addition to other NEH duties. Due to increased responsibilities, you informed us that you have been unable to devote sufficient time to the ethics program. Although you received approval to add a part-time counselor to perform some of your ethics program duties, you believe that the staffing level remains inadequate given the ethical issues that arise throughout the year, especially in regards to special Government employees (SGE). We recommend that NEH make available adequate resources to enable NEH to administer its program in a positive and effective manner in accordance with 5 C.F.R. § 2638.202(a).



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

August 29, 2005

Carl R. Sosebee
Designated Agency Ethics Official
Peace Corps
Suite 8200
1111 20th Street, NW.
Washington, DC 20526

Dear Mr. Sosebee:

The Office of Government Ethics (OGE) has completed a review of Peace Corps' ethics program. The review was conducted pursuant to section 402 of the Ethics in Government Act of 1978, as amended. Our objective was to determine the program's compliance with applicable laws and regulations. We also evaluated Peace Corps' systems and procedures for ensuring that ethics violations do not occur. The review was conducted in April and May 2005. The following summarizes our findings.

HIGHLIGHTS

Peace Corps is well served by your appointment as the Designated Agency Ethics Official (DAEO). It is obvious that your experience, combined with support from Peace Corps' senior management officials, has led to a well known and respected program.

You have established processes to meet the challenge of high turnover of Peace Corps employees (due to the use of term appointments) to ensure all new employees are provided the required initial ethics orientation and that those employees who are required to file financial disclosure reports are identified to meet new entrant and termination filing requirements in a timely manner.

Our previous review of the ethics program in 2000 resulted in 10 recommendations to improve the program. It is notable that upon your arrival and appointment as DAEO in 2002, you had taken action to clear all previous recommendations, provided ethics training to all of Peace Corps' employees, and reviewed and re-designated all positions requiring the filing of confidential financial disclosure reports.

Because of the improvements you have already made to the ethics program, combined with the many best practices you have implemented (which enhance the basic requirements of an ethics program), we have no recommendations for improvement at this time.



United States

Office of Government Ethics

1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

August 2, 2005

Ralph E. Rodgers
Designated Agency Ethics Official
Tennessee Valley Authority
400 West Summit Hill Drive
Knoxville, TN 37902

Dear Mr. Rodgers:

The Office of Government Ethics (OGE) has completed its review of the Tennessee Valley Authority's (TVA) ethics program. This review was conducted pursuant to section 402 of the Ethics in Government Act of 1978, as amended. Our objective was to determine the ethics program's compliance with applicable statutes and regulations. We also evaluated the systems and procedures for ensuring that ethics violations do not occur. The review was conducted in May 2005. The following is a summary of our findings and conclusions.

HIGHLIGHTS

TVA's ethics program appears sound. We note that Human Resource Managers (HRM) are integrally involved in TVA's ethics program; you, as the Designated Agency Ethics Official (DAEO), have expressed a high level of confidence in their ability to carry out their ethics-related duties. We also note that as a result of our review, ethics officials took immediate action in order to bring the ethics program into full compliance with the relevant regulations, namely by establishing an annual ethics training plan and revising the initial ethics orientation materials.

PROGRAM STRUCTURE

TVA's staffing of the ethics program is appropriate given the agency's size and organizational structure. The ethics program is located within the Office of the General Counsel at headquarters in Knoxville, Tennessee. You, as TVA's Assistant General Counsel, serve as the DAEO for the approximately 12,800 employees serving at headquarters and at several field centers throughout the Tennessee Valley. At headquarters, you are assisted by the Alternate DAEO, who is a Senior Attorney in the Office of the General Counsel, two attorneys who serve as Deputy Ethics Officials (DEO), and several assistants. In addition, HRMs within each of TVA's various functional organizations act as DEOs whose responsibilities include coordinating designation of confidential financial disclosure filers and annual ethics trainees, reviewing and certifying confidential financial disclosure reports, approving outside employment requests, and analyzing travel payments accepted under 31 U.S.C. § 1353.



United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

February 22, 2006

Mary Anne Gibbons
Designated Agency Ethics Official
United States Postal Service
Room 6147
475 L'Enfant Plaza West, SW.
Washington, DC 20260

Dear Ms. Gibbons:

The Office of Government Ethics (OGE) has completed its review of the United States Postal Service's (USPS) ethics program within USPS headquarters. The review was conducted pursuant to section 402 of the Ethics in Government Act of 1978, as amended (Ethics Act). Our objective was to determine the strengths and weaknesses of the ethics program and to assess its compliance with applicable statutes and regulations. The review was conducted from July through October 2005. The following is a summary of our findings and conclusions.

HIGHLIGHTS

We found serious deficiencies in the administration of the confidential financial disclosure system within some headquarters components. Most importantly, a significant number of confidential financial disclosure reports are not being reviewed or reviewed adequately for conflicts of interest. We are also concerned that there is no process in place to accurately track the number of days special Government employees (SGE) serve. Additionally, we believe that guidance provided to employees regarding widely attended gatherings (WAG) was not adequate. Our report discusses each of these issues in detail.

We also observed that you incorporate a number of best practices into your ethics program. These include the issuance of "vigilance letters" to financial disclosure report filers and the preparation of a monthly "Conflict of Interest Memorandum" which highlights potential conflicts of interest for members of the Postal Board of Governors (Board) prior to monthly Board meetings. We also strongly endorse your practice of specifically tailoring annual ethics training to particular components or offices.

PROGRAM STRUCTURE

The USPS ethics program provides required ethics-related services to USPS employees within headquarters components. As USPS' Senior Vice President and General Counsel, you also serve as the DAEO. Within your immediate office, you are assisted by the Alternate DAEO, who is the Chief Counsel, Ethics and Federal Requirements, and one other full-time and two part-time attorneys. Additionally, the ethics program is supported by one full-time