



July 13, 2022

Michael L. Gosliner
Designated Agency Ethics Official
Marine Mammal Commission
4340 East-West Highway, Suite 700
Bethesda, Maryland 20814

Dear Mr. Gosliner:

This letter is to inform you that the U.S. Office of Government Ethics (OGE) is issuing a Notice of Deficiency to the Marine Mammal Commission (MMC), pursuant to section 402 of the Ethics in Government Act of 1978, as amended, and 5 CFR § 2638.402(b). This Notice of Deficiency is being issued as a result of MMC's ongoing failure to provide OGE's program review function with all materials required for OGE to conduct a review of MMC's ethics program.

Pursuant to 5 CFR § 2638.104(c)(3), an agency's Designated Agency Ethics Official (DAEO) is required to promptly and timely furnish to OGE all documents and information requested or required under subpart B of 5 CFR part 2638, which includes all information and records in the agency's possession which the OGE Director deems necessary to the performance of the Director's duties. As MMC's DAEO, you have failed to respond to numerous attempts to contact you and have failed to provide the remaining requested documents and information. This failure is part of a larger pattern of MMC neglecting to timely respond to OGE requests for required documents and information.

In response to this Notice of Deficiency, you must ensure that the required materials OGE has requested are provided to OGE within 30 days of the date of this letter and that any additional materials requested during the course of the review are provided timely. Upon receipt of these materials, OGE will make a determination about whether to lift this Notice of Deficiency.

If MMC does not timely provide the required materials, OGE may take more formal action to ensure MMC's compliance, in accordance with 5 CFR § 2638.403. These formal actions could include issuing an Order to MMC's chairperson and ultimately notifying the President and the Congress of MMC's noncompliance.



Please contact the Chief of OGE's Program Review Branch, Douglas Chapman, to confirm receipt of this Notice of Deficiency and to begin the process of providing the outstanding materials. Mr. Chapman can be reached at 202-482-9223 or dlchapma@OGE.gov.

Sincerely,

Emory A. Rounds, III
Director

cc: Frances M.D. Gulland, Vet. M.B, Ph.D.
MMC Chair