

ETHICS PROGRAM INSPECTION RESULTS

Agency:	Christopher Columbus Fellowship Foundation		
Report No:	14-13I	Date:	August 27, 2014
Review Scope:	January – December 2013		

1.0 AGENCY DATA		
	EMPLOYEES	Data
1.1	Number of full-time agency employees, as reported in the most recent Annual Questionnaire	2
1.2	Number of agency SGEs, as reported in the most recent Annual Questionnaire	6
1.3	Number of PAS public financial disclosure reports required to be filed, as reported in the most recent Annual Questionnaire	0
1.4	Number of non-PAS public financial disclosure reports required to be filed, as reported in the most recent Annual Questionnaire	1
1.5	Number of confidential financial disclosure reports required to be filed by employees, as reported in the most recent Annual Questionnaire	6
	ETHICS PROGRAM	Data
1.6	Name of DAEO	John H. Northcott
1.7	Title of DAEO	Executive Director
1.8	Grade level of DAEO	A.D. [Equivalent – 15]
1.9	Name of ADAEO	Ruth Holmes
1.10	Title of ADAEO	Office Manager
1.11	Grade level of ADAEO	A.D. [Equivalent – 6]
1.12	Name of the primary, day-to-day ethics program administrator	Ruth Holmes
1.13	Title of the primary, day-to-day ethics program administrator	Office Manager
1.14	Grade level of the primary, day-to-day ethics program administrator	A.D. [Equivalent – 6]
1.15	Current number of full-time ethics officials	0
1.16	Current number of part-time ethics officials	2
1.17	Average FTE value of a part-time ethics official(s) (For example, if part-time ethics officials at the agency generally devote 10 hours per week to ethics work, the average FTE value is 25%.)	1%
1.18	Number of reporting levels between the ethics office/program and the agency head	0

2.0 LEADERSHIP			
	COMPLIANCE REQUIREMENT	Yes	No
2.1	OGE has received an up-to-date designation from the agency head naming the DAEO. <i>See</i> 5 C.F.R. § 2638.202(c).	<input checked="" 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. § 2638.202(c).	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.0 ETHICS AGREEMENTS			
	COMPLIANCE REQUIREMENT	Yes	No
3.1	All officials currently in PAS positions have complied with their ethics agreements. <i>See</i> 5 C.F.R. § 2634.804. (☒ Not Applicable: see OGE comment section below)	<input type="checkbox"/>	<input type="checkbox"/>
3.2	All officials currently in PAS positions complied with their ethics agreements in a timely fashion. <i>See</i> 5 C.F.R. § 2634.804. (☒ Not Applicable: see OGE comment section below)	<input type="checkbox"/>	<input type="checkbox"/>
3.3	For all officials currently in PAS positions, the agency notified OGE of ethics agreement compliance in a timely fashion. <i>See</i> DO-09-015. (☒ Not Applicable: see OGE comment section below)	<input type="checkbox"/>	<input type="checkbox"/>

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3.4	For all officials currently in PAS positions, the agency maintains documentation of actions taken to comply with ethics agreements. <i>See</i> 5 C.F.R. § 2634.804. (☒ Not Applicable: see OGE comment section below)	<input type="checkbox"/>	<input type="checkbox"/>
3.5	All PAS officials' ethics agreements are maintained with their financial disclosure reports. <i>See</i> 5 C.F.R. § 2634.805. (☒ Not Applicable: see OGE comment section below)	<input type="checkbox"/>	<input type="checkbox"/>

