

ETHICS PROGRAM INSPECTION REPORT

Agency:

Report No.:

Date:

Period Covered by Review:

UNITED STATES OFFICE OF
GOVERNMENT ETHICS


Preventing Conflicts of Interest
in the Executive Branch

1.0 AGENCY DATA	
EMPLOYEES	
1.1	Number of full-time agency employees. (From Engagement. Quest.)
1.2	Number of Presidentially appointed, Senate-confirmed (PAS) public financial disclosure reports required to be filed. (From Annual Quest.)
1.3	Number of non-PAS public financial disclosure reports required to be filed. (From Annual Quest)
1.4	Number of confidential financial disclosure reports required to be filed. (From Annual Quest)
ETHICS PROGRAM	
1.5	Title of Designated Agency Ethics Official (DAEO). (From Engagement. Quest.)
1.6	Grade level of DAEO. (From Engagement. Quest.)
1.7	Title of Alternate DAEO (ADAEO). (From Engagement. Quest.)
1.8	Grade level of ADAEO. (From Engagement. Quest.)
1.9	Title of the primary, day-to-day ethics program administrator. (From Engagement. Quest.)
1.10	Grade level of the primary, day-to-day ethics program administrator. (From Engagement. Quest.)
1.11	Current number of full-time ethics officials. (From Engagement. Quest.)
1.12	Current number of part-time ethics officials. (From Engagement. Quest.)
1.13	Number of reporting levels between the DAEO and the agency head. (From Engagement. Quest.)
COMMENTS	

2.0 LEADERSHIP					
COMPLIANCE REQUIREMENTS			Yes	No	N/A
2.1	OGE has received an up-to-date designation from the agency head naming the DAEO. <i>See</i> 5 C.F.R. § 2638.107(a).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2.2	OGE has received an up-to-date designation from the agency head naming the ADAEO. <i>See</i> 5 C.F.R. § 2638.107(a).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
COMMENTS					
2.1-2.2: Compliance determination based on letters obtained from OGE files or the agency during the review. If letters are not provided, the agency will be determined to be in a state of noncompliance.					

3.0 PUBLIC FINANCIAL DISCLOSURE (OGE Form 278e, OGE Form 278-T)					
COMPLIANCE REQUIREMENTS			Yes	No	N/A
The agency has written policies and procedures in place governing: <i>See</i> 5 U.S.C. app. IV, § 402(d)(1).					
3.1	• Collection of public financial disclosure reports.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3.2	• Review/evaluation of public financial disclosure reports.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3.3	• Public availability of public financial disclosure reports.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

