



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

November 13, 2012

Mr. Dan M. Berkovitz  
General Counsel/Designated Agency Ethics Official  
Commodity Futures Trading Commission  
3 Lafayette Centre  
1155 21st ST NW 8th Floor  
Washington, DC 20581

Dear Mr. Berkovitz:

The United States Office of Government Ethics (OGE) has conducted a follow-up review of the ethics program at the Commodity Futures Trading Commission (CFTC) to determine how the recommendations from our January 2012 report have been addressed.

OGE recommended CFTC collect and certify all financial disclosure reports filed in 2011, including making the necessary late-filing fee determinations. CFTC provided OGE with an Ethics Management and Tracking (EMAT) system report showing the current status of financial disclosure reports filed in 2011, discussed the report with OGE, and confirmed that all CFTC financial disclosure reports for 2011 were reviewed and certified. Ethics officials determined a late-filing fee should be assessed for one delinquent filer. CFTC has taken appropriate action responsive to OGE's recommendation. Therefore, the recommendation is closed.

OGE recommended CFTC formally document the relationship between the Ethics Office and the Office of Human Resources and Support Services regarding the administration of the ethics program. CFTC developed a written "Ethics Policy" identifying the ethics-related roles and responsibilities of the DAEO, ADAEO, Regional Administrators, Human Resources Branch (HR), Office of Data and Technology, and CFTC employees. The policy addresses training, financial disclosure, and conflict of interest resolution. Based on this policy, a representative from HR will also be a member of the Ethics Working Group. CFTC has taken appropriate action responsive to OGE's recommendation. Therefore, the recommendation is closed.

OGE recommended CFTC develop oversight mechanisms to monitor and track completion of Initial Ethics Orientation (IEO). CFTC's Ethics Policy addresses HR's responsibility to conduct IEO, provide appropriate training materials, and ensure accurate training data in the EMAT system. HR notifies the Ethics Office of new employees, so both offices can coordinate efforts better to monitor and track the completion of IEO. CFTC has taken appropriate action responsive to OGE's recommendation. Therefore, the recommendation is closed.

Mr. Dan M. Berkovitz  
Page 2

Based on OGE's follow-up, we have determined that CFTC 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,

A handwritten signature in cursive script that reads "Rashmi Bartlett".

Rashmi Bartlett  
Associate Director  
Program Review Division