4.0 PUBLIC FINANCIAL DISCLOSURE (OGE Form 278, OGE Form 278-T)				
COMPLIANCE REQUIREMENT			Yes	No
4.1	The agency has written policies and procedures in place governing: <i>See</i> 5 U.S.C app. IV, § 402(d)(1).			
4.1.1	• Collection of public financial disclosure reports	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
4.1.2	• Review/evaluation of public financial disclosure reports	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
4.1.3	• Public availability of public financial disclosure reports	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
4.2	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 checked="" type="checkbox"/>
4.3	Public financial disclosure records are securely maintained. <i>See</i> OGE/GOVT-1.			<input type="checkbox"/>
4.4	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"/>
4.5	Agency ethics officials respond promptly to requests by OGE for additional information regarding PAS annual and termination public financial disclosure reports. <i>See</i> 5 U.S.C app. IV, § 402(d)(1). <i>See</i> 5 C.F.R. § 2638.203(b)(14). (☒ Not Applicable: see OGE comment section below)			<input type="checkbox"/>
DATA ANALYSIS			%	
4.6	Percentage of sampled non-PAS new entrant reports filed timely. <i>See</i> 5 C.F.R. § 2634.201(b).			N/A
4.7	Percentage of sampled non-PAS annual reports filed timely. <i>See</i> 5 C.F.R. § 2634.201(a).			100%
4.8	Percentage of sampled non-PAS termination reports filed timely. <i>See</i> 5 C.F.R. § 2634.201(e).			N/A
4.9	Percentage of sampled non-PAS public financial disclosure reports certified within 60 days of receipt (unless additional information was being sought or remedial action was being taken). <i>See</i> PA-11-04.			100%
4.10	Percentage of sampled PAS annual reports filed timely. <i>See</i> 5 C.F.R. § 2634.201(a).			N/A
4.11	Percentage of sampled PAS termination reports filed timely. <i>See</i> 5 C.F.R. § 2634.201(e).			N/A
4.12	Percentage of sampled PAS annual and termination reports certified within 60 days of receipt (unless additional information was being sought or remedial action was being taken). <i>See</i> 5 C.F.R. § 2634.605(a).			N/A

5.0 CONFIDENTIAL FINANCIAL DISCLOSURE				
COMPLIANCE REQUIREMENT			Yes	No
5.1	The agency has written policies and procedures in place governing: <i>See</i> 5 U.S.C app. IV, § 402(d)(1).			
5.1.1	• Collection of confidential financial disclosure reports	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
5.1.2	• Review/evaluation of confidential financial disclosure reports	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
5.2	Confidential financial disclosure records financial disclosure records are securely maintained. <i>See</i> OGE/GOVT-2.			<input checked="" type="checkbox"/>
5.3	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). (☒ Not Applicable: see OGE comment section below)			<input type="checkbox"/>
5.4	Confidential financial disclosure reports are retained in accordance with the retention requirements. <i>See</i> 5 C.F.R. § 2634.604.			<input checked="" type="checkbox"/>

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	DATA ANALYSIS	%
5.5	Percentage of sampled confidential new entrant reports filed timely. <i>See</i> 5 C.F.R. § 2634.903(b).	N/A
5.6	Percentage of sampled confidential annual reports filed timely. <i>See</i> 5 C.F.R. § 2634.903(a).	71%
5.7	Percentage of sampled confidential financial disclosure reports certified within 60 days of receipt (unless additional information was being sought or remedial action was being taken). <i>See</i> 5 C.F.R. §§ 2634.605(a), 2634.909(a).	100%

6.0 INITIAL ETHICS ORIENTATION			
	COMPLIANCE REQUIREMENT	Yes	No
6.1	All initial ethics orientation material contains: <i>See</i> 5 C.F.R. § 2638.703(a) and (b).		
6.1.1	<ul style="list-style-type: none"> Current contact information of relevant ethics official(s) 	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6.1.2	<ul style="list-style-type: none"> Copy of the Standards of Ethical Conduct and any agency supplemental standards to keep or review; or Summaries of the Standards, any agency supplemental standards, and 14 Principles for employees to keep 	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6.2	The agency can demonstrate that it has an effective process to ensure that new employees receive initial ethics orientations. <i>See</i> 5 C.F.R. § 2638.703(c).	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	DATA ANALYSIS	%	
6.3	Percentage of new agency employees who received initial ethics orientation within 90 days. <i>See</i> 5 C.F.R. § 2638.703.	N/A	

7.0 ANNUAL ETHICS TRAINING			
	COMPLIANCE REQUIREMENT	Yes	No
7.1	All annual ethics training material contains: <i>See</i> 5 C.F.R. § 2638.704(b).		
7.1.1	<ul style="list-style-type: none"> Current contact information of relevant ethics official(s) 	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7.1.2	<ul style="list-style-type: none"> Review of the criminal conflict of interest statutes 	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7.1.3	<ul style="list-style-type: none"> Review of the Standards of Ethical Conduct 	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7.1.4	<ul style="list-style-type: none"> Review of the 14 Principles 	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7.1.5	<ul style="list-style-type: none"> Review of any agency supplemental standards (<input checked="" type="checkbox"/> Not Applicable: see OGE comment section below) 	<input type="checkbox"/>	<input type="checkbox"/>
7.2	The agency can demonstrate that it has an effective process to ensure that covered employees receive annual ethics training. <i>See</i> 5 C.F.R. § 2638.704(c) and 705(c).	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	DATA ANALYSIS	%	
7.3	Public financial disclosure filers who completed annual ethics training. <i>See</i> 5 C.F.R. § 2638.704(a).	0%	
7.4	Confidential financial disclosure filers who completed annual ethics training. <i>See</i> 5 C.F.R. § 2638.705(a)(3).	0%	

