

## ETHICS PROGRAM INSPECTION RESULTS



Agency:	Alaska Natural Gas Transportation Projects		
Report No:	15-23I	Date:	March 25, 2015
Review Period:	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	4
1.2	Number of agency SGEs, as reported in the most recent Annual Questionnaire	0
1.3	Number of PAS public financial disclosure reports required to be filed, as reported in the most recent Annual Questionnaire	1
1.4	Number of non-PAS public financial disclosure reports required to be filed, as reported in the most recent Annual Questionnaire	0
1.5	Number of confidential financial disclosure reports required to be filed by employees, as reported in the most recent Annual Questionnaire	2
	ETHICS PROGRAM	Data
1.6	Name of DAEO	Larry Persily
1.7	Title of DAEO	Federal Coordinator
1.8	Grade level of DAEO	Executive Schedule, Level 3
1.9	Name of ADAEO	Terry Goodman
1.10	Title of ADAEO	Director of Administration
1.11	Grade level of ADAEO	No grade levels at the agency (position paid as AD-00)
1.12	Name of the primary, day-to-day ethics program administrator	Terry Goodman
1.13	Title of the primary, day-to-day ethics program administrator	Director of Administration
1.14	Grade level of the primary, day-to-day ethics program administrator	No grade levels at the agency (position paid as AD-00)
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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>

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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. ( <input type="checkbox"/> Not Applicable: see OGE comment section below)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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. ( <input type="checkbox"/> Not Applicable: see OGE comment section below)	<input type="checkbox"/>	<input checked="" 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. ( <input type="checkbox"/> Not Applicable: see OGE comment section below)	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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"/>	<input type="checkbox"/>
4.3	Public financial disclosure records are securely maintained. <i>See</i> OGE/GOVT-1.			<input checked="" type="checkbox"/>	<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 checked="" type="checkbox"/>	<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). ( <input checked="" type="checkbox"/> Not Applicable: see OGE comment section below)			<input type="checkbox"/>	<input type="checkbox"/>
<b>DATA ANALYSIS</b>			<b>%</b>		
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).			N/A	
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.			N/A	
4.10	Percentage of sampled PAS annual reports filed timely. <i>See</i> 5 C.F.R. § 2634.201(a).			100%	
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).			100%	

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 are securely maintained. <i>See</i> OGE/GOVT-2.			<input checked="" type="checkbox"/>	<input 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). ( <input checked="" type="checkbox"/> Not Applicable: see OGE comment section below)			<input type="checkbox"/>	<input type="checkbox"/>

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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"/>	<input type="checkbox"/>
<b>DATA ANALYSIS</b>		<b>%</b>	
5.5	Percentage of sampled confidential new entrant reports filed timely. <i>See</i> 5 C.F.R. § 2634.903(b).	100%	
5.6	Percentage of sampled confidential annual reports filed timely. <i>See</i> 5 C.F.R. § 2634.903(a).	100%	
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"> <li>Current contact information of relevant ethics official(s)</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6.1.2	<ul style="list-style-type: none"> <li>Copy of the Standards of Ethical Conduct and any agency supplemental standards to keep or review; or</li> <li>Summaries of the Standards, any agency supplemental standards, and 14 Principles for employees to keep</li> </ul>	<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"/>
<b>DATA ANALYSIS</b>		<b>%</b>	
6.3	Percentage of new agency employees who received initial ethics orientation within 90 days. <i>See</i> 5 C.F.R. § 2638.703.	100%	

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"> <li>Current contact information of relevant ethics official(s)</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7.1.2	<ul style="list-style-type: none"> <li>Review of the criminal conflict of interest statutes</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7.1.3	<ul style="list-style-type: none"> <li>Review of the Standards of Ethical Conduct</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7.1.4	<ul style="list-style-type: none"> <li>Review of the 14 Principles</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7.1.5	<ul style="list-style-type: none"> <li>Review of any agency supplemental standards ( <input checked="" type="checkbox"/> Not Applicable: see OGE comment section below)</li> </ul>	<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 type="checkbox"/>	<input checked="" type="checkbox"/>
<b>DATA ANALYSIS</b>		<b>%</b>	
7.3	Public financial disclosure filers who completed annual ethics training. <i>See</i> 5 C.F.R. § 2638.704(a).	100%	
7.4	Confidential financial disclosure filers who completed annual ethics training. <i>See</i> 5 C.F.R. § 2638.705(a)(3).	100%	

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	3.4	<p><u>CONCERN:</u> The agency did not maintain documentation verifying compliance with the ethics agreement entered into by its one PAS official.</p> <p><u>RECOMMENDATION:</u> Ensure that ethics agreement compliance documentation is maintained as required. Assemble the Federal Coordinator/DAEO's ethics compliance documentation and retain it with his public financial disclosure form as required.</p>	
2	3.5	<p><u>CONCERN:</u> The agency did not maintain the PAS official's ethics agreement with his financial disclosure report.</p> <p><u>RECOMMENDATION:</u> Ensure that the ethics agreement is maintained with the financial disclosure report.</p>	
3	4.1.3	<p><u>CONCERN:</u> The agency's procedures did not address public availability of public financial disclosure reports.</p> <p><u>RECOMMENDATION:</u> Amend written procedures to include the public availability of public financial disclosure reports.</p>	
4	6.3	<p><u>CONCERN:</u> The agency could not provide written verification of employees' completion of initial ethics orientation.</p> <p><u>RECOMMENDATION:</u> Ensure initial ethics orientation is provided to all employees and tracked to confirm completion.</p>	
5	7.1.1- 7.1.4 & 7.2	<p><u>CONCERN:</u> The agency could not provide copies of annual ethics training materials; therefore, OGE could not verify annual training contents met requirements.</p> <p><u>RECOMMENDATION:</u> Provide covered employees annual ethics training that meets the requirements of 5 C.F.R. § 2638.704(a) and 5 C.F.R. § 2638.705(a)(3) and confirm completion.</p>	

COMMENTS	
<u>OGE Comments</u>	
(3.4) The agency did not maintain documentation verifying compliance with the ethics agreement entered into by its one PAS official.	
(3.5) The agency did not maintain the PAS official's ethics agreement with his financial disclosure report.	
(4.1.3) The agency's procedures did not address public availability of the public financial disclosure reports.	
(4.5) There was no correspondence between the agency and OGE regarding financial disclosure in 2013.	
(4.6 – 4.9) The agency does not have any non-PAS positions.	
(5.3) The agency does not have an OGE-approved alternative confidential financial disclosure system.	

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(6.3) The agency has only four full-time employees, three of whom were new employees who required IEO training in 2013. However, written verification was provided for only one employee.

(7.1 – 7.1.4) The agency could not provide copies of annual ethics training materials.

(7.1.5) The agency does not have supplemental standards.

(7.3 – 7.4) Per the agency, all employees required to receive annual ethics training received the training.

(8.1) Employees did not make any requests for advice and counseling to ethics officials in 2013.