



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

October 16, 2012

Shawne C. McGibbon
General Counsel
Administrative Conference of the United States
1120 20th Street, NW
Suite 706 South
Washington, DC 20036

Dear Ms. McGibbon:

The United States Office of Government Ethics (OGE) has completed a follow-up review of the ethics program at the Administrative Conference of the United States (ACUS) to determine how the outstanding recommendations in our March 2012 program review have been addressed. The report contained seven recommendations requiring agency action and provided one suggestion to further improve ethics program operations. At the time of report issuance in March, ACUS provided sufficient responses to close three recommendations and the suggestion. The purpose of OGE's follow-up review was to assess the steps taken by ACUS on the remaining four recommendations. The recommendations and results of the follow-up review appear below.

OGE recommended ACUS provide public and confidential filers with verbal training annually as required by § 2638.704(a) and 5 CFR § 2638.705(c).¹ The content requirements for both public filers and other covered employees are the same and must include, at least, a review of the 14 Principles of Ethical Conduct, the Standards of Ethical Conduct for Employees of the Executive Branch, any agency supplemental standards, the Federal conflict of interest statutes, and the names, titles, office addresses, and phone numbers of the DAEO and other ethics officials. See 5 CFR § 2638.704(b). The OGE review team examined training certifications completed by filers and the contents of the training modules each filer reviewed. All public and confidential filers received training that met the content requirements. The review team considers these recommendations closed.

OGE recommended ACUS assess the impact of the loss or destruction of twelve 2010 financial disclosure reports filed by SGEs and take action to bring the SGE financial disclosure program into compliance. By reviewing previous versions of the outstanding reports and comparing them against those filers' official duties, the DAEO determined there were no conflicts of interest and no impact from the loss or destruction of the reports. The DAEO contacted all 12 filers to request replacement reports but was able to obtain only four reports. The DAEO told the OGE review team that there would be no additional attempts to recover the

¹ These are two separate recommendations from the March 2012 program review report.

Ms. McGibbon

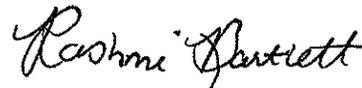
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remaining 2010 reports due to the minimal risk involved and improved internal report collection procedures. Rather, ACUS would ensure prospective compliance with financial reporting deadlines. The DAEO confirmed that all filers submitted financial disclosure reports as required during the 2012 filing season, prior to attendance at the semi-annual plenary session in June. ACUS has also made the appropriate notifications to comply with record retention requirements. The review team considers this recommendation closed.

OGE recommended ACUS certify alternate financial disclosure reports with a signature and date in accordance with 5 CFR § 2634.605(b)(2) or with a digital signature that meets the guidelines set forth in DAEOgram DO-09-004. During the follow-up review, OGE reviewed the alternate financial disclosure certifications and noted the appropriate signature and date. The review team considers this recommendation closed.

Based on OGE's follow-up, we have determined that ACUS has adequately implemented the recommendations from the March 2012 report. As a result, the remaining recommendations are now closed. Thank you for your assistance during the follow-up process. Please contact me at 202-482-9317 if you require any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Rashmi Bartlett". The signature is written in a cursive, flowing style.

Rashmi Bartlett
Associate Director