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3.4	The agency can demonstrate that late filing fees are collected or, where appropriate, waivers are issued when public filers do not timely file financial disclosure reports.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.5	Public financial disclosure reports are securely maintained. <i>See</i> OGE/GOVT-1.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.6	Public financial disclosure reports are retained in accordance with the retention requirements. <i>See</i> 5 C.F.R. § 2634.603(g)(1).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.7	There is reasonable assurance that the lead human resources official or designee promptly (no later than 15 days after appointment) notifies the DAEO of all appointments to positions that require incumbents to file public financial disclosure reports. <i>See</i> 5 C.F.R. § 2638.105(a)(1).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.8	There is reasonable assurance that the lead human resources official or designee promptly (no later than 15 days after termination) notified the DAEO of terminations of employees in positions that require incumbents to file public financial disclosure reports. <i>See</i> 5 C.F.R. § 2638.105(a)(2).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DATA ANALYSIS				%
3.9	Percentage of sampled non-PAS new entrant reports filed timely. <i>See</i> 5 C.F.R. § 2634.201(b).			
3.10	Percentage of sampled non-PAS annual reports filed timely. <i>See</i> 5 C.F.R. § 2634.201(a).			
3.11	Percentage of sampled non-PAS termination reports filed timely. <i>See</i> 5 C.F.R. § 2634.201(e).			
3.12	Percentage of sampled non-PAS public financial disclosure reports reviewed within 60 days of receipt. <i>See</i> 5 C.F.R. § 2634.605(a).			
3.13	Percentage of sampled non-PAS public financial disclosure reports certified within 60 days of receipt. <i>See</i> 5 C.F.R. § 2634.605(a).			
3.14	Percentage of sampled PAS annual reports filed timely. <i>See</i> 5 C.F.R. § 2634.201(a).			
3.15	Percentage of sampled PAS termination reports filed timely. <i>See</i> 5 C.F.R. § 2634.201(e).			
3.16	Percentage of sampled PAS annual and termination reports reviewed within 60 days of receipt. <i>See</i> 5 C.F.R. § 2634.605(a).			
3.17	Percentage of sampled PAS annual and termination reports certified within 60 days of receipt. <i>See</i> 5 C.F.R. § 2634.605(a).			
COMMENTS				
<p>3.1-3.3: Compliance determination based on review of written procedures.</p> <p>3.4: Compliance determination based on verification that any filer who submitted a report more than 30 days late was either required to pay the late filing fee or received a waiver.</p> <p>3.5: Compliance determination based on OGE's visual examination of agency's storage facilities or, in the case of agencies OGE cannot physically visit, the agency's written confirmation that storage meets applicable requirements.</p> <p>3.6: Compliance determination based on OGE's visual examination of agency files or, in the case of agencies OGE cannot physically visit, the agency's written confirmation that reports are retained in accordance with applicable requirements.</p> <p>3.7: Compliance determination based on OGE's assessment of agency procedures and comparison of appointment dates provided on financial disclosure reports and any available documentation that indicates when human resources officials notified ethics officials of appointments.</p> <p>3.8: Compliance determination based on OGE's assessment of agency procedures and comparison of termination dates provided on financial disclosure reports and any available documentation that indicates when human resources officials notified ethics officials of terminations.</p> <p>3.9-3.16: Compliance determination based on OGE's examination of financial disclosure reports.</p>				

4.0	CONFIDENTIAL FINANCIAL DISCLOSURE			
	COMPLIANCE REQUIREMENTS	Yes	No	N/A
	The agency has written policies and procedures in place governing: <i>See</i> 5 U.S.C app. IV, § 402(d)(1).			
4.1	<ul style="list-style-type: none"> • Collection of confidential financial disclosure reports. 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.2	<ul style="list-style-type: none"> • Review/evaluation of confidential financial disclosure reports. 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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4.3	Confidential financial disclosure reports are securely maintained. <i>See</i> OGE/GOVT-2.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.4	Confidential financial disclosure reports are retained in accordance with the retention requirements. <i>See</i> 5 C.F.R. § 2634.604.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.5	The agency's OGE-approved alternative confidential financial disclosure system complies with plans approved by OGE. <i>See</i> 5 C.F.R. § 2634.905(a).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.6	There is reasonable assurance that the lead human resources official or designee promptly (no later than 15 days after appointment) notifies the DAEO of all appointments to positions that require incumbents to file confidential financial disclosure reports. <i>See</i> 5 C.F.R. § 2638.105(a)(1).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DATA ANALYSIS				%
4.7	Percentage of sampled confidential new entrant reports filed timely. <i>See</i> 5 C.F.R. § 2634.903(b).			
4.8	Percentage of sampled confidential annual reports filed timely. <i>See</i> 5 C.F.R. § 2634.903(a).			
4.9	Percentage of sampled reports reviewed within 60 days of receipt. <i>See</i> 5 C.F.R. § 2634.605(a).			
4.10	Percentage of sampled confidential financial disclosure reports certified within 60 days of receipt. <i>See</i> 5 C.F.R. §§ 2634.605(a) and 2634.909(a).			
COMMENTS				
<p>4.1-4.2: Compliance determination based on OGE's review of written procedures. 4.3: Compliance determination based on OGE's visual examination of agency's storage facilities or, in the case of agencies OGE cannot physically visit, the agency's written confirmation that storage meets applicable requirements. 4.4: Compliance determination based on OGE's visual examination of agency files or, in the case of agencies OGE cannot physically visit, the agency's written confirmation that reports are retained in accordance with applicable requirements. 4.5: Compliance determination based on OGE's comparison of agency's OGE-approved plans and actual practices. 4.6: Compliance determination based on OGE's assessment of agency procedures and comparison of appointment dates provided on financial disclosure reports and any available documentation that indicates when human resources officials notified ethics officials of appointments. 4.7-4.9: Compliance determination based on OGE's examination of financial disclosure reports.</p>				