8.0 ETHICS ADVICE AND COUNSEL			
	COMPLIANCE REQUIREMENT	Yes	No
8.1	Based on a sample collected by OGE, guidance provided by agency ethics officials to employees appears to be consistent with applicable laws and regulations. (<input checked="" type="checkbox"/> Not Applicable: see OGE comment section below)	<input type="checkbox"/>	<input type="checkbox"/>

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RECOMMENDATIONS			
#	Element	RECOMMENDATION	Compliance Due
1	4.3 – 4.4	<p><u>CONCERN:</u> Agency did not retain a public financial disclosure report after it had been forwarded to OGE.</p> <p><u>RECOMMENDATION:</u> Retain public financial disclosure reports in accordance with 5 C.F.R. § 2634.603(g)(1) and OGE/GOVT-1.</p> <p><u>AGENCY RESPONSE:</u> The Foundation has acted to obtain the absent public financial disclosure final report. It is available from the Foundation offices. It has amended internal procedures to request and require all future public financial disclosure reports (Form 278) to be publicly available from the Foundation.</p>	7/29/14
2	5.6	<p><u>CONCERN:</u> A review of the annual confidential financial disclosure reports indicated that 71 percent were filed timely.</p> <p><u>RECOMMENDATION:</u> Improve the filing timeliness of annual confidential financial disclosure reports.</p> <p><u>AGENCY RESPONSE:</u> The Foundation conducted full ethics training for all covered employees on 6/12/2014. Filing deadlines and data requirements were extensively reviewed and reinforced through discussion of prior timeliness concerns. The Foundation has updated its internal calendar to alert the new DAEO and newly created ADAEO position of upcoming reporting deadlines. New covered employee training and education program will highlight requirements.</p>	3/1/15

COMMENTS	
<p><u>OGE Comments:</u></p> <p>(1.6) The agency’s DAEO is new to the position and took over the ethics program in June 2014, just prior to OGE’s inspection.</p> <p>(3.1 – 3.5) Agency does not have any PAS positions.</p> <p>(4.1.1 – 4.1.3) Although the agency did not have written procedures in place for the public financial disclosure system at the start of OGE’s inspection, the DAEO developed and implemented procedures that contained all the required elements by the close of the inspection.</p> <p>(4.5) Agency does not have any PAS positions.</p> <p>(5.1.1 – 5.1.2) Although the agency did not have written procedures in place for the confidential financial disclosure system at the start of OGE’s inspection, the DAEO developed and implemented procedures that contained all the required elements by the close of the inspection.</p> <p>(5.3) Agency does not have an alternative confidential financial disclosure system.</p> <p>(5.4) The inspection identified financial disclosure reports retained beyond the time frames established in the retention requirements. During the inspection the DAEO destroyed all financial disclosure reports held beyond the retention period.</p> <p>(6.1 – 6.2) Agency did not have any new entrant employees in CY2013 and had not retained copies of initial ethics orientation material. During the course of OGE’s inspection, the DAEO developed an initial ethics orientation package that met the content requirements of 5 C.F.R. § 2638.703(a) and (b).</p> <p>(7.1.1 – 7.1.4) Although the agency did not retain copies of annual training material from CY2013, during the course of OGE’s inspection the DAEO developed annual training material that met the content requirements of 5 C.F.R. § 2638.704(b).</p>	

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(7.1.5) Agency does not have supplemental standards of conduct.

(7.2) The agency had no record of having provided annual ethic training to covered employees in CY2013. In response, the DAEO established ethics training and review as a required element of annual Board meetings to ensure covered employees receive annual ethics training.

(7.3 – 7.4) Because the agency had no record of having provided annual ethics training to covered employees in CY2013, the DAEO developed training material, provided ethics training to covered employees at the agency's 6/12/2014 Board meeting, and completed his own annual ethics training. Ethics training and review is now a required element of annual Board meetings.

(8.1) Agency did not provide ethics advice and counsel during CY2013.