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

February 4, 2013

Jane Curlin
Acting Deputy Executive Director for Education
Designated Agency Ethics Official
Morris K. Udall and Stewart L. Udall Foundation
130 S. Scott Avenue
Tucson, AZ 85701

Dear Ms. Curlin:

The United States Office of Government Ethics (OGE) has conducted a follow-up review of the ethics program at the Morris K. Udall and Stewart L. Udall Foundation (the Foundation) to determine how the recommendations from our January 2012 report have been addressed.

OGE recommended the Foundation create written procedures for its financial disclosure system pursuant to Section 402 (d)(1) of the Ethics in Government Act. The Foundation provided OGE with written procedures for its financial disclosure system that identify the Foundation's financial disclosure filers, describe the conflict of interest review process, and provide a process for addressing delinquent filers. The Foundation has taken appropriate action responsive to OGE's recommendation. Therefore, the recommendation is closed.

OGE recommended the Foundation ensure that special Government employees (SGEs) file their confidential financial disclosure reports before attending a committee meeting or rendering any advice. The Foundation agreed to include language in the written procedures indicating that SGEs must file their financial disclosure reports before attending a committee meeting or rendering advice. The Foundation has taken appropriate action responsive to OGE's recommendation. Therefore, the recommendation is closed.

OGE recommended the Foundation ensure that reappointed SGEs select the "new entrant" box on their confidential financial disclosure reports and include information for the 12 months preceding the filing date. The DAEO explained that she would ensure that reappointed SGEs select the "new entrant" box on their 450 reports by emphasizing this requirement in written correspondence and through preliminary review of the 450 reports. The DAEO subsequently provided evidence of correspondence highlighting the "new entrant" box and reporting period requirements. The Foundation has taken appropriate action responsive to OGE's recommendation. Therefore, the recommendation is closed.

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OGE recommended the Foundation provide all SGEs with annual ethics training containing the Standards, the Principles, and the criminal conflict of interest statutes, in accordance with 5 CFR § 2638.705. Foundation ethics officials confirmed that as of December 2012, all SGEs had completed annual ethics training for 2012. OGE verified the annual ethics training material provided to Foundation employees met the content requirements described in 5 CFR § 2638.704(b). The Foundation has taken appropriate action responsive to OGE's recommendation. Therefore, the recommendation is closed.

OGE recommended the Foundation make a formal determination as to the status of its readers based on the provisions of 18 U.S.C. §202(a). The Foundation determined that the most appropriate classification for the readers' status is SGE. The Foundation also determined that these SGEs should not be required to file financial disclosure reports since conflicts of interest for these employees are remote. The Foundation has taken appropriate action responsive to OGE's recommendation. Therefore, the recommendation is closed.

OGE recommended the Foundation provide all covered employees with annual ethics training containing the Standards, the Principles, and the criminal conflict of interest statutes, in accordance with 5 CFR § 2638.704. After consultation with OGE, the Foundation provided all covered employees with annual training material for 2012 that met the applicable content requirements and subsequently confirmed all employees completed the 2012 training. The Foundation has taken appropriate action responsive to OGE's recommendation. Therefore, the recommendation is closed.

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

Sincerely,

Rashmi Bartlett

Rashmi Bartlett
Chief, Program Review Branch
Compliance Division