5.0	Notices to Prospective Employees			
	COMPLIANCE REQUIREMENTS	Yes	No	N/A
	Written offers of employment for positions covered by the Standards of Conduct provide: <i>See</i> 5 C.F.R. § 2638.303.			
5.1	<ul style="list-style-type: none"> • A statement regarding the agency's commitment to government ethics. 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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5.2	<ul style="list-style-type: none"> Notice that the individual will be subject to the Standards of Conduct and the criminal conflict of interest statutes as an employee. 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.3	<ul style="list-style-type: none"> Contact information for an appropriate agency ethics office or an explanation of how to obtain additional information on applicable ethics requirements. 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.4	<ul style="list-style-type: none"> Where applicable, notice of the time frame for completing initial ethics training. 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.5	<ul style="list-style-type: none"> Where applicable, a statement regarding financial disclosure requirements and an explanation that new entrant reports must be filed within 30 days of appointment. 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.6	The agency has established written procedures for issuing the notice to prospective employees. <i>See</i> 5 C.F.R. § 2638.303(c).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.7	The agency's written procedures are reviewed by the DAEO each year. <i>See</i> 5 C.F.R. § 2638.303(c).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.8	The agency can demonstrate that there is an effective process for ensuring all covered employees receive the required information with their written offer of employment. <i>See</i> 5 C.F.R. § 2638.303.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMENTS				
5.1-5.5: Compliance determination based on OGE's review of agency's template or actual notice(s). 5.6: Compliance determination base on OGE's review of agency's written procedures. 5.7: Compliance determination based on ethics officials' attestations or available documentation. 5.8: Compliance determination based on OGE's review of agency procedures, practices, and available documentation.				

6.0	Notices to New Supervisors			
	COMPLIANCE REQUIREMENTS	Yes	No	N/A
	The agency must provide each employee upon initial appointment to a supervisory position with: <i>See</i> 5 C.F.R. § 2638.306.			
6.1	<ul style="list-style-type: none"> Contact information for the agency's ethics office. 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.2	<ul style="list-style-type: none"> The text of 5 C.F.R. § 2638.103. 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.3	<ul style="list-style-type: none"> A copy of, a hyperlink to, or the address of a Web site containing the Principles of Ethical Conduct. 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.4	<ul style="list-style-type: none"> Other information the DAEO deems necessary. 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.5	The agency has established written procedures for supervisory ethics notices. <i>See</i> 5 C.F.R. § 2638.306(d).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.6	The agency's written procedures are reviewed by the DAEO each year. <i>See</i> 5 C.F.R. § 2638.306(d).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.7	The agency can demonstrate that there is an effective process for ensuring that new supervisors receive the required information within one year of appointment. <i>See</i> 5 C.F.R. § 2638.306(b).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMENTS				
6.1-6.4: Compliance determination based on OGE's review of agency's template or actual notice(s). 6.5: Compliance determination base on OGE's review of agency's written procedures. 6.6: Compliance determination based on ethics officials' attestations or available documentation. 6.7: Compliance determination based on OGE's review of agency procedures, practices, and available documentation.				

7.0	Initial Ethics Training			
	COMPLIANCE REQUIREMENTS	Yes	No	N/A
	Each new employee of the agency subject to the Standards of Conduct must complete initial ethics training. <i>See</i> 5 C.F.R. § 2638.304.			

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7.1	The training presentation(s) addressed concepts related to conflicts of interest, impartiality, misuse of position and gifts. <i>See</i> 5 C.F.R. § 2638.304(e)(1).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.2	The agency provided new employees with either the following written materials or written instruction for accessing them: The summary of the Standards of Conduct distributed by the Office of Government Ethics or an equivalent summary prepared by the agency; provisions of any supplemental agency regulation that the DAEO determines to be relevant or a summary of those provisions; such other written materials as the DAEO determines should be included; instructions for contacting the agency's ethics officials. <i>See</i> 5 C.F.R. § 2638.304(e)(2).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.3	The agency has established written procedures for initial ethics training. <i>See</i> 5 C.F.R. § 2638.304(f).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.4	The agency's written procedures are reviewed by the DAEO each year. <i>See</i> 5 C.F.R. § 2638.304(f).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DATA ANALYSIS			%	
7.5	Percentage of new employees who received initial ethics training. <i>See</i> 5 C.F.R. § 2638.304.			
7.6	Percentage of new employees who received initial ethics training within three months of appointment. <i>See</i> 5 C.F.R. § 2638.304(b).			
COMMENTS				
7.1-7.2: Compliance determination based on OGE's review of training materials. 7.3: Compliance determination based on OGE's examination of agency's procedures. 7.4: Compliance determination based on ethics officials' attestations or available documentation.				

