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

October 2, 2012

George A.B. Peirce
General Counsel
Defense Intelligence Agency
Building 6000
Office of the General Counsel
Washington, D.C. 20340

Dear Mr. Peirce:

The United States Office of Government Ethics (OGE) has completed a second follow-up review of the ethics program at the Defense Intelligence Agency (DIA) to determine how the outstanding recommendations in our December 2010 program review have been addressed. The original December 2010 review identified five recommendations requiring agency action and provided three suggestions to further improve ethics program operations.

OGE conducted its first follow-up review in December of 2011 and determined the steps taken by DIA were sufficient to close three of the five recommendations from the 2010 review. In August 2012, OGE conducted its second follow-up review of the ethics program at DIA. The status of the two outstanding recommendations and results of the second follow-up review appear below.

OGE recommended DIA certify all confidential financial disclosure reports within 60 days of the date they are filed unless a delay is required in order to obtain additional information or to take remedial action. Last month, OGE reviewed a sample of 100 confidential financial disclosure reports submitted in 2012 for timeliness of certification. OGE found that 46 percent of the reports in the sample were certified after the 60-day deadline. Because nearly half of the confidential financial disclosure reports reviewed were certified late and certification was not delayed for the reasons noted above, the recommendation will remain open.

OGE also recommended DIA implement procedures to ensure new entrant confidential financial disclosure reports are filed timely. OGE reviewed all calendar year 2011 new entrant reports per DIA's master list. After reviewing the 41 new entrant reports, the review team found that 76 percent of the reports were submitted beyond the 30-day filing deadline. DIA ethics officials informed supervisors of the requirement to obtain new entrant financial disclosure reports within 30 days of an employee assuming a filing position. However, in practice most reports were only filed in response to the annual report submission reminder. Because three-quarters of new

entrant confidential financial disclosure reports were submitted late, the recommendation will remain open.

OGE has determined that a full-scope ethics program review will be conducted in 2013 following the public and confidential financial disclosure review and certification deadlines. At that time, we will revisit these open issues. Please contact me at 202-482-9317 if you have any questions or concerns.

Sincerely,

Rashmi Bartlett
Associate Director