8.0	Annual Ethics Training			
COMPLIANCE REQUIREMENTS		Yes	No	N/A
Each calendar year, public filers, confidential filers, and certain other employees must complete ethics training which meets specified requirements. <i>See</i> 5 C.F.R. §§ 2638.307 and 2638.308.				
8.1	The training presentation(s) addressed concepts related to financial conflicts of interest, impartiality, misuse of position and gifts. <i>See</i> 5 C.F.R. §§ 2638.307(e)(1) and 2638.308(f)(1).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.2	The agency provided employees with either the following written materials or written instruction for accessing them: The summary of the Standards of Conduct distributed by the Office of Government Ethics or an equivalent summary prepared by the agency; provisions of any supplemental agency regulation that the DAEO determines to be relevant or a summary of those provisions; such other written materials as the DAEO determines should be included; instructions for contacting the agency's ethics officials. <i>See</i> 5 C.F.R. § 2638.304(e)(2).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.3	The agency's annual ethics training complies with the formatting requirements for public filers, confidential filers, and certain other employees. <i>See</i> 5 C.F.R. §§ 2638.307(d) and 2638.308(e).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.4	The agency's program for annual ethics training complies with the tracking requirements for public filers, confidential filers, and certain other employees. <i>See</i> 5 C.F.R. §§ 2638.307(f) and 2638.308(g).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.5	The agency can demonstrate it has an effective process for ensuring covered public filers, other than those whose pay is set at Level I or Level II of the Executive Schedule, complete live annual ethics training at least once every two years. <i>See</i> 5 C.F.R. § 2638.308(e)(2).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DATA ANALYSIS		Training Format		
		Live	Interactive	
Percentage of public filers who completed annual ethics training before the end of the calendar year. <i>See</i> 5 C.F.R. § 2638.308(a).				
8.6	<ul style="list-style-type: none"> • Executive Schedule Level I and Level II. <i>See</i> 5 C.F.R. § 2638.308(e)(1). 			
8.7	<ul style="list-style-type: none"> • Other PAS and Equivalent. <i>See</i> 5 C.F.R. § 2638.308(e)(2). 			
8.8	<ul style="list-style-type: none"> • SES and Equivalent. <i>See</i> 5 C.F.R. § 2638.308(e)(3). 			

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	Percentage of confidential filers and certain other employees who completed annual ethics training before the end of the calendar year. <i>See</i> 5 C.F.R. § 2638.307(a)(d).		
8.9	<ul style="list-style-type: none"> Employees required to file an annual confidential financial disclosure report. <i>See</i> 5 C.F.R. § 2638.307(a)(1). 		
8.10	<ul style="list-style-type: none"> Employees appointed by the President. <i>See</i> 5 C.F.R. § 2638.307(a)(2). 		
8.11	<ul style="list-style-type: none"> Employees of the Executive Office of the President. <i>See</i> 5 C.F.R. § 2638.307(a)(2). 		
8.12	<ul style="list-style-type: none"> Contracting officers described in 41 U.S.C. § 2101. <i>See</i> 5 C.F.R. § 2638.307(a)(3). 		
8.13	<ul style="list-style-type: none"> Other employees designated by the head of the agency. <i>See</i> 5 C.F.R. § 2638.307(a)(4). 		
COMMENTS			
<p>8.1: Compliance determination based on OGE's review of available documentation and ethics officials' attestations. 8.2: Compliance determination based on review of materials provided by agency. 8.3-8.12: Compliance determination based on OGE's review of agency tracking systems and other documentation that demonstrates each category of employee received appropriate training.</p>			

9.0	ETHICS ADVICE AND COUNSELING			
	COMPLIANCE REQUIREMENT	Yes	No	N/A
9.1	Based on a sample collected by OGE, guidance provided by agency ethics officials to employees appears to be consistent with applicable laws and regulations. <i>See</i> 5 C.F.R. § 2638.104(c)(4).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMENTS				
9.1: Compliance based on OGE's review of the agency's advice and counseling.				

10.0	Special Government Employees (SGE) Serving on Advisory Committees and Boards			
Confidential Financial Disclosure				
10.1	Number of SGEs serving on Advisory Committees and Boards.	(Eng. Quest)		
	DATA ANALYSIS	%		
10.2	Percentage of sampled confidential new entrant reports filed timely. <i>See</i> 5 C.F.R. § 2634.903(b).			
10.3	Percentage of sampled reports reviewed within 60 days of receipt but not later than the SGE's first meeting. <i>See</i> 5 C.F.R. § 2634.605(a).			
10.4	Percentage of sampled reports certified within 60 days of receipt. <i>See</i> 5 C.F.R. § 2634.605(a).			
Ethics Training				
	COMPLIANCE REQUIREMENTS	Yes	No	N/A
Required ethics training must be provided to each SGE. <i>See</i> 5 C.F.R. §§ 2638.304 and 2638.307.				
10.5	The training presentation(s) addressed concepts related to conflicts of interest, impartiality, misuse of position and gifts. <i>See</i> 5 C.F.R. § 2638.304(e)(1).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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10.6	The agency provided employees with either the following written materials or written instruction for accessing them: The summary of the Standards of Conduct distributed by the Office of Government Ethics or an equivalent summary prepared by the agency; provisions of any supplemental agency regulation that the DAEO determines to be relevant or a summary of those provisions; such other written materials as the DAEO determines should be included; instructions for contacting the agency's ethics officials. <i>See</i> 5 C.F.R. § 2638.304(e)(2).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DATA ANALYSIS		%		
10.7	Percentage of SGEs who received initial ethics training. <i>See</i> 5 C.F.R. § 2638.304.			
10.8	Percentage of SGEs who received initial ethics training timely. <i>See</i> 5 C.F.R. § 2638.304(b)(2).			
10.9	Percentage of SGEs who received annual ethics training. <i>See</i> 5 C.F.R. § 2638.307(d)(2).			
COMMENTS				
10.2-10.4: Determined by OGE's examination of sampled reports. 10.5-10.6: Compliance determination based on OGE's review of agency training materials. 10.7-10.8: Compliance determination based on OGE's review of agency tracking systems and other documentation that demonstrates appropriate training was provided. (SGE's are required to receive Initial Ethics Training if they were appointed to a position in an agency and were not an employee of the agency immediately prior to that appointment. SGEs who are reasonably expected to work no more than 60 days in a calendar year on a board, commission, or committee, may receive Initial Ethics Training at any time before, or at the beginning of the employee's first meeting. SGEs serving multiple year terms would generally be required to receive Initial Ethics Training in the first year of their term and Annual Ethics Training each year thereafter. Annual Ethics Training can be provided at any time during the year. If an SGE is in the first year of their appointment, but was simply reappointed to their position or served in another position at the agency in the year prior to their current appointment/reappointment, then they would be required to receive Annual Ethics Training.				

ISSUES IDENTIFIED AND RESOLVED DURING THE INSPECTION

Element	ISSUE
	<u>ISSUE:</u> Explain the deficiency that would have resulted in a recommendation had the agency not taken action. <u>AGENCY RESPONSE:</u> What action the agency took to correct the identified deficiency.
	<u>ISSUE:</u> <u>AGENCY RESPONSE:</u>
	<u>ISSUE:</u> <u>AGENCY RESPONSE:</u>

RECOMMENDATION(S)

#	Element	RECOMMENDATION	Compliance Due
1		<u>RECOMMENDATION:</u> Directive action to correct a compliance deficiency <u>AGENCY RESPONSE:</u> Agency response to recommendation <u>OGE COMMENT:</u> OGE comment to agency's response, if necessary	

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